

**ARCHITECTURAL, DESIGN, LANDSCAPE, AND LAKE BUFFER GUIDELINES**

**FOR**

**THE OAKS AT LAKE KEOWEE**

**Dated January 2, 2015**

# ARCHITECTURAL, DESIGN, LANDSCAPE, AND LAKE BUFFER GUIDELINES

## INTRODUCTION

These Architectural, Design, Landscape, and Lake Buffer Guidelines (collectively, the “**Guidelines**”) have been prepared by the Architectural Review Committee (the “**ARC**”) for the residential community known as The Oaks at Lake Keowee (“**The Oaks**” or the “**Development**”). The Guidelines are contemplated in and are promulgated pursuant to that certain Declaration of Covenants, Conditions and Restrictions for The Oaks at Lake Keowee (the “**Declaration**”). The Guidelines consist of four parts:

1. Architectural and Design Guidelines;
2. Landscape Guidelines;
3. Lake Buffer Guidelines; and
4. Construction Rules.

All defined terms used in the Guidelines have the same meanings as in the Declaration, unless otherwise specifically defined in these Guidelines. In an effort to be colloquial, the terms “home” or “house” may be used throughout the Guidelines instead of the term “Home,” as defined in the Declaration, and the term “homeowner” or “Lot Owner” may be used in lieu of the term “Owner” as defined in the Declaration.

The Guidelines should be read in conjunction with the Declaration. If there is an express conflict between the terms of the Declaration and the terms of the Guidelines, the terms of the Declaration shall control and prevail. However, the mere fact that the terms of the Guidelines may be more restrictive than the terms of the Declaration, or vice versa, shall not be construed as an express conflict, and in such case, the most restrictive provision shall control and prevail. Of course, if governmental or quasi-governmental rules, regulations or requirements applicable to The Oaks are more restrictive or more stringent than the terms of the Declaration and/or the terms of the Guidelines, the applicable governmental or quasi-governmental rules, regulations or requirements shall control.

## DESIGN PHILOSOPHY

The Guidelines have been developed to implement the design philosophy of The Oaks, namely, to blend structures, Lake Keowee (the “**Lake**”) and residents’ lifestyles into a harmonious and aesthetically pleasing residential community which places a strong emphasis on the preservation and enhancement of the natural beauty of The Oaks. The architecture and design of homes should reflect a rustic and natural look, and because of the number of large oak trees, trees should be preserved whenever possible. The Guidelines are intended to provide direction to Lot Owners and builders in the planning, design, and construction of homes and related Improvements on Lots. It is not the purpose of the Guidelines to create look-alike or cookie cutter homes and other Improvements or to suggest that all homes use, the same colors, styles, and materials. Rather, the primary emphasis of The Oaks is on quality of design and

compatibility among all Improvements, without unduly restricting the ability of Lot Owners to exercise individuality in their choice or design of a Home and related Improvements. No Home, structure, or other Improvement should stand apart in its siting, design, or construction in a way that would detract from the overall environment or appearance of The Oaks. The ARC will be open to and encourage creativity, innovative use of materials and design and unique (if appropriate) methods of construction, as long as the final result is consistent with the spirit of the Guidelines and the guiding philosophy of The Oaks. The authority of the ARC to approve or disapprove plans, specifications and drawings for Homes and related Improvements is provided by the Declaration.

The Guidelines have been established to provide Lot Owners and their architects and builders with a set of parameters for the following: (i) the preparation of plans, specifications and drawings for the construction of Homes and related Improvements on Lots (the “**Building Plans and Specifications**”); (ii) the preparation of plans, specifications and drawings for the installation of landscape improvements on Lots (the “**Landscape Plans and Specifications**”); and (iii) the general application of the “**Lake Buffer Guidelines**.” Each Lot Owner and each Lot Owner’s building team should become familiar with the Guidelines and the process for the submittal, review and approval of Building Plans and Specifications and Landscape Plans and Specifications (collectively, the “**Plans and Specifications**”). If building in The Oaks for the first time, Lot Owners and their builders are encouraged to consult the ARC with questions regarding the application of the Guidelines to the Lot Owners’ design concepts prior to the initiation of any design work.

The ARC has been created to explain and assist in the design review process as well as to review, approve, or disapprove Plans and Specifications. It is the ARC’s objective to maintain a pleasing aesthetic relationship of building to site and building to building and not to restrict individual creativity or preferences. The ARC will use the Guidelines for the purpose of reviewing each design, but the ARC may consider creative and innovative approaches in order to address special site conditions or circumstances, provided such approaches are permitted under the Declaration and are consistent with the spirit of the Guidelines. The ARC may retain advisory design professionals to serve as members of the ARC to aid in the review of Plans and Specifications.

#### **FUTURE AMENDMENTS**

The ARC expressly reserves the right to amend any or all provisions of the Guidelines at any time and from time to time, in the sole and absolute discretion of the ARC.

# ARCHITECTURAL AND DESIGN GUIDELINES

## 1. PROCEDURES AND APPROVALS

### 1.1 Architectural Review Process.

Prior to the commencement of any construction activity of any type (including any grading work or tree cutting or removal) on any Lot, an Application for Preliminary Design Approval (a copy of which is attached as **Schedule A**) of such work must be submitted by the Lot Owner or such Owner's designated agent to the ARC. Following preliminary design approval, an Application for Final Design Approval (a copy of which is attached as **Schedule B**) must be submitted to the ARC. The ARC must receive, review and approve the information and documentation required to be submitted under Section 1.3 entitled "**Design Review Procedure**" prior to the commencement of any such work. Also, all design fees required under these Architectural and Design Guidelines must be paid to the ARC prior to the commencement of any such work.

### 1.2 Pre-Application Procedure.

Oconee County and its building inspection department have jurisdiction over the community at The Oaks. Each Lot Owner or a representative of each Lot Owner should contact representatives of Oconee County and its building inspection department at the beginning of the planning and design process relative to such Owner's Lot to ensure compliance with the rules, regulations and standards of Oconee County. Compliance with all governmental and quasi-governmental rules, regulations and standards is the obligation of each Lot Owner and the Lot Owner's builder. It should not be assumed that compliance with the rules, regulations and standards of Oconee County will satisfy all requirements of the ARC.

### 1.3 Design Review Procedure.

The successful completion of the design review procedure under the Architectural and Design Guidelines will be facilitated by reviewing and complying with the requirements outlined in the Architectural and Design Guidelines and by reviewing and following the step-by-step design review format described below. The review format has been structured to achieve a smooth and timely review from preliminary plan submittal to final site inspection and approval.

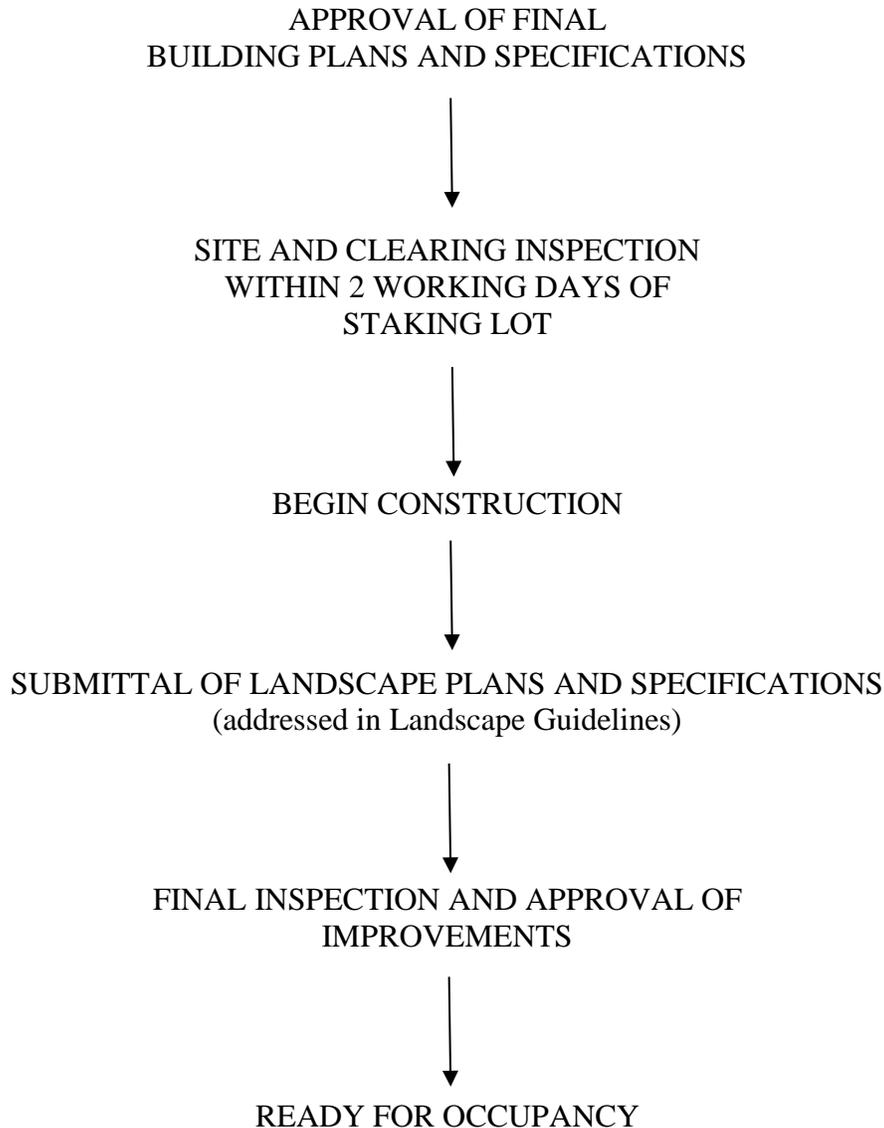
The following flow chart represents the necessary procedures in the process of building a Home in The Oaks

APPROVAL OF PRELIMINARY  
BUILDING PLANS AND SPECIFICATIONS (OPTIONAL)



CHANGES/ADDITIONS





The ARC has established a schedule for submittal of Building Plans and Specifications, review of Building Plans and Specifications, and meeting with the Lot Owner or Lot Owner’s representatives to discuss any questions or concerns of the ARC relative to the Building Plans and Specifications. The established schedule permits a timely review of submitted Building Plans and Specifications and allows Lot Owners and their representatives to accurately plan their schedules. Building Plans and Specifications must be submitted by the Lot Owner or the Lot Owner’s representative to the ARC no less than ten (10) days prior to the scheduled ARC review meeting. Each submittal of Building Plans and Specifications must be accompanied by a completed Application for Approval form (copies of which are attached as **Schedule A** and **Schedule B**, as applicable), a one-time processing fee (the “**Processing Fee**”) of One Thousand Dollars (\$1,000.00), and two (2) complete sets of the Building Plans and Specifications. Each Lot Owner must submit three (3) copies of the site plan on a 1" = 40' scale and three (3) copies of the erosion control plan on a 1" = 40' scale. Digital submissions of each document are also required and should be sent in a zip file format to the email address provided by the ARC. The

ARC has a review meeting as needed, but not more frequently than once a month to review the Building Plans and Specifications that have been submitted since the last ARC review meeting. Each Lot Owner that has submitted Building Plans and Specifications for review is encouraged, although not required, to attend the ARC review meeting at which such Lot Owner's Building Plans and Specifications will be reviewed to respond to any questions that the ARC may have relating to such Lot Owner's Building Plans and Specifications.

As set forth above, each Owner will be charged a Processing Fee for the review of Owner's Building Plans and Specifications. The Processing Fee, which is currently One Thousand Dollars (\$1,000.00), shall be paid by check and shall be made payable to the The Oaks at Lake Keowee Owners Association, Inc. (the "**Association**"). The ARC shall have the right to increase the amount of the Processing Fee, from time to time, as stated in the Declaration and these Guidelines. The Processing Fee is intended to partially cover the expense incurred by the ARC in reviewing Building Plans and Specifications, including the cost of compensating any consulting architects, landscape architects, urban designers, inspectors, or attorneys retained by the ARC. If the Processing Fee is paid at the Preliminary Plans Approval stage, no additional Processing Fee will be due when the Final Plans are submitted for review and approval.

The Application for Approval, the Processing Fee, the Building Plans and Specifications, and all other materials necessary for the ARC to review Building Plans and Specifications shall be sent to:

The Oaks At Lake Keowee Architectural Review  
Committee  
4814 Midway Road  
Williamston, SC 29697

Digital submissions of each document are also required and should be sent in a zip file format to the email address provided by the ARC.

