

STONEY CREEK HOMEOWNERS ASSOCIATION, INC.

RULES AND REGULATIONS

ADOPTED FEBRUARY 15, 2013

INTRODUCTION

1.1 Applicability

These Rules and Regulations ("Rules") are adopted pursuant to the *Declaration of Covenants, Conditions, and Restrictions for Stoney Creek Subdivision, recorded on August 3, 2007 in the office of the Register of Deeds for Berkeley County, South Carolina, at volume number 6762 page 242, as amended*, ("Declaration") and the Rules Enforcement Policy resolution, as adopted by the Board of Directors. These documents provide for the establishment of reasonable rules and regulations concerning the use of individual lots and common areas. Authority is given to the Board, through the Declaration, to enforce the appropriate maintenance and care of individual residences in Section 6.6.3, Section 7.7.1 and 7.3 and Section 7 in its entirety, of the Declaration.

1.2 Purpose

This document is not intended to replace the Declaration, but to provide consistent guidance to owners regarding requirements for additions and modifications to property in the community, and applications for approval of such conditions and modifications. Additionally, these Rules set forth various restrictions on other matters relating to community standards and the overall appearance of property in the community.

1.3 Application and Review Process for All Exterior Modifications

Unless otherwise specifically exempted by the Declaration or these Rules, each and every proposed exterior modification/addition to residential units or lots requires prior approval of the Association's Board of Directors, or its Architectural Review Board ("ARB"). A completed *Home Improvement* application must be submitted to the **Stoney Creek ARB for any proposed exterior modification to a home or yard**. The mailing address and email address for submittal is shown on the application. Each application must include a copy of the lot survey showing the size and location of the proposed modification/addition as well as a list and description of the materials to be used. Color samples may assist the ARB in rendering its decision and expedite the review process. The ARB may require submission of such additional information as may be reasonably necessary to consider any application. Review of the application and notification to the applicants shall be conducted as described in the Declaration. Where specifically permitted by these Rules to proceed without prior approval, such permission shall only be effective so long as the Owner complies with every stated requirement. The ARB is not responsible for ensuring structural integrity or compliance with state and local building codes. Homeowners must obtain all necessary building permits and other government approvals that may be required for the proposed modification or addition.

1.4 Enforcement

Enforcement authority is given in Section 11.1 of the Declaration. Each owner shall comply strictly with these Rules, as well as other sanctions as described in the Declaration, as they both may be lawfully amended or modified from time to time. The Board may impose fines, or other sanctions, which shall be collected, as provided in the Declaration. Further, as more fully described in the Declaration, the Board has full authority by law to take all legal action to enforce collection of fines, or enforce compliance, to the full extent of the law, including filing of liens, foreclosure on the property, or any other measures as required.

In addition to the remedies described above, the Board has full power (self help) to enter upon any Lot to abate, or remove any thing, structure or condition which violates these Rules or the Declaration. The Board will give no more than ten (10) days notice to the Owner of its intent to remedy any such violation. Notwithstanding the foregoing, vehicles may be towed after notice is given.

All costs of the above remedies, including attorney's fees, shall be assessed against the violating Lot Owner and shall be collected as provided for in the Declaration for the collection of assessments and in accordance with the Rules Collection Policy adopted by the Board.

GENERAL ARCHITECTURAL STANDARDS

2.1 Antennas, Satellite Dishes

Homeowners who wish to place a satellite dish on the exterior of the residence must submit a Home Improvement Application to the ARB. If installation is required in other than the following approved locations, include a statement indicating the need for such alternative placement from the installer with the ARB application. Standard, approved placement of a satellite dish is:

- Attached to or mounted on a pole in the rear of the residence.
- Attached to or mounted on the rear wall or rear roof of the residence so as to extend no higher than the ridge line of the residence at a point directly above the position where attached or mounted to the wall.
- The Board reserves the right to ask the homeowner to screen the satellite dish or antenna

Pursuant to FCC Section 207 of the Telecommunications Act of 1996, the ARB will not require prior approval for antennas/dishes in the attic, crawl space, garage, or other interior space of the dwelling, or another approved structure so as not to be visible from the exterior of the residence.

2.1.1 Backyard Play Equipment, Basketball Goals

Swing sets, basketball goals, trampolines, and all other play structures must have prior approval from the ARB before placing on the property. Basketball goals may not be placed where play would occur in the street. All swing sets, trampolines, and other play structures must be placed in the backyard only.

2.2 Birdbaths, Birdfeeders, Birdhouses

Birdbaths, birdfeeders, and birdhouses are permitted on the exterior of the property in the backyard only, unless expressly approved in writing by the ARB. Approval is not necessary for birdfeeders equal to or smaller than 1'x1'.