It is the responsibility of the Owner to ensure that all copyrighted documents are approved by their originator for copying digitally and submitting for the review process. The ARC is prohibited by law from transferring copyrighted documents to new owners if the Lot or Home is sold before, during, or after construction. The ARC does not serve as a document storage service and will not release copies of materials it receives to current or future owners.

#### 1.4 Review of Preliminary Building Plans and Specifications.

The ARC encourages Lot Owners and builders who are building in The Oaks community for the first time to submit proposed house elevations, plans, and specifications ("**Proposed Plans**") for the preliminary review by the ARC ("**Preliminary Review**"). Although not required, the Preliminary Review process may help avoid unnecessary expense and delay by expediting later phases of the review process. The ARC will review with the Owner or its representative the Owner's proposed design approach in order to confirm general compliance with the Architectural Guidelines and the appropriateness of the design concept. To get the most benefit from the Preliminary Review process, a completed site plan and the architectural drawings for

the Improvements (as outlined in the enclosed Application for Preliminary Design Approval form, a copy of which is attached as **Schedule A**) shall be included as part of the submittal. The submittal shall also include a completed Application for Preliminary Design Approval and the Processing Fee.

The ARC shall review the Proposed Plans and return them to the Owner marked “Approved,” “Disapproved,” or “Approved with conditions. Proposed Plans are marked “Approved” by the ARC, the Final Building Plans and Specifications (“**Final Plans**”) must be in substantial conformity with the approved Proposed Plans.

The ARC may refuse to approve Proposed Plans or any component(s) thereof, including, without limitation, the location, style, design, exterior materials, exterior colors or finishes, or other specifications of the proposed Improvements for any reason or reasons, including purely aesthetic reasons, in the sole discretion of the ARC.

#### 1.5 Review of Final Building Plans and Specifications.

The submittal of final Building Plans and Specifications (including site, erosion control and drainage plans) and shall incorporate all of the requirements stated in the Application for Final Design Approval form, a copy of which is attached as **Schedule B**, and other portions of the Architectural and Design Guidelines, as well as comments from previous ARC review meetings.

Two (2) complete sets of the final Building Plans and Specifications must be submitted to the ARC. Digital submissions of each document are also required and should be sent in a zip file format to the email address provided by the ARC. If the Owner has already gone through the Preliminary Plans Approval process and has paid a Processing Fee, an additional Processing Fee at the Final Plans Approval stage will not be required. However, if the Owner has bypassed the Preliminary Plans Approval process and has proceeded to Final Plans Approval, the Owner will pay the Processing Fee of One Thousand Dollars (\$1,000.00) and a construction escrow deposit (the “**Construction Escrow Deposit**”) as set and determined by the ARC as of the date the final Building Plans and Specifications are submitted, must be submitted to the ARC as a condition to the final Building Plans and Specifications review process. The Construction Escrow Deposit is currently Three Thousand Dollars (\$3,000.00) per Lot. The Construction Escrow Deposit shall be paid by check made payable to the Association. The Construction Escrow Deposit will be held by the Association and used for the purposes set forth in Section 5.2 of these Guidelines.

If the ARC determines that the final Building Plans and Specifications are not in compliance with the Guidelines or are otherwise unacceptable to the ARC, one (1) set of the final Building Plans and Specifications shall be returned to the Lot Owner marked “Resubmit,” accompanied by a written statement of items not in compliance with the Guidelines or otherwise unacceptable to the ARC. If the first resubmittal of final Building Plans and Specifications occurs more than a year from the original submittal of the final Building Plans and Specifications, such resubmittal shall be accompanied by another Processing Fee (\$1,000.00).

At such time as the final Building Plans and Specifications are approved (or conditionally approved) by the ARC, one (1) complete set of the approved final Building Plans and

Specifications shall be retained by the ARC and the other complete set of the approved final Building Plans and Specifications shall be marked “Approved as Submitted” or “Approved as Noted” and returned to the Lot Owner, along with a written statement with design comments. Once the ARC has approved final Building Plans and Specifications for Improvements to be constructed on a particular Lot, the construction of such Improvements must be promptly commenced and diligently pursued to completion. If such construction is not commenced within one (1) year following the date of approval of the final Building Plans and Specifications by the ARC, the approval of such final Building Plans and Specifications by the ARC shall be deemed rescinded. If the ARC rescinds approval, final Building Plans and Specifications must be resubmitted to the ARC.

Any modification or change to the “Approved” set of final Building Plans and Specifications must be submitted in duplicate to the ARC for its review and approval (using the same procedure as set forth herein relative to the submission and approval of the original final Building Plans and Specifications).

#### 1.6 Lot Staking, Site Inspection and Approval to Commence Work.

Once final Building Plans and Specifications approval has been granted by the ARC, the Lot Owner or the Lot Owner’s representative shall stake the Lot for review and approval by the ARC prior to commencing any construction work thereon (including grading work). The Lot Owner or the Lot Owner’s representative must clearly stake the proposed house and property lines and the Lake Buffer Area. Staking shall be with a continuous ribbon or string encircling the area to be cleared, and any additional trees to be cleared located outside the encircled area shall be ribboned individually or in groups. After such staking of the Lot has been completed in accordance with this Section 1.6, the Landscape Guidelines, and the Lake Buffer Guidelines, the Lot Owner or the Lot Owner’s representative shall ask the ARC to make a site inspection prior to the commencement of clearing and construction work on the Lot. Please note: “mature trees” located outside the Building Envelope and the Lake Buffer Area may not be cut down, damaged or otherwise removed without the specific written approval of the ARC. “**Mature trees**” for purposes of these Guidelines shall mean all evergreen or deciduous trees with a caliper of six (6) inches or more measured four and a half (4.5) feet from the base of the tree.

The primary purpose of the site inspection by the ARC is to ensure compliance with the approved final Building Plans and Specifications to prevent any unnecessary damage to mature trees, specimen trees and other unique site features. (Please refer to the Landscape Guidelines and the Lake Buffer Guidelines regarding requirements and restrictions relating to tree and vegetation protection and removal). In addition to the foregoing matters, the site inspection shall include a review of the following matters and issues:

Building setbacks (as per stakes);

Lake Buffer Area location (as per stakes);

Side yards (as per stakes);

Clearing limits;

- Placement of excavation materials;
- Protection of water meter and sanitary sewer boxes;
- Location of construction entrances;
- Location of temporary toilet;
- Location of trash containers; and

Erosion control measures (silt fences, hay bales, diversion swales, stone filter dams, etc., as required).

Inspection by the ARC shall be made within five (5) business days of the date the request is received by the ARC. Written authorization by the ARC to proceed with the Lot clearing and construction work will be issued to the Lot Owner or to such Lot Owner's builder by the ARC promptly after the inspection is completed, or if problems are detected during the site inspection, written notification of such problems shall be given to the Lot Owner or such Lot Owner's builder by the ARC promptly after the inspection is completed. No clearing or construction activities may be commenced prior to issuance of the site inspection approval by the ARC. The ARC shall have the right to stop any unauthorized clearing and/or construction activities that are commenced on a Lot in violation of the terms and requirements of the Guidelines. The ARC may delegate its site inspection functions under the Guidelines to The Oaks' development construction manager.

#### 1.7 Failure of the ARC to Act.

If the ARC fails to either (a) approve, approve with conditions, or disapprove any final Building Plans and Specifications and other submittals which conform (and which relate to Improvements which will conform) with the requirements of the Guidelines and of the Declaration, or (b) reject them as being inadequate or unacceptable within thirty (30) business days after receipt thereof, and provided that (i) such submittal was a final and complete submittal, in accordance with the Guidelines and the Declaration, of all items that were to have been submitted to the ARC, and (ii) ARC shall again fail to approve or disapprove of such final Building Plans and Specifications and other submittals within ten (10) business days after additional written request to act on such items is delivered to the ARC following the passage of such first above-described thirty (30) business day period, it shall be conclusively presumed that the ARC has approved such conforming Building Plans and Specifications and other submittals. Notwithstanding the immediately preceding sentence, (x) the ARC has no right or power, either by action or failure to act, to waive or grant any variances relating to any mandatory requirements specified in the Declaration, and (y) the ARC shall not be deemed to have waived any of the requirements set forth in the Article IX, Section 8, Section 9 or Section 10 of the Declaration or any corresponding provisions in the Guidelines. If final Building Plans and Specifications or other submittals are not sufficiently complete or are otherwise inadequate, the ARC may reject them as being inadequate or may approve or disapprove part, conditionally or unconditionally, and reject or approve the balance. The ARC is authorized to request the submission of samples of proposed construction materials.

## 2. SITE PLANNING

### 2.1 Site Analysis and Siting Considerations.

The siting of a house is a critical and important design decision. The site plan concept developed for each Lot Owner (as part of the Plans and Specifications for such Owner's Lot) should reflect functional needs, but should also be sensitive to the unique characteristics of the Lot and the surrounding neighborhood.

The ARC shall consider each Lot independently but shall give consideration to the impact of each individual Lot (and the Improvements proposed to be constructed thereon) on adjacent Lots and view corridors. Care must be taken to locate each structure, when and where possible, so as not to infringe upon adjacent Lots and structures constructed or to be constructed, view corridors and natural amenities of the area. Consideration must be given to the following:

- 2.1.1 Topography of the Lot and other Lots in the vicinity.
- 2.1.2 Distant and intimate views from the Lot.
- 2.1.3 Distant and intimate views of the Lot from other Lots and from the Lake.
- 2.1.4 Existing vegetation type and quality.
- 2.1.5 Existing water and drainage patterns.
- 2.1.6 Driveway access.
- 2.1.7 Height of proposed structures on the Lot and existing and proposed structures on adjacent Lots and other Lots in the vicinity.
- 2.1.8 Setback from Private Road to align with adjacent Lots.

All structures should be sited so as to minimize disruption to the existing natural setting, including mature trees, drainage ways and the Primary View. The "Primary View" for each Waterfront Lot differs based on the Lot's relationship to other Lots as determined by the ARC, but is generally defined as the area facing the Lake and formed by extending opposing lines (1) at a 45 degree angle from each rear corner of a Lot's Building Envelope, or (2) from the rear corners of a Lot's Building Envelope through the closest rear corners of neighboring Lots' Building Envelopes, whichever is smaller.

Notwithstanding the above, Primary Views and other view corridors to and from a Lot and the Lake, Common Areas and other areas within The Oaks are in all respects subject to the rights of other Lot Owners, the ARC, Craft Investments, LLC (the "**Declarant**"), and others under the terms and conditions of the Declaration and these Guidelines to construct Improvements and install Landscape Improvements (as defined herein) that might obstruct or otherwise diminish such views and view corridors. The ARC will use the Primary View concept as a guide, but not an absolute rule, when reviewing proposed Building Plans and Specifications. Provided, however, unless otherwise approved by the ARC, no fence or wall shall be erected,

placed or maintained on a Waterfront Lot which will substantially obstruct a Primary View of or from any other Waterfront Lot.

## 2.2 Building Envelopes and Building Setbacks.

The building setbacks required by Oconee County, however, are not to be construed necessarily as setbacks that will be approved by the ARC relative to Lots in The Oaks, and the ARC reserves the right to impose setback requirements relative to some or all of the Lots that are more stringent than the setback requirements imposed by Oconee County. The ARC has provided setback requirements that, when viewed in total, are designed to ensure that The Oaks community will be pleasing in appearance from views not only from the Private Roads but also from the Lake. In that regard, the ARC has established a specific Building Envelope for each Lot, and the Building Envelope approved by the ARC for each Lot will be available from the ARC on an unrecorded plat. The Building Envelope for each Lot defines the front, side, and rear yard setbacks, which setbacks are generally more restrictive than the setback requirements imposed by Oconee County. The intent of the ARC in imposing the Building Envelope is to allow for harmonious alignment of the Improvements on Lots to help assure appropriate views of and from the Homes located on Lots.

Within the Building Envelope, the Home and all other Improvements shall be located and tailored to the specific features of the particular Lot. All Improvements shall be located so as to minimize disruption or disturbance to the existing natural setting, including mature trees, drainage ways, and views. As part of the review and approval of Plans and Specifications, the ARC may require that the location and orientation of the Home and other Improvements within the Building Envelope be modified. No Home or Improvement on any Lot (including any stoops or porches, patios, terraces, balconies, courtyards, decks, etc.) and no recreational Improvement on any Lot shall be erected or permitted to remain outside of the Building Envelope for that particular Lot. Provided, however, and notwithstanding the foregoing to the contrary, (i) docks, piers (including any gazebos proposed to be attached) and boatslips are exempt from this Building Envelope restriction, provided they are approved by the ARC in accordance with the applicable provisions herein, (ii) exterior steps at the front and rear of the structure may project into the setback area established by the Building Envelope up to a distance of five (5) feet, and (iii) fireplace chimney structures projecting from the side of a Home may encroach no more than eighteen (18) inches into the side yard setback established by the Building Envelope.

As set forth in the Declaration, the ARC shall have the right, in its sole discretion, to make exceptions to any Building Envelope to recognize any special topography, vegetation, Lot shape or dimension, or other site-related condition.

## 2.3 Easements.

Landscape improvements (as defined in the Landscape Guidelines) and the building of driveways or fences within utility easements are permissible (unless otherwise prohibited by a recorded easement instrument). Provided, however, if in the future there is a need to disturb or remove such Landscape Improvements, driveways or fences to access such utilities, such disruption, removal and/or any necessary repair and restoration shall be the sole responsibility of the Owner of the Lot.

## 2.4 Erosion and Sediment Controls.

The design and development concepts of The Oaks community call for the utilization and enhancement of the existing natural environment. The ARC is particularly conscious of the erosion and sediment disturbances that can occur during any clearing, grading or construction activity on a Lot. To help minimize erosion and sediment disturbances, as part of the final Building Plans and Specifications, an erosion control plan (using erosion control measures such as silt fences, hay bales, diversion swales, stone filter dams, etc., as required) must be designed in accordance with Schedule C attached and must be incorporated within the site plan. Approval of the erosion control plan must be obtained from the ARC (as part of the approval by the ARC of the final Building Plans and Specifications) prior to any earth-digging operations on any Lot. Particular care must be exercised on Lots fronting the Lake to prevent any negative effect or impact upon the Lake and/or the Lake Buffer Areas. Erosion control measures implemented pursuant to an approved erosion control plan must remain in place until such time as all disturbed areas have been stabilized.

All erosion control plans submitted to the ARC shall be considered individually for each Lot. Recommendations or requirements of the ARC in that regard will be based on Individual Lot location, terrain, soil condition, vegetation, drainage, proposed cuts and fills, and any other conditions which the ARC determine impact upon the possible erosion and sediment disturbances for the Lot. At a minimum, however, each Lot Owner shall be responsible for causing the following minimum erosion control practices to be implemented and maintained throughout the course of all earth-disturbing operations until final seeding:

- 2.4.1 Roadway and Homesite Construction Entrance. Prior to the commencement of any earth-disturbing operation, a construction entrance shall be installed on the building site (the “**Construction Entrance**”). The Construction Entrance shall: (i) if possible, be installed in the same location as the proposed driveway so as to minimize the amount of disturbed area; (ii) extend a minimum of 50 feet from an existing roadway; and (iii) be installed, preserved and replaced, if necessary, in accordance with the standards more particularly set forth on Schedule C attached and incorporated herein by this reference. During construction, each Owner shall use diligent efforts to minimize traffic traveling off of the driveway onto such Owner’s Lot.
- 2.4.2 Silt Control Devices. Prior to the commencement of any earth-disturbing operation, a diversion ditch and rock check (or stone filter) dam or other similar measures approved by the ARC shall be constructed and maintained on the building site (collectively, “**Silt Control Devices**”). The Silt Control Devices shall be located at the boundary of the estimated disturbed area as set forth more particularly on Schedule C and shall be constructed, preserved and replaced, if necessary, in accordance with the standards set forth on Schedule C.

In order to ensure the effectiveness of a particular Lot Owner's erosion control measures, the ARC shall have the right to enter any Lot to inspect any and all erosion control measures and to require additional erosion control measures, as necessary.

## 2.5 Drainage.

Drainage considerations for individual Lots play an important part in the ecological balance of the community. Generally, each Lot should be graded so that all water draining from such Lot does not drain onto any adjoining Lots. Water runoff for each individual Lot must be handled by adequately sloping all areas so that runoff can be directed to the natural drainage areas or storm drainage facilities. Water runoff and control is the responsibility of each Lot Owner relative to such Owner's Lot. The water runoff shall be handled in such a manner so as not to adversely affect any neighboring Lots or the Lake. Particular care must be taken on Lots fronting the Lake and other amenity areas.

Building Plans and Specifications for any Lot shall include a conceptual drainage plan for such Lot.

## 3. ARCHITECTURAL DESIGN

### 3.1 Architectural Style.

The intent of the Architectural and Design Guidelines is to encourage the excellent design of a community of individual Homes which, when viewed together, produce an outstanding total community environment. It is not the intent of the Architectural and Design Guidelines to dictate a particular architectural style, but rather to provide Lot Owners and their architects with a set of guidelines that will foster an attractive community.

The residential architecture at The Oaks should work in harmony with the natural features of the surrounding terrain. Traditional architectural styles are preferred as the basis or foundation of the design. However, contemporary interpretations of traditional designs are acceptable, provided they adhere to the criteria of the Architectural and Design Guidelines. The designs employed shall be compatible with traditional architectural styling in terms of make, shape, profile, scale, and proportion.

### 3.2 Quality Design Features.

The homes in The Oaks should reflect the individuality of their Owners while adhering to the principles of fine architecture. The following considerations are among those to be addressed when developing the architectural design for Improvements to be constructed on a Lot:

- 3.2.1 The Home shall be located on the Lot with minimum disruption to the Lake, natural topography, vegetation, and unique site features.
- 3.2.2 There shall be a consistency in the site planning, architecture, and Landscape Improvements.

- 3.2.3 Sensitive interpretation of the architectural style is encouraged within the constraints of budget and site.
- 3.2.4 A consistent scale shall be used throughout the design of the Home and other Improvements, with each element designed in proportion to the other design elements.
- 3.2.5 The various building materials shall allow for a pleasing and harmonious exterior appearance for the Home and other Improvements. Building materials shall be used logically.
- 3.2.6 Appropriate colors shall be used and colors shall be used with restraint.
- 3.2.7 Bay windows shall be carried down to grade or visual support of cantilevered conditions must be expressed. When bay windows are stacked in a two-story configuration, the blank panel between all facets shall be accented.
- 3.2.8 The main roof shall have a minimum slope of eight (8) vertical to twelve (12) horizontal. Shed roof forms are discouraged. Roof shapes and configurations shall be planned to avoid complex, awkward, or odd roof designs.
- 3.2.9 Gutters and downspouts shall be used at all eave lines, unless deemed inappropriate. All exterior downpipes (except copper downpipes) shall be painted to blend with the color of the exterior of the Home.
- 3.2.10 All roof structures, such as attic vents, plumbing vents, etc., shall be treated or painted to blend with the roof shingles, except that flashing applied to vertical surfaces may be painted to blend with the vertical materials where more appropriate.
- 3.2.11 All exterior utility service connections must be provided in unobtrusive and inconspicuous locations. All electric meters and main fuse boxes must be positioned away from view. This may be accomplished by providing an enclosed recess in the side of the Home or through approved Landscape Improvements and/or screening.
- 3.2.12 Exposed electrical equipment, stubouts, conduit, drain lines, pipes and vents must be painted to match the color of the home. Exterior disconnects for air conditioning equipment, etc. shall be mounted at the lowest point allowed by applicable building codes.
- 3.2.14 Gas meters must be adequately screened with Landscape Improvements to conceal equipment from view.

#### 4. DESIGN CRITERIA

4.1 Home Types.

Each Lot may contain only one detached single-family private Home and one private garage for at least two (2) vehicles and only such other accessory structures as are approved in advance in writing by the ARC. Provided, however, the Declarant shall be entitled to use Lots owned by it, from time to time, for the construction and operation of construction offices and sales/marketing offices (and related uses) for the The Oaks development.

4.2 Home Size.

The square footage requirements set forth below are for enclosed heated floor area and are exclusive of the areas in heated or unheated basements, vaulted ceiling areas and attics, unheated porches of any type, attached or detached garages, any type of porte cochere and unheated storage areas, decks, terraces, courtyards, balconies, and patios.

Any Home erected upon any Lot shall contain not less than the following heated floor areas:

	<u>Minimum Total Heated Area</u>	<u>Minimum Ground Floor Heated Area</u>
1 Story*	2,000	2,000
1-1/2 story, bi-level	2,200	1,500 main floor
2 story, 2-1/2 story	2,400	1,500 main floor

\* For purposes of these Guidelines, the term “story” shall mean the space in a Home between two adjacent floor levels or between a floor and a roof.

Notwithstanding the foregoing requirements, the ARC shall have the right (but not the obligation), because of restrictive topography, lot dimensions or unusual site related conditions or other reasons, to allow variances from such minimum square footage requirements of up to ten percent (10%) of such minimum square footage requirements by granting a specific written variance.

4.3 Maximum Home Height.

No Home erected upon a Lot shall contain more than two and one-half (2-1/2) stories above ground level; provided, however, the ARC shall have the right (but not the obligation), because of steep topography, unique Lot configuration or similar reasons, to allow Home heights greater than two and one-half (2-1/2) stories on rear and side elevations.

4.4 Ceilings.

Interior ceiling heights in Homes are recommended to be a minimum of nine (9) feet on the first (*i.e.*, street grade) floor and a minimum of eight (8) feet on all other floors.

#### 4.5 Garages.

Every house shall have an enclosed garage for not less than two (2) vehicles. Garage openings may not face the front elevation street unless approved in advance in writing by the ARC, and such approval will be given by the ARC only where particular hardship would otherwise result because of Lot size, configuration, topography, or other circumstances deemed sufficient by the ARC, in its sole discretion.

The placement of garages and driveways has a great effect on the overall aesthetics of the street scene and on the architectural appeal of each specific Home. A street scene with emphasis on Homes instead of garages and driveways is more visually interesting. For that reason, the ARC discourages certain garage placements on a Lot.

In cases where a front entry attached garage must be used, recessing the garage from the remainder of the Home diminishes the adverse impact of the front entry garage on the street scene and keeps the Home from appearing to be composed of almost entirely the garage. Therefore, in cases where Lot size does not allow a side entry garage, a minimum thirty-six (36) inch offset of the front entry garage from the major facade of the house is required, and a greater recess distance [up to a maximum of ten (10) feet] is encouraged. A porte cochere that does not extend past the major building facade, and is constructed of the same building materials as part of the house, may be allowed by the ARC.

Garage doors are required for all garages, and the garage doors must be paneled and/or detailed to provide appropriate scale. Single bay garage doors are preferred over double width garage doors. Front entry garages must use single paneled doors. Carports are discouraged, but may be permitted in the sole discretion of the ARC. There must be a total minimum distance of twenty-eight (28) feet between the garage opening and the adjacent side Lot boundary line, unless the ARC determines that a smaller minimum distance is acceptable because of a particular Lot configuration.

#### 4.6 Exterior Materials and Colors.

Exterior materials shall be stone, cedar shake, Hardiplank, or horizontal siding. The use of brick is highly discouraged, and must be approved by the ARC. Stucco and vinyl siding are not permitted. Horizontal siding must be fully back-supported to maintain a straight and even outer surface and must be fully and properly finished. Imitation stone or brick-like materials are generally discouraged and may be used only upon prior written approval of the ARC. Homes shall use the same exterior materials on all sides of the structure. Permitted primary colors are subdued earth tones of tan, brown, gray, or green, and permitted accent colors are subdued shades of red, green, gray, tan, or cream, unless otherwise approved by the ARC. Deck posts shall be double 6x6's or single 8x8's or masonry.

#### 4.7 Roofs.

Roofs and roof pitches shall be in proportion to the overall size and shape of the house, with a minimum overhang of twelve (12) inches. Except as specifically approved otherwise in writing by the ARC, the minimum roof slope for the main house structure shall be eight (8) vertical to twelve (12) horizontal. Acceptable roofing materials are (i) wood shingles, (ii) wood shakes, (iii) natural or man-made slate, (iv) tile, or (v) variegated (not solid color) architectural shingles with a minimum twenty-five (25) year warranty. All specific roof materials to be used must be approved in writing by the ARC as part of the final Building Plans and Specifications prior to commencement of construction. Gutters and downspouts that drain water from roofs, designed to empty into natural drainage systems such as crushed rock beds or grass-lined swales, must carry water away from foundations, paved surfaces and adjoining Lots. Tin or rolled roofing material is permitted as accent material only on less than twenty percent (20%) of the roof surface area. Solar panels on roofs are permitted.