2.3 Clotheslines, Fuel Tanks, Outside Storage

Clotheslines, above ground fuel storage tanks, woodpiles, and similar items are not permitted. Storage of any materials (such as, but not limited to, lawnmowers, landscaping materials, and lumber) outside an enclosed structure is not permitted. Furniture intended for indoor use is not permitted on any outside area, including porches.

2.4 Decks, Patios, Screened Porches, Driveways

Approval is required prior to construction, modification or extension of decks, patios, screened porches, and driveways. Deck footings and patios must stay within the governmental setbacks of any lot. No deck or patio shall extend into the side yard beyond the side plane of the residence. Deck waterproofing, sealing and staining is pre-approved provided that natural wood color is used.

2.5 Dog Pens, Runs, Dog Houses

Dog runs are not permitted. All pet enclosures must be reviewed and approved by the ARB.

2.6 Exterior Changes, Shutters, Doors

All exterior changes must be approved in writing prior to the changes being made. Shutters and doors must compliment the exterior color scheme. The front door may be changed with written approval. When submitting a request for a color change, color chips or siding samples should be attached to the standard Home Improvement Application.

2.7 Exterior Lighting, Seasonal Decorations

Seasonal decorations for customary holidays are acceptable as long as they do not go to excess. They should be tasteful and not provide excessive amounts of light or noise to neighboring properties. Seasonal decorations should not be installed more than 30 days prior to the holiday and must be removed from your property and home's exterior no later than ten days following the holiday. This is a highly subjective area; it is obviously the goal to avoid the "Chevy Chase Christmas Vacation" look. While generally putting lights in an exterior tree or bush would fall within the normal guidelines for acceptable seasonal lighting, perimeter lighting of a house or garage so as to create a light border around the structure is not approved. Exterior lights, if used, should be left on and should not be blinking lights. Balloons or party decorations are acceptable for the day of a party as long as they are not carried to excess; and should be removed within 24 hours.

2.8 Exterior Conditions/Maintenance

All homes shall be maintained in a neat and attractive condition at all times. Any exterior siding, trim, or roof or other area discoloration, such as mold, mildew, rust, or other similar abnormal condition shall immediately be cleaned, or removed. Failure to take measures to remedy such staining condition may result in the Association taking such action as is necessary to rectify such unsightly conditions, to include but not limited to fines, or contracting with a reputable business to pressure wash or remove the discolorations and the cost of such service shall be a specific assessment against the owner.

2.9 Fences

A Home Improvement Application must be submitted and approved prior to construction of any fence. The application must include a copy of the property survey showing the proposed location of the fence. Approved fences must meet these additional restrictions:

- Chain-link fencing in any form is strictly prohibited.
- A single fence is permitted between adjacent lots sharing a common property line.
- Fences are not approved in the front yard.
- Fences must tie to the structure of the dwelling.
- Neighboring fences should share the side neighbor's fence and allowed to 'tie onto' the neighboring fence, to prevent 'double fence row' along the side lot boundaries.
- In the event of an obstacle, the homeowner must shift the fence inside the boundary line of the lot.
- Fence finishes may be one of the following: 1) unstained, 2) stained with a transparent, clear (uncolored) stain.
- Fences built on swales or drainage easements must be placed 3" above the grass line to allow water to flow.
- The homeowner is responsible to adhere to all state, county and local laws.
- FENCING OF ANY SORT INSTALLED OR ALTERED WITHOUT APPROVAL IS NOT PERMITTED. RESIDENTS WILL BE REQUIRED TO IMMEDIATELY REMOVE ANY FENCE INSTALLED OR ALTERED WITHOUT THE WRITTEN APPROVAL OF THE ARB.

2.9 Flagpoles, Flags

Flags and poles may not be attached or installed without the written approval of the ARB using the required form attached to these guidelines. Flags are preapproved provided they are no larger than 2'x2' unless deemed offensive or a nuisance by the Board. Larger-sized flags, to be placed in the front yard, require approval for size of flag and pole and location.

2.10 Garbage Containers, Recycle Containers, Garbage

Garbage containers must be stored in one of the following pre-approved locations:

- Inside an approved enclosed structure, such as a garage.
- Behind the dwelling, not visible from the curb.
- Containers may be stored on the side of the home so long as they are screened by an approved manufactured element or by a natural element no smaller than 2 feet tall.

Garbage containers can be delivered to the curb 24 hours prior to collection and must be retrieved within 24 hours after collection.

2.11 Hot Tubs, Spas, Saunas

Hot tubs and spas are permitted using the Home Improvement Application for approval prior to installation. These items must be located in the rear of the residence screened from view of the street. Owners are required to install safety features such as locks or covers and comply with all applicable state and local codes. Saunas are not permitted.

2.12 Mailboxes

Only the original style black mailbox is permitted. If replacement or repair is required, the mailbox must be restored to the original design specification. No coverings allowed. Please contact the ARB for mailbox and post specifications.