#### 4.8 Windows and Shutters; Doors.

Windows shall generally be the same type and style all around the house. Thermal pane windows are preferred and exterior storm windows generally will not be permitted. Wood windows are preferred, but vinyl windows will be considered by the ARC if their style and profile are visually similar to wood windows. Shutters are encouraged and shall fit the proportion and shape of the windows. All windows and doors are encouraged to have wood caps or other approved decorative treatment.

#### 4.9 Chimneys.

Chimneys shall be full foundation based and constructed of stone or other material approved in writing in advance by the ARC. Chimneys shall have a design and location, and shall be constructed of a material that is appropriate to the house (provided that fireplaces not located on exterior walls may be constructed of an alternative material if approved in advance in writing by the ARC). Exposed metal flues and wood chases shall not be used. Chimney cap covers are required for prefabricated metal flues. Direct vent fireplaces are discouraged if the location is a side elevation, and interior fireplaces shall be allowed only on the rear side of a Home constructed on an Interior Lot (unless otherwise approved in writing by the ARC) and shall not be permitted on a front elevation or on any elevation that is visible from the Roadway(s).

#### 4.10 HVAC Equipment.

No air conditioning or heating equipment or apparatus shall be installed on the ground in front of, or attached to, any front wall of any Home. Additionally, equipment or apparatus shall be adequately screened from view from Private Roads by Landscape Improvements, as more particularly provided in the Landscape Guidelines.

#### 4.11 Attachments; Satellite Dishes and Antennae.

No exterior satellite dish or antenna may be placed by an Owner on any portion of the Common Area without the prior written approval of the Board of the Association. Declarant or the Board may provide for the installation of central cable service or a central dish or antenna on

the Common Area to serve the entire Development (“**Central Service**”), and may require that Owners use the Central Service provided that it gives commercially acceptable signals that an individual Owner wishes to obtain at no greater cost than the cost of individual service that the Owner could obtain privately. If adequate Central Service is not available, an Owner may install in his or her Home or on the patio or deck of his or her Home or on in the backyard area of his or her Lot, (a) a satellite dish or antenna no larger than one meter diagonally or in diameter, and/or (b) a mast which is twelve (12) feet or less in height and does not extend higher than the upper boundary of the Home or beyond the boundary of the patio and over the Common Area. The Board may require that an antenna or satellite dish be appropriately screened from view from Private Roads in the Development, provided that (i) the cost of screening is reasonable, (ii) the screening does not impair reception, and (iii) the screening requirements are the same as for HVAC units or similar installations. The Owner shall also be responsible for any damage to the Common Area caused by the installation, repair, maintenance, or removal of the antenna or satellite dish. Any Owner installing an antenna or satellite dish shall indemnify, defend, and hold the Association harmless from and against any loss, damage, claim or other liability resulting from the installation, maintenance, repair, use and/or removal of the antenna or satellite dish.

#### 4.12 Mail and Newspaper Boxes.

All mailboxes and newspaper boxes must be of a standard color, size and design as approved by the ARC.

#### 4.13 Swimming Pools, Therapy Pools and Spas.

The size, shape, and setting of swimming pools, lap pools, therapy pools, and spas (collectively “Pools”) must be carefully designed to be compatible with the surrounding natural and man- made environment. In locating Pools on a Lot, the ARC will consider the following factors:

- 4.13.1 Indoor/Outdoor relationship;
- 4.13.2 Setbacks imposed by the applicable Building Envelope;
- 4.13.3 Views both to and from the pool area;
- 4.13.4 Terrain (grading and excavation); and
- 4.13.5 Fencing and privacy screening.

Except as provided, Pools, decks and related equipment will not be allowed outside of the Building Envelope area. Provided, however, Pool decks may encroach into the setback area imposed by the Building Envelope if such deck is either at or within two (2) feet of natural grade and no closer than ten (10) feet to any Lot boundary line. Pool and pool equipment enclosures must be architecturally consistent and harmonious with the Home and other structures on the Lot in terms of their placement, mass, and detail. Pools, decks and related equipment, Pool

enclosures, and Pool equipment enclosures shall be screened or treated so as to avoid distracting noise and views.

#### 4.14 Exterior Lighting.

Exterior lighting (which must be approved by the ARC as part of the Building Plans and Specifications) must be limited to areas within the Building Envelope (unless otherwise approved in writing by the ARC), must not result in excessive glare and must not interface with the privacy of nearby Homes, all as determined by the ARC, in its sole discretion.

#### 4.15 Docks, Piers, Boatslips and Seawalls.

Subject to approval by Duke Energy Lake Management, the Owner of each Waterfront Lot will be permitted to construct and install one pier within the Pier Zone for such Waterfront Lot, provided that, in the sole and absolute discretion of the ARC, the Waterfront Lot is not located in an area where the narrowness of a cove precludes construction of a pier. The location of the Pier Zone for each Waterfront Lot is identified and described in the Declaration. The pier, dock, boatslip(s) and boat(s) for each Waterfront Lot shall be located entirely within the Pier Zone. No Owner shall have the right to construct more than one pier in front of a single Waterfront Lot.

The design, color, dimensions and materials of piers (including any gazebos proposed to be attached), docks, boatslips and seawalls must have the prior written approval of the ARC. The design, color, dimensions, and materials of all piers (including gazebos), docks and boatslips should be substantially similar to the standards set forth in the attached **Schedule E**. Piers (including gazebos), docks, boatslips and seawalls must be constructed of new materials.

Generally, any waterfront Improvements should have a low profile and open design to minimize obstruction of neighbor's views. Enclosed, double-level or roof-covered piers and enclosed or two-level on-water docks will not be allowed.

Piers, docks, boatslips and seawalls should be located and constructed so as to minimize grading and clearing of vegetation at or near waterfront areas. The use of riprap, bulkheading or other shoreline stabilization methods or materials may not be initiated without approval by both Duke Energy Lake Management and the ARC. The point of access of a pier, dock or boatslip and any site disturbance or clearing associated with its placement or construction must be submitted to the ARC for prior written approval, along with the final Building Plans and Specifications.

It is the Owner's responsibility to obtain any permits or approvals required in connection with any pier, dock, boatslip or seawall and any access thereto.

#### 4.16 Play Equipment.

Unless part of a Common Area, swing sets and similar outdoor play structures and equipment must be located where they will have a minimum impact on adjacent Lots. Such play equipment shall be located in the middle third of the Lot.

#### 4.17 Fences and Walls.

The location, materials, size and design of all fences and walls must be approved in advance in writing by the ARC prior to installation. Chain link or welded wire fencing will not be permitted, unless installed within the Common Areas by the Declarant or the Association. Once an approved fence or wall has been erected on a side Lot boundary line which is a common boundary line with another Lot, that approved fence or wall design and material(s) will be the only approved fence or wall design and material(s) that may be erected on that common Lot line. No double fencing will be allowed on side or rear Lot lines.

No fence or wall (including for this purpose densely planted hedges, shrubs, rows or similar landscape barriers) shall be erected, placed or maintained on any Lot nearer to any Roadway fronting such Lot than the building corner of the main Home constructed on such Lot (unless otherwise approved in advance in writing by the ARC). No fence or wall shall be erected, placed or maintained on a Lot in a location that will substantially obstruct views of the Lake. Fences and walls shall not exceed six (6) feet in height.

#### 4.18 Remodeling and Additions.

A Lot Owner desiring to remodel the exterior of existing Improvements and/or to construct additions to existing Improvements is required to follow the Guidelines to the same extent as if such remodeling or addition were new construction. All criteria governing site location, grading and excavation erosion control, structures, roofs, landscape, and aesthetics will apply to remodeling and additions to the same extent as to new construction. Possible future Improvements or additions that will be of particular concern to the ARC are skylights and solar collectors, recreational features, lighting, antennas and discs for DBS or MDS service. Prior written from the ARC is required for remodeling and additions just as it is for new construction. No ARC approval is required for interior remodeling.

### 5. MISCELLANEOUS MATTERS

#### 5.1 Diligent Construction.

All Improvements to be constructed on a Lot must be completed within one (1) year following commencement of construction (*i.e.*, commencement of grading) of the first of such Improvements, unless a longer time is approved in writing by the ARC.

#### 5.2 Purpose and Use of Construction Escrow Deposit.

The Construction Escrow Deposit that is required to be paid by each Lot Owner pursuant to Section 1.5 shall be deposited by the ARC in an escrow account. The Construction Escrow Deposit paid by an Owner may thereafter be used by the ARC for any of the following purposes:

- 5.2.1 To pay for the cost to repair any damage to the Private Roads, utilities or Common Areas in The Oaks caused by the Owner or the Owner's builder or subcontractors and not repaired by the responsible Owner or such Owner's builder or subcontractors.

- 5.2.2 To complete any landscaping (required under the Landscape Guidelines) which has not been installed upon completion of a Home on any Lot.
- 5.2.3 To pay for the cost of completing any Improvements so that they are in accordance with the approved final Building Plans and Specifications, if and to the extent the Owner fails so to complete such Improvements consistent with the terms of the Guidelines and the Declaration.
- 5.2.4 To pay for the cost of restoring or replacing any trees, other vegetation, grades or other natural features improperly removed, altered or destroyed by the Owner in violation of the Guidelines.
- 5.2.5 To reimburse the Declarant for the Owner's share of street cleaning costs during construction, if the Owner does not pay such amounts in a timely manner as specified in the Construction Rules.
- 5.2.6 To reimburse the Declarant for the cost of cleaning up any significant amount of dirt, cement, or debris left by the Owner or by the Owner's builder or subcontractors on any street, if and to the extent such materials and debris are not immediately removed by the Owner or Owner's builder or subcontractors.
- 5.2.7 To pay for the cost of enforcing any of the Owner's other obligations under the Guidelines or the Declaration.
- 5.2.8 To pay any other costs, fines or expenses which, by the express terms of the Guidelines, may be deducted from the Construction Escrow Deposit.

Except for the reimbursements described in Section 5.2.5 and Section 5.2.6 and except for the application of the Construction Escrow Deposit in accordance with the express terms of other provisions in the Guidelines, the ARC shall give an Owner prior notice that the ARC intends to use such Owner's Construction Escrow Deposit for a particular purpose. The Owner thereafter shall have twenty-four (24) hours from the date of the notice to complete the performance that is required and for which the ARC intended to use such Owner's Construction Escrow Deposit, or if the performance cannot be completed during that time, to begin the performance and to thereafter diligently pursue such performance to completion. Upon the completion of all Improvements and all Landscape Improvements and the performance of all other obligations by an Owner pursuant to the terms of the Guidelines and the Declaration, the ARC shall return to such Owner the unused portion (if any) of the Owner's Construction Escrow Deposit.

If the ARC spends sums on the Owner's behalf in excess of the Owner's Construction Escrow Deposit, the Owner shall pay the excess to the ARC within twenty (20) days of notice thereof. Any and all interest earned on the Construction Escrow Deposit shall be credited to and retained by the ARC for its sole use and benefit.

### 5.3 Notices.

Each notice, document or submittal ( each, a “**notice**” and collectively, “**notices**”) required or permitted to be given under the Guidelines must be given in compliance with the requirements of this Section 5.3.

5.3.1 Each notice shall be in writing.

5.3.2 Any notice to be given to the ARC shall be deemed to have been duly served and to be effective only when a receipt acknowledging such delivery (such as a registered mail, overnight express service or hand delivery receipt) is signed by a member or authorized representative of the ARC. The address of the ARC for delivery of notices shall be as follows:

The Oaks At Lake Keowee Architectural Review Committee  
4814 Midway Road  
Williamston, South Carolina 29697-9766  
Email: \_\_\_\_\_@\_\_\_\_\_  
Fax: \_\_\_\_\_

5.3.3 Any notice to be given to an Owner or an Owner’s builder shall be deemed to be duly served (a) when picked up by the Owner or the Owner’s builder at the ARC’s office, (b) when delivered to the address of the Owner or the Owner’s builder by regular U.S. Mail Service (such delivery being presumed to have occurred on the second (2nd) day following the deposit of such notice by the ARC in the U.S. Mail), (c) when sent by facsimile to the Owner or the Owner’s builder (such notice being presumed to have been duly served on the day same is sent by the ARC), or (d) when sent by electronic mail to the Owner or the Owner’s builder (such notice being presumed to have been duly served on the day sent by the ARC). The contact information for an Owner and the Owner’s builder shall be set forth in the Owner’s submittal of preliminary Building Plans and Specifications, or, if different, then as set forth in the Owner’s submittal of final Building Plans and Specifications.

5.3.4 Either the ARC or an Owner may change its contact information (physical address, mailing address, email address, or facsimile number, as the case may be) for notices by sending written notice to the other party designating the new contact information in accordance with Section 5.4.

## LANDSCAPE GUIDELINES

### 6. GENERAL LANDSCAPE MATTERS

#### 6.1 Goals and Objectives

The ARC has prepared these Landscape Guidelines for use by all Lot Owners and their builders, contractors, architects, and landscape architects who are involved in making site improvements to Lots in The Oaks community. Adherence to the Landscape Guidelines by all such parties will help ensure the continued success of The Oaks as a premier residential community of the highest caliber. Extensive time and resources have been, and will continue to be, invested to create a high quality living environment at The Oaks. The Landscape Guidelines, implemented in concert with the other provisions of the Guidelines, will help assure that the foregoing objectives will be realized. The overall success of The Oaks community is dependent in large part, on the coordination of Landscape Improvements and architectural Improvements.

The specific objectives of the Landscape Guidelines are to:

- 6.1.1 Provide minimum standards for the installation of Landscape Improvements and associated site Improvements on Lots at The Oaks.
- 6.1.2 Establish criteria to ensure visual continuity in the Landscape Improvements at The Oaks.
- 6.1.3 Present clear, concise, and enforceable guidelines for the installation and maintenance of Landscape Improvements at The Oaks.

#### 6.2 “Landscape” and “Landscape Improvements” Defined.

For the purposes of the Landscape Guidelines, and to distinguish landscape elements from other site structural elements (which are covered by the Architectural and Design Guidelines), “**Landscape**” shall be deemed to be the combination of existing and introduced plant material and all of the land area within each Lot located outside the boundaries of the building perimeter of the house. As used in the Guidelines, “**Landscape Improvements**” include, but are not limited to, trees, shrubs, ground covers, annual and perennial flowers, turf grasses, mulches, irrigation and landscape lighting systems, and similar existing and introduced Improvements.

### 7. PROCEDURES AND APPROVALS

#### 7.1 Landscape Review Process.

Prior to beginning any Landscape activity of any type (excluding any grading or similar site work encompassed by the Building Plans and Specifications) on any Lot, an Application for Landscape Plans and Specifications Approval (the form of which is attached as **Schedule F**) must be submitted by the Lot Owner or such Owner’s designated agent to the ARC. The ARC must receive, review and approve the information and documentation required to be submitted

under the section entitled “Final Landscape Plans and Specifications Review Procedure” prior to the commencement of any such Landscape work.

## 7.2 Design Review Procedure.

The successful completion of the landscape review process under the Landscape Guidelines will be facilitated by reviewing and complying with the requirements outlined in the Landscape Guidelines and by reviewing and following the landscape review procedure described herein.

The Landscape Plans and Specifications Review Application, the Landscape Plans and Specifications, and all other materials necessary for the ARC to review the Landscape Plans and Specifications shall be sent to:

The Oaks at Lake Keowee Architectural Review Committee  
4814 Midway Road  
Williamston, SC, 29697

## 7.3 Review of Preliminary Landscape Plans and Specifications.

The ARC encourages Lot Owners and builders who are building in The Oaks community to participate in the preliminary Landscape Plans and Specifications review process. Although not required, the preliminary Landscape Plans and Specifications review process may help avoid unnecessary expense and delay by expediting later phases of the Landscape Plans and Specifications review process. Each Lot Owner may, at such Lot Owner’s discretion, submit preliminary Landscape Plans and Specifications to the ARC at the time final Building Plans and Specifications for the Lot are submitted to the ARC (as contemplated in the Architectural and Design Guidelines).

The ARC shall review the preliminary Landscape Plans and Specifications and return them to the Owner marked “Approved” or “Disapproved.” If the ARC marks preliminary Landscape Plans and Specifications as “Approved,” the final Landscape Plans and Specifications must substantially conform to the approved preliminary Landscape Plans and Specifications. Provided, however, the ARC’s approval of preliminary Landscape Plans and Specifications shall in no way bind or obligate the ARC to approve the subsequent final Landscape Plans and Specifications.

The ARC may refuse to approve preliminary Landscape Plans and Specifications, or any component(s) thereof, for any reason or reasons, including purely aesthetic reasons, in the sole discretion of the ARC.

## 7.4 Final Landscape Plans and Specifications Review Process.

The submittal of final Landscape Plans and Specifications must incorporate all of the elements described herein as being required as part of the final Landscape Plans and Specifications submittal. It is critical that final Landscape Plans and Specifications (and the other required documentation, as described above) be submitted to the ARC for review in a timely

manner. In that regard, four (4) complete sets of the final Landscape Plans and Specifications for each Lot must be submitted to the ARC before the exterior finish work on the house is commenced. Lot Owners not submitting final Landscape Plans and Specifications after the exterior finish work on the house has begun will receive a written request for the final Landscape Plans and Specifications from the ARC. Furthermore, if final Landscape Plans and Specifications are not submitted to the ARC by the date the Lot Owner occupies the Home on the Lot, whether or not Landscape Improvements have been installed, and whether or not any written notice has been given to the Lot Owner by the ARC as described above, a Special Individual Assessment of Two Thousand Five Hundred Dollars (\$2,500.00) will be assessed against such Lot (as a lien), and shall constitute a personal obligation of the applicable Lot Owner.

Landscape Plans and Specifications submitted to the ARC will be reviewed by a certified landscape architect who is licensed in South Carolina and who is either a member of the ARC or is hired by the ARC to conduct such review on behalf of the ARC.

If the ARC determines that the final Landscape Plans and Specifications are not in compliance with the Landscape Guidelines or are otherwise unacceptable to the ARC, one (1) set of the final Landscape Plans and Specifications shall be returned to the Lot Owner marked "Resubmit," accompanied by a written statement of items found not to be in compliance with the Landscape Guidelines or otherwise unacceptable to the ARC. If the final Landscape Plans and Specifications for a Lot are submitted and rejected two (2) or more times, the ARC may require an additional review or processing fee to be deposited by the Lot Owner to cover the additional time and expense incurred by the ARC in reviewing the resubmitted final Landscape Plans and Specifications.

At such time as the final Landscape Plans and Specifications are approved (or conditionally approved) by the ARC, one (1) complete set of the approved final Landscape Plans and Specifications shall be retained by the ARC, one (1) complete set shall be retained by the landscape architect, and the other two (2) complete sets shall be marked "Approved as Submitted" or "Approved as Noted" and returned to the Lot Owner, along with a written statement with any comments of the ARC. Once the ARC has approved final Landscape Plans and Specifications for Landscape Improvements to be installed on a particular Lot, the installation of such Landscape Improvements must be promptly commenced and diligently pursued to completion.

Any modification or change to the "Approved" set of final Landscape Plans and Specifications must be submitted in duplicate to the ARC for its review and approval (using the same procedure relative to the submission and approval of the original final Landscape Plans and Specifications). The ARC may require the Lot Owner to pay an additional review fee in connection with any submittal of modifications or changes to previously approved final Landscape Plans and Specifications.

#### 7.5 Required Elements of Final Landscape Plans and Specifications.

All final Landscape Plans and Specifications shall include the following:

- 7.5.1 A blueprint with accurate boundaries of the Lot.
- 7.5.2 Lot number.
- 7.5.3 Scale of the drawing(s) (along with an accurate North direction) shall be shown and labeled.
- 7.5.4 Date of the drawing(s), including any revision dates.
- 7.5.5 The name, address, and telephone number of the preparer of the Landscape Plans and Specifications.
- 7.5.6 Lot Owner's name and address.
- 7.5.7 "Limits of Clearing and Grading Line" shall be shown exactly as it appears on the grading plan previously submitted by the Lot Owner as part of the approved final Building Plans and Specifications.
- 7.5.8 Precise location of the Home, garage, and all other structures as depicted on the approved final Building Plans and Specifications for the Lot.
- 7.5.9 Precise location of all exterior doors and windows on the first floor/ground level of the Home.
- 7.5.10 Precise location of all Improvements, including without limitation, driveways, walkways, decks and steps, screened porches, gazebos, swimming (or other) pools, fountains, spas/hot tubs, fences and gates, garden walls, sculptures, sundials, bird houses, basketball goals, play equipment/swing sets, storage structures, retaining and freestanding walls.
- 7.5.11 Location of all proposed new Landscape Improvements, clearly labeled and indicating the species and quantities. Show all lawn areas as "lawn seed" or "lawn sod."
- 7.5.12 Plant list/planting schedule listing all proposed plant material, quantities, their common name and their botanical/scientific name, their size at the time of planting, and any special or notable distinguishing characteristics.
- 7.5.13 Location of gas and electric meters. location of heating, ventilating and air conditioning units, and pool equipment/pump or other utility-related equipment and apparatus.
- 7.5.14 All plants shown on the final Landscape Plans and Specifications are assumed to be scheduled for installation in the initial planting of the Lot. Any plants to be installed in a later phase (i.e., following the initial planting of the Lot) must be clearly labeled to that effect on the final Landscape Plans and Specifications and in the plant list that constitute a part of the final Landscape Plans and Specifications.

7.5.15 The type(s) of mulch material(s) to be used and their location(s) must be clearly indicated.

If any of the foregoing information or detail is not provided in the final Landscape Plans and Specifications, in whole or in part, the final Landscape Plans and Specifications will be rejected until all of the required information and detail is included, regardless of how elaborate and extensive the actual design may be.

7.6 Failure of the ARC to Act.

If the ARC fails to approve or disapprove any final Landscape Plans and Specifications and other submittals which conform (and which relate to Landscape Improvements which will conform) with the requirements of the Landscape Guidelines and of the Declaration or to reject them as being inadequate or unacceptable within thirty (30) business days after receipt thereof, and provided such submittal was a final and complete submittal, in accordance with the Landscape Guidelines and the Declaration, of all items that were to have been submitted to the ARC, and provided the ARC shall again fail to approve or disapprove of such final Landscape Plans and Specifications and other submittals within ten (10) days after additional written request to act on such items is delivered to the ARC following the passage of such first above-described thirty (30) business day period, it shall be conclusively presumed that the ARC has approved such conforming Landscape Plans and Specifications and other submittals, except for the following: (i) the ARC has no right or power, either by action or failure to act, to waive or grant any variances relating to any mandatory requirements specified in the Declaration or any Additional Declaration for the Phase in which the Lot is located; and (ii) the ARC shall not be deemed to have waived any of the requirements set forth in Article IX, Section 8, Section 9 or Section 10 of the Declaration or any corresponding provisions in the Guidelines. If final Landscape Plans and Specifications or other submittals are not sufficiently complete or are otherwise inadequate, the ARC may reject them as being inadequate or may approve or disapprove part, conditionally or unconditionally, and reject or approve the balance.

7.7 Lot Owner Responsibility.

Although a landscape contractor, landscape architect, or landscape designer may prepare the final Landscape Plans and Specifications for a particular Lot on behalf of the Lot Owner, it is the ultimate responsibility of the Lot Owner to review the final Landscape Plans and Specifications for completeness (consistent with the Landscape Guidelines), and it also is the ultimate responsibility of the Lot Owner to ensure the timely submission of the Landscape Plans and Specifications and related documentation to the ARC for review as contemplated herein. Additionally, each Lot Owner is responsible for making those individuals acting on behalf of such Lot Owner aware of the requirements contained herein relating to the preparation and submittal of the final Landscape Plans and Specifications.