2.14 Outdoor Furniture

No furniture shall be used, stored or kept on the exterior of any residence except on porches, patios, and decks. Furniture not enclosed in a room shall be limited to such types as is designed for outdoor use.

2.15 Parking, Recreational Vehicles, Campers, Boats, Trailers

No vehicle, including but not limited to recreational, camper, boat, trailer, car or truck, will be parked on the grass or sidewalk of any lot.

Except for occasional temporary overflow parking for special occasions, overnight curbside/street parking is not permitted. Parking on empty lots is not permitted.

Recreational vehicles, campers, boats and trailers must be kept in the garage except temporarily in preparation for use or repair, if such period does not exceed 24 hours. No unlicensed vehicle or “junk car” shall be left upon any portion of Stoney Creek, except in a garage. Such vehicles identified must be removed by the owner.

The Association has the authority to remove any vehicle that violates this policy, if not removed by the Owner when requested and the costs of such removal shall be a specific assessment against such Owner.

No boat shall be stored upon any portion of Stoney Creek unless enclosed in a fence or garage, so as not to be visible from the street.

2.16 Pets

Pets must be on a leash, or restrained at all times. Animal waste must immediately be collected by the owner and disposed of in an approved waste receptacle.

Other than normal household pets, no other animals, livestock or poultry of any kind shall be raised, bred or kept on the lot. Dogs, cats or other normal household pets may be kept in homes provided that such pets are not kept, bred or maintained for any commercial purpose.

Animal nuisance of any kind will not be tolerated, including noise and improper waste disposal. For additional information please refer to Berkeley County Codes. Violation of the Berkeley County Code may include fines and/or imprisonment. Animal nuisance violations should be reported to Berkeley County Animal Control by calling 843-719-4210.

2.17 Roof Accessories

Modification to a rooftop requires an approved Home Improvement Application prior to modification. Approved rooftop accessories or equipment must match the existing roof colors, compliment the residence, and be as inconspicuous as possible. The following restrictions must also be met:

- Exposed flashing, gutters and down spouts must match the existing color scheme of the residence.
- Skylights shall not exceed 3' x 5' in size and shall be mounted on the backside of the roof so as not to be seen from the street.
- Solar energy equipment will have the appearance of a skylight, have finished trim, and shall not be visible from the street.

2.18 Signs

No signs of any type or kind shall be erected, placed or permitted to remain on any residence, lot or common area except:

- A single "For Sale" or "For Rent" sign which shall not exceed 2' x 3' in size.
- Such permits as required by legal/government agencies.
- Official community events as approved by the ARB.
- A security system warning sign, not to exceed 6"x6" in size, may be displayed at the entrance to the residence.
- Any other signage must be approved by the ARB.

2.19 Storage Sheds, Accessory Buildings

Utility buildings or storage sheds are not permitted on the property without prior approval by the ARB and submission and approval of a Home Improvement Application. General guidelines for shed approval are:

- One storage shed may be permitted per lot;
- Must be located behind the house (screened from street view by the house) and is a minimum of 6' inside all property lines;
- Does not exceed a maximum of 10' x 10' in size nor have an eave height greater than 8';
- Applications should include a "cut sheet" with a picture of the proposed storage shed.
- Exterior surface is of a color which complements the majority of the façade of the dwelling on the lot, and roof is comprised of shingles that match those of the dwelling, unless otherwise specifically approved by ARB;

2.20 Storm Doors

Storm doors are permitted with submission of the Home Improvement Application and written approval by the ARB. They must be full-view glass and must match the existing facade color scheme. Door hardware must also match the existing hardware (brass handle for brass lights, etc.).

2.21 Window Air Conditioners

Window air conditioning units and window fans are not permitted.

2.22 Window Boxes, Planters

The ARB may approve window boxes and planters and the following restrictions apply:

- They are of a color and material complimentary to the residence exterior and shall be maintained in a neat and attractive manner.
- Statues and figurine planters are not permitted in the front yard.
- Dead and diseased plants and all weeds shall be promptly removed.

2.23 Yard Maintenance

Residents who wish to alter the landscape of their property must obtain written approval from the ARB for the changes prior to making them. Residents are expected to keep their yards maintained, edged, weeded and neat. Failure to keep yards maintained is a violation subject to fines. Alternatively, the Board has the right to maintain unkempt yards and bill the owner for the costs.

2.24 Swimming Pools

In-ground swimming pools must be approved in writing, but require the installation of an approved perimeter fence enclosing the entire rear yard or an approved privacy fence that surrounds the pool deck area. Pools must adhere to all state, county and local laws.

Above-ground pools, with the exception of small, temporary “kiddie pools” in rear yards, are prohibited.

2.25 Window Treatments

Typical window treatments such as blinds, draperies, shades and plantation shutters are allowed. Window treatments must be in good repair at all times and should be of neutral colors from street view.