7.8 Field Verification.

Following the approval of final Landscape Plans and Specifications for a Lot and the subsequent installation of Landscape Improvements in accordance with such approved final Landscape Plans and Specifications, the Lot Owner shall so notify the ARC in writing and the

ARC shall inspect the Landscape Improvements installation for compliance with the approved final Landscape Plans and Specifications. Plant locations, plant species and plant sizes shall be consistent with those shown on the approved final Landscape Plans and Specifications. Plant sizes shall conform to the latest edition of the American Standards for Nursery Stock, published by the American Association of Nurserymen, Inc. If the Landscape Improvements, as installed, do not conform to the approved Landscape Plans and Specifications, at the sole discretion of the ARC and without limiting any other rights or remedies of the ARC or any other party under the Guidelines or under the Declaration, a Special Individual Assessment in an amount sufficient to rectify the nonconformity will be applied until the installation of the Landscape Improvements conforms to the approved final Landscape Plans and Specifications.

## 8. PRESERVATION OF EXISTING TREES

The existing trees at The Oaks are prized natural amenities which add value to the community in a multitude of ways. The Declarant has exercised care to retain as much of the existing vegetation as possible in the design of the land plan for The Oaks, and it is expected that Lot Owners and home builders and contractors of the Lot Owners will continue to preserve and protect this valuable resource during the course of construction.

### 8.1 Owner Responsibilities.

Each Lot Owner shall be responsible for ensuring that such Lot Owner's general contractors and subcontractors adhere to the requirements of the provisions in the Guidelines (including the provisions in the Lake Buffer Guidelines) pertaining to the protection and preservation of existing trees. The Special Individual Assessment will be used by the ARC if, in the ARC's sole discretion, the provisions in the Guidelines (including the provisions in the Lake Buffer Guidelines) pertaining to the protection and preservation of existing trees are not followed and result in the destruction of or severe damage to otherwise healthy and desirable existing vegetation.

The ARC may employ the services of a qualified arborist and/or landscape architect (at the Lot Owners' expense as a part of the Annual Assessment levied under the Declaration) to analyze the condition of existing trees and to assist the ARC in monitoring adherence to the provisions in the Guidelines pertaining to the protection and preservation of existing trees.

### 8.2 Protection and Preservation Procedures for Trees Outside Lake Buffer Area.

It is essential that tree trunks, canopies, and root systems all be protected from heavy equipment and other harmful construction practices. Soil located from the "drip-line" of the tree to the trunk of the tree must remain undisturbed to enhance the likelihood that the tree will survive. Studies have shown that damaged root systems, especially damage to the feeder roots at the top twenty four (24) inches of the soil where a tree "breathes," are the most common cause of the fatal decline of otherwise healthy existing trees. Signs of the resulting stress often are not evident for months or sometimes years after the damage occurs, resulting in additional, often unforeseeable, costs and inconveniences to the then current Lot Owner and to the community as a whole.

A qualified arborist should be consulted by each Lot Owner or such Lot Owner's builder for an on-site evaluation of the existing trees prior to, during, and after construction. In addition, the following plan of protective measures must be followed by the Lot Owner and the Lot Owner's builder to ensure the protection of existing trees that are intended to remain on the Lot following the construction of Improvements.

- 8.2.1 All healthy, individual existing "mature trees" (as defined in Section 1.6) and all groups of trees comprising a "tree save area" must be identified with blaze-orange flagging tape prior to the ARC's site inspection and prior to any clearing, grading or other construction activity is commenced on the Lot. The ARC shall have the right to establish "tree save areas" on each Lot as it deems necessary or desirable, and the Lot Owner and the Lot Owner's builder must contact the ARC to determine which trees (if any) on a Lot are within "tree save areas."
- 8.2.2 Having identified the existing trees to be protected, stakes identifying the "drip-line" of such trees must be erected before any clearing, grading or other construction activity is commenced on the Lot. Such staking must stand erect, completely enclosing the tree or trees, and must be maintained erect and in good condition until the installation of the Landscape improvements is completed in accordance with the Landscape Guidelines. The Lot Owner is responsible for ensuring that such staking remains intact and in good condition throughout the construction process.
- 8.2.3 Keep trash, construction debris, chemical liquids and stored construction materials outside of the staked areas.
- 8.2.4 When changes in grade are required near existing trees, erect a retaining wall or walls outside the "drip-line" of the existing trees to preserve the existing grade around the tree. Supply supplemental water and/or deep-root fertilization, as recommended by the arborist, to ease the stress of possible root loss due to grading operations and the construction of retaining walls.
- 8.2.5 In some instances, the ARC may require additional tree protection measures to ensure the preservation of especially valuable existing mature trees.

Please refer to the Lake Buffer Guidelines regarding requirements and restrictions relating to tree and vegetation protection and removal within the Lake Buffer Areas.

### 8.3 Tree Repair Procedures.

When trees are inadvertently damaged during construction, the Lot Owner shall retain a qualified arborist to make the necessary repairs. The following tree repair measures shall be taken by the arborist (as deemed appropriate by him or her) subsequent to his or her thorough inspection of the damaged area and determination as to the severity thereof.

- 8.3.1 Tree trunks scarred during the construction process shall be treated immediately. The scarred area must be properly cleaned. Any and all torn bark and/or ragged edges shall be cut cleanly away, and the wound shall be shaped into an ellipse where possible.
- 8.3.2 Limbs or branches damaged by construction operations shall be removed. Clean cuts with sharp pruning tools are to be made at the nearest lateral branch or flush with the trunk for major limbs.
- 8.3.3 If during or after construction, minor root damage is observed, reducing the crown by as much as thirty percent (30%) during the appropriate season of the year may be advisable. Crown reduction by pruning several of the small to medium-sized branches will reduce the demand on the damaged root system thereby increasing the tree's prospects for survival and eventual full recovery.

8.4 Tree Valuation Schedule and Reimbursement Obligations Relating to Damaged or Destroyed Existing Trees.

With the care given to protecting and preserving existing trees as outlined above and as set forth in the Lake Buffer Guidelines, there should be little or no damage to trees during the course of construction on any Lot. However, accidents and possibly even negligence on the part of some contractors and/or subcontractors will only occur to some limited degree, resulting in the destruction of existing trees intended to remain on the Lot after the completion of construction of the Improvements thereon. The Tree Valuation Schedule set forth below will be used to place an appropriate monetary value on any and all such existing trees severely damaged and/or destroyed within the tree preservation areas. Quantifying the value of existing trees will provide each Lot Owner with a method for calculating the proper amount of reimbursement such Lot Owner must pay to the Association upon written request as a result of the irreparable damage to, or destruction of, existing trees caused by a contractor's or subcontractors construction operations on the Lot. The Association shall use the reimbursement amount to rehabilitate, restore and/or replace, as appropriate, the damaged or destroyed trees to the extent practicable. Any of the reimbursement amount not used for this purpose shall be retained by the Association. For purposes of the Tree Valuation Schedule, the tree's trunk diameter is measured at twelve (12) inches above existing grade level. Trunk diameters that fall between any two sizes presented in the Tree Valuation Schedule shall be assigned a value calculated proportionally.

**TREE VALUATION SCHEDULE**

<u>Trunk Diameter (inches)</u>	<u>Cross Section (square inches)</u>	<u>Deciduous Tree (100% value)</u>	<u>Evergreen Tree (100% Value)</u>
2	3.14	\$27.25	\$38.88
4	12.56	\$108.88	\$155.53

<u>Trunk Diameter (inches)</u>	<u>Cross Section (square inches)</u>	<u>Deciduous Tree (100% value)</u>	<u>Evergreen Tree (100% Value)</u>
6	28.26	\$244.99	\$349.95
8	50.24	\$436.90	\$622.14
10	78.50	\$681.25	\$792.09
12	113.04	\$981.00	\$1,399.82
15	176.63	\$1,582.36	\$2,187.27
20	314.00	\$2,725.00	\$3,888.38
30	706.50	\$6,131.25	\$8,748.84
48	1,808.64	\$15,696.00	\$22,397.04

A qualified arborist and/or landscape architect, at the Lot Owner's expense, shall evaluate the quality of the damaged or destroyed tree(s), as they would have existed prior to their being damaged or destroyed, using the three (3) criteria listed below in Sections 8.4.1, 8.4.2, and 8.4.3. An average of the three (3) percentage values resulting from such evaluation will render the final percentage value to be multiplied by the corresponding one hundred percent (100%) value listed in the Tree Valuation Schedule for the appropriate tree type (*i.e.*, evergreen or deciduous) and size listed in the Tree Valuation Schedule. The three (3) criteria to be used by the arborist or landscape architect retained for such purpose by the Lot Owner are as follows:

8.4.1 Location and Use:

- 8.4.1.1. Integral to the design and overall aesthetic appeal of the Lot - 100%
- 8.4.1.2. Incidental to the design and overall aesthetic appeal of the Lot - 50%

8.4.2. Physical Condition:

- 8.4.2.1. Healthy and vigorous, free of defects and insect infestation - 100%
- 8.4.2.2. Diseased or waning, but exhibiting the potential for survival - 20%

8.4.3. Tree Shape and Form:

- 8.4.3.1. Large, spreading canopy and well-proportioned form - 100%
- 8.4.3.2. Small canopy, but exhibiting potential for improved form - 50%

9. MINIMUM PLANTING REQUIREMENTS

Minimum requirements for the initial Landscape Improvements to be installed on each Lot within the The Oaks community have been devised to ensure that the high quality, visually appealing house styles and associated landscaping portray an aesthetically pleasing streetscape image. Essential to this is a unified and consistent balance between the quality of the architecture and the quality of the Landscape Improvements. A Recommended Plant List is attached as **Schedule G** and incorporated herein by this reference.

The ARC requires minimum expenditures for the initial Landscape Improvements to be installed on each Lot within The Oaks community. The minimum expenditures shall include the costs for complete Landscape Improvements installation, including reasonable and customary labor charges and a reasonable percentage of replacement planting/warranty, planting based upon industry standards. However, not included in such minimum expenditures for each Lot are costs associated with grading, importation of fill material, soil retaining walls or other walls, fences, gazebos, pools, fountains, play equipment, decorative boulders and rocks, expenditures for lawn seed (including labor cost associated therewith) and planting beds. Any costs for such items must be funded by the Lot Owner in addition to the minimum expenditures required for the initial Landscape Improvements specified below.

9.1 Minimum Expenditures Required for Initial Landscape Improvements.

A minimum of two percent (2%) (the “**Minimum Expenditure**”) of the Home’s construction budget must be spent by the Lot Owner on plant material, including trees, shrubs, ground cover plants, annual flowers, perennials, lawn sod (as provided below) and three (3) inches of mulch or pine needles on all disturbed areas not receiving lawn sod and/or seed in the initial installation or Landscape Improvements for each Lot.

Irrigation systems are encouraged to ensure the health of lawn and landscaping material and the efficient use of water. A Lot Owner shall be entitled to use (i) up to twenty percent (20%) of the Minimum Expenditure to pay the costs associated with the installation of lawn sod, and (ii) up to twenty percent (20%) of the Minimum Expenditure to pay the costs associated with the installation of an irrigation system. Provided, however, the ARC may authorize a landscaping expenditure lower than the Minimum Expenditure for a particular Lot if the ARC determines, in its sole discretion, that based upon the Landscaping Plans and Specifications submitted and other circumstances, such a lower expenditure is adequate and appropriate, but in no event shall such expenditure be less than \$2,500.00. Provided further, Owners of corner Lots shall be required to expend an additional \$500.00 (so that Minimum Expenditure for corner Lots is no less than \$3,000) for the installation of the initial Landscape Improvements for both Private Road frontages.

## 9.2 Distribution of Landscaping Plants on Lots.

On all Lots (other than corner Lots), eighty percent (80%) of the plant material (*i.e.*, trees, shrubs, perennials, ground cover, annual flowers, etc.) installed in the planting of the initial Landscape Improvements shall be located in the front yard and in the front one-half of each side yard (to the midpoint of the Home on each side). On corner Lots, ninety percent (90%) of the plant material installed in the planting of the initial Landscape improvements (i) shall be located in the front yard and in the front one-half of the “non-street facing” side yard, and (ii) shall extend forth, around the “street facing” side yard to the rear property line and to the point which is ten (10) feet beyond the rear corner of the Home (see diagrams).

## 9.3 Postponement of Planting.

Under circumstances of extreme weather conditions, the ARC may, in its sole discretion, grant a Lot Owner a postponement of the initial Landscape Improvements planting. A written request for such postponement must be submitted to the ARC. Generally, postponements of the initial Landscape Improvements planting will be considered only for the hotter summer months between July 1 and August 31 and for prolonged periods of below-freezing weather forecasted during the winter months. Such a postponement, when granted by the ARC, shall not release the Lot Owner from the obligation to install the initial Landscape Improvements at the earliest time that weather permits and under no circumstances not later than the timetable set forth in the ARC’s written postponement.

## 10. LANDSCAPE DESIGN GUIDELINES -- REQUIRED PRACTICES

The following Guidelines shall be followed by all Lot Owners and the builders, contractors, subcontractors, and architects of the Lot Owners when planning for and installing Landscape Improvements on Lots within The Oaks. These Guidelines contain specific required practices and techniques for creating an aesthetically pleasing landscape.

### 10.1 Screening of HVAC Units, Utility Meters, Utility Transformers, Outside Refuse Containers, and Other Equipment.

All heating, ventilating, and air conditioning units, utility meters, electric utility transformer boxes, swimming pool pump equipment, permitted satellite dishes and similar equipment, apparatus and fixtures on each Lot, including all refuse containers stored outdoors, must be screened from view from Private Roads from the Lake, and from neighboring Lots. Plants used as screening should be maintained by the Lot Owner so that the equipment apparatus or fixture being screened is accessible (wherever possible) by service personnel and/or meter readers. Plant materials for this purpose shall be installed using no less than five (5) or seven (7) gallon sizes, evergreen only.

## 11. LANDSCAPE DESIGN GUIDELINES - RECOMMENDED PRACTICES

The following Guidelines are recommended to be followed by all Lot Owners and the builders, contractors, subcontractors, and architects of the Lot Owners when planning for and

installing Landscape improvements on Lots within The Oaks. These Guidelines contain specific recommended practices and techniques for creating an aesthetically pleasing landscape.

#### 11.1 Automatic Irrigation Systems.

Automatic irrigation systems are highly recommended. Besides the obvious advantage of convenience, automatic irrigation systems, when designed, installed and operated properly should help conserve water and should provide plant and lawn sod Landscape Improvements with the consistent waterings they require to thrive. Landscape Improvements that are installed between March 15 and September 30 likely will be subjected to periods of intense heat and periods of low precipitation. Automatic irrigation systems are especially beneficial during such periods to help ensure a consistent amount, frequency, and duration of watering.

#### 11.2 Landscape Lighting Systems.

Subject to the restrictions in Section 4.14 in the Architectural and Design Guidelines, landscape lighting systems shall be designed, installed and operated to enhance the architecture of the house and the Landscape Improvements on the Lot in a tasteful and subtle manner. Over lighting the house and/or landscaping shall be avoided. Landscape lighting shall be confined to the Owner's Lot only and no direct illumination from such landscape lighting shall encroach onto any other Lot or any other location beyond the boundaries of such Owner's Lot.

#### 11.3 Foundation Planting.

When designing foundation plantings, several important factors must be considered. Select shrubs that will not overgrow the location at maturity (*i.e.*, covering windows). Select evergreen shrubs to be planted adjacent to the house foundation to provide an aesthetically pleasing appearance during all seasons, rather than deciduous plants (which shed their leaves in the winter months). Select plant types and varieties that require moderate to low maintenance and pruning. Locate foundation shrubs on either side of windows instead of directly under windows; this allows the shrubs more vertical growing room without blocking the window. Locate foundation plants far enough from the foundation of the house to allow ease of maintenance access to the house (e.g., with a ladder or to paint the wall directly behind the shrubbery). Foundation plants shall be layered from front to back, with taller plants (evergreen) at the back and successively lower plants in the front.

#### 11.4 Corner Lots.

With regard to Landscape Improvements and subject to the other provisions of the Guidelines, corner Lots shall treat both facades or elevations of the Home which face the Private Roads with equal care and consideration. Both facades and elevations are "public" sides of the house to the degree that both elevations front on a public street. Care and consideration shall be given to selecting plant material that will lend privacy to the rear yard by grouping evergreen trees and/or shrubs near the side right-of-way line.

#### 11.5 Plants and Enframing Devices.

Trees and shrubs can and shall be utilized to enframe a view of the house (e.g., the front elevation). For instance, street trees located near the Lot boundary line at the street are best located near the side Lot boundary lines to create visual parameters through which to view the front of the house. This idea is further illustrated by locating evergreen trees (e.g., Nellie R. Stevens Hollies) at the front corners of the house to frame the house with a plant material which remains green during all seasons of the year.

#### 11.6 Planting Bed Layout.

Planting beds containing plant materials such as trees, shrubs, ground covers, and annual flowers shall be designed and constructed with smooth, flowing curves (wherever possible). The curves shall be broad enough to allow ease of maneuvering lawn mowing equipment along the edges of the planting beds. Consideration also should be given to the type of lawn mowing equipment that will be used (*i.e.*, riding lawn mower or push-type lawn mower) and its minimum turning radius.

#### 11.7 Landscape and Architecture Compatibility.

The landscape design for each Lot should enhance the architectural style of the Home on such Lot. Different architectural styles call for different landscape styles. Lot Owners are urged to hire an experienced and qualified landscape architect or landscape designer to assist in achieving such compatibility.

#### 11.8 Yards and Visual Importance.

Any area of a Lot that is visible from one of the Private Roads in The Oaks takes on a “semi-public” character in that the visual quality of that portion of the Lot contributes to the overall quality and character of the community at large. All Lot Owners must landscape and maintain all such “semi-public” areas of their Lots with utmost care and consideration. Corner Lots effectively have two such “semi-public” yards due to the fact that such Lots front on two Private Roads.

In contrast, rear yards tend to be the private domain of the Lot Owner, allowing more flexibility in the uses of the rear yard space. However, it is the hope of the ARC and the Declarant that equal care and attention will be given to the landscaping and maintenance of these areas. Additionally, rear yards become more “semi-public” where they front on Common Areas, common recreation facilities or the Lake, and rear yards in these locations should always be well maintained and adequately landscaped as “semi-public” areas.

## **LAKE BUFFER GUIDELINES**

### 12. **INTRODUCTION**

In order to ensure the natural beauty and the recreational benefits of the Lake and to help preserve the quality of water in the Lake, the ARC has prepared the following Lake Buffer Guidelines for The Oaks

The Lake Buffer Guidelines provide for a “Lake Buffer” which is a 50-foot minimum distance setback from the full pond contour elevation around the entire shoreline of the Lake. The areas within the Lake Buffer constitute the “Lake Buffer Areas.”

All Lots in the development abut the Lake, and there is a “buffer” established on each Lot. The intent of the buffers is to implement land use restrictions which preserve the Lake Buffer Areas in a “near-natural” state. The buffers are depicted on the recorded plat(s) for The Oaks. In order to create The Oaks, some work has occurred in the Lake Buffer Areas such as utility and drainage improvement, construction and construction of pathways for water access. However, any disturbances thus far inside the Lake Buffer Areas have been stabilized. Any construction (or modification of the surrounding environment) by individual homeowners near, or in, the Lake Buffer Areas must be reviewed and approved by the ARC in accordance with the Lake Buffer Guidelines before commencing any such activity.

Although the Lots in The Oaks are situated to create a relatively low-density development, the construction of new Private Roads and Homes increases the rate of storm water “run-off” from rainfall. The Declarant through its planning and engineering consultants, has developed and received approval for a two-stage plan of storm water management for The Oaks (*i.e.*, during construction and after construction). During construction, storm water “run-off” creates the potential for erosion and sedimentation. This potential for erosion and sedimentation on the streams and the Lake exists during the development of the Private Roads and utility systems and continues until the last home within The Oaks is completed. Erosion control devices have been installed as part of The Oaks development and will remain present until contributory areas are stabilized (or as provided herein). Such erosion control devices include silt ponds that have been installed by the Declarant at the outlets for storm water drainage. These silt ponds may be maintained by the Declarant until such time as at least eighty percent (80%) of the Lots from which the contributing siltation flows have been fully improved and have stabilized yards. While the silt ponds are in operation, the Declarant may remove silt from said silt ponds as is needed to ensure their effective performance. No Owner shall disturb or interfere with the operation of the silt ponds or any other erosion control device installed by the Declarant

As construction is complete, the storm water management plan changes. At this time, storm water passes from the street curb inlet system to the underground storm drainage network. At the outlets of this underground drainage system, the concentrated flow leaving the drainage pipe is slowed down through energy dissipation and dispersed to create a gentle sheet flow about the Lake Buffer Areas. These permanent stone lined basins are dry until rainfall occurs, at which time they fill and over-flow uniformly to reduce the potential erosion impact to the Lake Buffer Areas. These basins are located within easements over the Lots and must be protected.

### 13. SUMMARY OF LAKE BUFFER GUIDELINES

The purpose of the Lake Buffer Guidelines is to maintain a natural, low maintenance ecosystem to reduce the volume of runoff, erosion and pollutants entering the Lake. Natural forested buffers have the best capacity for collecting and storing nutrients that pass through such areas, and a tree canopy helps protect the soil from erosion.

#### 13.1 Lake Buffer Guideline General Requirements:

- 13.1.1 Openings to provide access to the Lake are limited to 6 feet in width for walkways.
- 13.1.2 Erosion control devices should be installed upstream out of the Lake Buffer Areas.
- 13.1.3 Shoreline stabilization is allowed so long as minimal disturbance to the Lake Buffer Areas occurs.
- 13.1.4 Within the Lake Buffer Areas, the removal, cutting and clearing of trees, shrubs and ground cover within the Lake Buffer Areas is generally not permitted without the prior written consent of Declarant or the ARC. The practical exceptions to this rule are that dead or diseased trees may be removed; poisonous plants may be removed; underbrush may be selectively cleared; understory may be thinned to provide better view; individual trees may be limbed up and ground covers (excluding grass) may be planted.

#### 13.2 Lake Buffer Guideline Prohibitions and Restrictions:

- 13.2.1 No grass or lawn areas will be permitted in the Lake Buffer Areas.
- 13.2.2 Impervious structures such as driveways and boathouses are prohibited.
- 13.2.3 Removal of natural leaf fall from within the Lake Buffer Areas is not encouraged.
- 13.2.4 Except for dead or diseased trees, no trees larger than six (6) inches in caliper are to be removed from the Lake Buffer Areas without prior approval from the ARC.
- 13.2.5 Plan approval by ARC is required for (i) shoreline stabilization, (ii) removal of existing trees to allow for access to the Lake, (iii) disturbances of vegetation greater than four inches in diameter.

#### 13.3 Lake Buffer Guideline Tree Requirements:

13.3.1 Tree pruning within the Lake Buffer Areas is allowed by removing only lateral links from the lower fifty percent of the tree's height. Topping is not allowed.

13.3.2 Planting of additional trees, shrubs, groundcovers and perennials within Lake Buffer Areas may be approved if done with minimal disturbance to root systems of existing trees.

#### 14. GENERAL HOMEOWNER RESPONSIBILITIES

The Oaks, as a unique, wooded, lake front community, gains its great intrinsic value from the Lake Buffer Areas. The Lake Buffer Areas are to be preserved by each Lot Owner in accordance with the Lake Buffer Guidelines. This does not mean that these areas cannot be entered or modified, but activities are limited and subject to review and approval.

##### 14.1 Additional Permissible and Impermissible Activities:

14.1.1 Recreation: The natural habitat preserved in the Lake Buffer Areas is an amenity for the Lot Owner and can be used for walks, nature study, and limited children's play. These areas should be shown consideration respect by limiting children's impact and not allowing play areas to cause erosion or erecting structures (such as play houses) which create impervious cover. Repeated, intense use could lead to denuded areas and subsequent erosion problems.

14.1.2 Disposal: Disposal of spent oil, chemicals (household cleaners, paint thinner, etc.), or other solids or liquids with the potential for damage into the storm drainage system or on the ground near the Lake Buffer Areas is prohibited.

14.1.3 Construction: Construction of boat piers must be permitted by Lake Management and any part of the pier or access thereto which is located over Lake Buffer Areas must be reviewed by the ARC. In addition to these specific regulations, the Lot Owner is encouraged to avoid the excessive use of fertilizers, pesticides or herbicides and to avoid land-disturbing activities immediately adjacent to the Lake Buffer Areas.

## CONSTRUCTION RULES

1. Applicability. These construction rules (collectively, the “Construction Rules”) shall apply to all Lot Owners and their builder and contractors. Any reference to an Owner shall also apply to the Owner’s builder and subcontractors. All Owners shall abide by the Construction Rules and such other rules as the Board and/or the ARC may establish, from time to time.

2. Construction Hours and Noise. All construction activities must be conducted and all deliveries must be made from 7:00 a.m. until 8:00 p.m. Monday through Saturday; provided, however, no construction activities shall be conducted and no deliveries shall be made on July 4th, Labor Day, Thanksgiving Day, Christmas Day, or New Year’s Day. Provided, further, certain construction activities (e.g. painting or cleaning) may be conducted on Sunday but shall be limited to the interior of the structure in order that such activities do not disturb neighboring Lot Owners. No loud radios or distracting noise (other than normal construction noise) will be allowed within the community during construction. Normal radio levels are acceptable. Radio and stereo speakers shall not be mounted on vehicles or outside of homes under construction.

3. Rubbish and Debris. In order to maintain a neat and orderly appearance at all times throughout The Oaks, the following rubbish and debris rules must be strictly followed:

(a) Exterior Construction Debris. With regard to all construction debris located on a Lot outside the walls of a home that is under construction, the following rules shall apply:

(1) At the end of each day on which work occurs on the Lot, all lightweight, blowable construction debris, such as roofing paper, insulation bags, foam sheathing, polyethylene, etc., must be placed in a silt fence pen or other approved containment device on the Lot.

(2) At the end of the day on each Friday, all non-blowable construction debris, such as wood scraps, shingles, brick-bands, drywall, bricks and masonry blocks must be gathered into neat piles.

(3) During the last three (3) days of every month, all debris must be taken off the Lot and out of The Oaks, leaving the construction site and the Lot free of all debris.

(b) No Burial. Burial of construction debris or vegetation is prohibited.

4. Street Cleaning. The Declarant shall have the right, without notice, (a) to clean up any significant amount of dirt, gravel, cement, etc., left on any Private Road if the same is not immediately removed by the responsible Owner, (b) to charge the cost of such clean-up to the responsible Owner as a Special Individual Assessment, and (c) to receive reimbursement for the expense of such clean up from the responsible Owner.

5. Silt Fences. Silt fences and/or other devices for sedimentation control shall be installed where necessary or as directed by the ARC.

6. Material Storage. No construction materials, equipment or debris of any kind may be stored on any Private Roads, curb, gutter, on any adjacent Lots or otherwise than in the locations approved by the ARC.

7. Trailers. No construction office trailers may be placed, erected or allowed to remain on any Lot or in any other area in The Oaks, except as approved in writing by the ARC.

8. Construction Access. During the time a Home or other Improvements are being built, all construction access shall be confined to the approved driveway for the Lot, unless the ARC approves an alternate access way.

9. Gravel Drives. Prior to the commencement of construction on a Lot, the Owner of such Lot or such Owner's contractor shall provide a gravel drive in accordance with Section 2.4 of the Architectural and Design Guidelines.

10. Parking. All vehicles must be parked so as not to impede traffic or damage vegetation. No vehicles (trucks, vans, cars, trailers, construction equipment, etc.) may be left parked on any Private Roads within The Oaks overnight. Construction vehicles may be left on the gravel drive of a Lot (and no other portion) overnight only if additional use of the vehicle will be made within the following three (3) days. Subcontractors are to be instructed to park on the Private Road adjacent to the Lot or on the gravel drive during the day.

11. Miscellaneous Practices. The following practices are strictly prohibited at The Oaks:

(a) Changing oil of any vehicle or equipment;

(b) Allowing concrete suppliers and contractors to clean their equipment at areas other than within the clearing areas (approved by the ARC) for a Lot;

(c) Carrying and/or discharging any type of firearms, except by law enforcement officials and security personnel authorized by the Declarant;

(d) Careless disposition of cigarettes and other flammable material; and

(e) Operators of vehicles are required to use due care to ensure that they do not spill any damaging materials while within The Oaks. If spillage does occur, it is the responsibility of the operator of the vehicle to properly clean up the spill. Any such clean-up operations completed by the Board or the ARC will be charged to the responsible party. Any spills must be reported to the ARC and the Declarant. in writing as soon as possible.

12. Pets. Builder and contractor personnel may not bring pets into The Oaks.

13. Common Areas. Except with the prior written permission of the ARC, builder and contractor personnel are not allowed in the Common Areas and no construction access will be allowed across the Common Areas.

14. Accidents. Declarant and the ARC shall be notified immediately when any accidents, injury, or other emergency occurs on a work site.

15. Portable Chemical Toilets. An enclosed and regularly serviced portable chemical toilet must be provided at each Home under construction and must be located in as inconspicuous a location as possible in a location approved by the ARC.

16. Speed Limit. The established speed limit within The Oaks community is fifteen (15) miles per hour for all vehicles, and this limit must be obeyed.

17. Signs. Building permits are the only sign or documentation that may be posted at a Home or on a Lot during construction. Business signs or other forms of advertisement are not permitted. Building permits are to be attached to a post in a manner protected from the elements and in no event may building permits or any other signage or documentation be attached to trees.

18. Property Damage. Any damage to Private Roads, curbs, water meters or boxes, drainage inlets, Street Lights, street markers, mailboxes, walls, fence, or other Improvements will be repaired by the Association and the cost of such repairs will be billed to the responsible Owner. If not paid promptly, the repair cost will be assessed as a Special Individual Assessment. If any telephone, cable TV, electrical, water or other utility lines are cut, it is the responsible party's obligation to report such an accident within thirty (30) minutes to the relevant utility and any cost incurred in connection with repairing such damage shall be borne by the responsible party.

19. General Builder Responsibilities. Builders are encouraged to maintain strict control over subcontractors to minimize soil and mud build-up on Private Roads within the Development. Builders are advised to educate employees and subcontractors as to the location of the Lake Buffer Areas, the restrictions applicable to the Lake Buffer Areas and the restrictions for violation of the Lake Buffer Guidelines (*i.e.*, fines). The ARC requires that builders plan the Home construction with erosion control measures and the Lake Buffer Guidelines specifically in mind. If the builder desires to modify the vegetation in the Lake Buffer Area or construct pathways or shoreline stabilization in the Lake Buffer Area, a Lake Buffer Plan must be submitted to the ARC for approval prior to commencement of construction. In addition to protecting the Lake Buffer Areas and controlling erosion, builders are encouraged to develop Lot plans which preserve natural wooded areas wherever possible and which minimize Lot grading and disturbance. Alignment of utilities and access should be planned to minimize the cutting of mature trees. The following things are not allowed by the ARC:

- Excessive trash build-up and/or disposal either on Lots or in Common Areas;
- Changing of oil, maintenance of equipment. or disposal of chemicals or paint resulting in spills on the Lots or into the storm drainage system for The Oaks;
- Use of excessive amounts of fertilizer or herbicides on seeded areas;
- Destruction or modification of any part of the permanent storm drainage system for The Oaks;
- Unpermitted burial of stumps or other debris,
- Unpermitted shoreline modification; and
- Unauthorized disturbance of any Lake Buffer Areas.

**SCHEDULE A**

***THE OAKS AT LAKE KEOWEE***

**LOT \_\_\_\_\_ APPLICATION FOR PRELIMINARY APPROVAL**

Submit this form with three (3) copies of final site and house plans if the home is to be built on speculation, or two (2) copies of final site and house plans if the home is custom. A check for One Thousand Dollars (\$1,000.00) must also be submitted made payable to The Oaks At Lake Keowee Owners Association, Inc. as the Processing Fee for the Application for Preliminary Approval. If the Processing Fee is paid during the Preliminary Plans Approval process, no additional Processing Fee will be due when the Final Plans are submitted. A submission should also be made using digital versions of this form and all attachments and sending a zip file to \_\_\_\_\_@\_\_\_\_\_.

Name of Lot Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: Cell \_\_\_\_\_ Work \_\_\_\_\_ Home \_\_\_\_\_

Email Address: \_\_\_\_\_

Builder: \_\_\_\_\_

Builder Address: \_\_\_\_\_

Telephone: Cell \_\_\_\_\_ Work \_\_\_\_\_ Home \_\_\_\_\_

Email Address: \_\_\_\_\_

Builder's License Number: \_\_\_\_\_

**I. Final Site Plan (1" = 40')**

Location (with dimensions and materials) should be illustrated for each of the following site improvements on the Building Envelope Lot Plan:

- A. Grading plan with 2' contour topography. (show proposed drainage plan)
- B. House and Other Improvements (driveway, sidewalk, garage, decks, patios, fences and walls (including retaining walls), etc.
- C. Front, rear, and side yard setbacks dimensioned, and utility easements as shown on recorded plat.

II. Final House Plans (1/4" = 1'-0")

Plan Name: \_\_\_\_\_

Elevation: \_\_\_\_\_

Garage: # of Cars: \_\_\_\_\_

Custom/Spec: \_\_\_\_\_

List Price: (incl. Lot) \_\_\_\_\_

Master Suite: Main/Upper/Downstairs

\_\_\_\_\_ Total Heated Sq. Ft.

# of Bedrooms \_\_\_\_\_

\_\_\_\_\_ Total Overall Sq. Ft.

Full Baths \_\_\_\_\_ Half baths \_\_\_\_\_

Estimated Completion Date: \_\_\_\_\_

III. Final House Elevations (1/4" = 1'-0")

Front, sides, and rear elevations shown

IV. Exterior Specifications: (must be completed prior to ARC approval) Submit samples with manufacturer specifications.

V. Roof shown in plain view.

Material

Foundation: \_\_\_\_\_

Ext. Veneer Primary: \_\_\_\_\_

Ext. Veneer Secondary: \_\_\_\_\_

Ext. Trim: \_\_\_\_\_

Front Door: \_\_\_\_\_

Shutters: \_\_\_\_\_

Garage Door: \_\_\_\_\_

Roof: \_\_\_\_\_

Windows: \_\_\_\_\_

Other: \_\_\_\_\_

V. ARC Modifications:

Required: \_\_\_\_\_

Suggested: \_\_\_\_\_

VI. Final Design Approval:

\_\_\_\_\_ Granted as  
noted above; however, construction start is  
subject to Approval to Commence Work.

\_\_\_\_\_ Granted as  
submitted; however, construction start is  
subject to Approval to Commence Work.

\_\_\_\_\_ Denied as  
noted above.

Reviewed and Approved By:

THE OAKS AT LAKE KEOWEE OWNERS ASSOCIATION, INC.

ARCHITECTURAL REVIEW COMMITTEE

\_\_\_\_\_ Date:

PRELIMINARY REVIEW DOES NOT CONSTITUTE EITHER FINAL  
PLAN APPROVAL OR AUTHORIZATION TO COMMENCE  
CONSTRUCTION. SEE ARCHITECTURAL GUIDELINES AND  
APPLICATION FOR FINAL DESIGN APPROVAL FOR THE  
APPROPRIATE STEPS TO FOLLOW PRIOR TO ANY  
CONSTRUCTION. THANK YOU.

**SCHEDULE B**

***THE OAKS AT LAKE KEOWEE***

**LOT \_\_\_\_\_ APPLICATION FOR FINAL APPROVAL**

Submit this form with three (3) copies of final site and house plans if the home is to be built on speculation, or two (2) copies of final site and house plans if the home is custom. A check for One Thousand Dollars (\$1000.00) must also be submitted made payable to The Oaks At Lake Keowee Owners Association, Inc. as the Processing Fee for the Application for Final Approval, unless the Processing Fee has already been paid during the Preliminary Plans Approval process. A submission should also be made using digital versions of this form and all attachments by sending a zip file to \_\_\_\_\_@\_\_\_\_\_.  
\_\_\_\_\_.

Name of Lot Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: Cell \_\_\_\_\_ Work \_\_\_\_\_ Home \_\_\_\_\_

Email Address: \_\_\_\_\_

Builder: \_\_\_\_\_

Builder Address: \_\_\_\_\_

Telephone: Cell \_\_\_\_\_ Work \_\_\_\_\_ Home \_\_\_\_\_

Email Address: \_\_\_\_\_

Builder's License Number: \_\_\_\_\_

I. Final Site Plan (1" = 40')

Location (with dimensions and materials) should be illustrated for each of the following site improvements on the Building Envelope Lot Plan:

- A. Grading plan with 2' contour topography. (show proposed drainage plan)



Roof: \_\_\_\_\_

Windows: \_\_\_\_\_

Other: \_\_\_\_\_

V. ARC Modifications:

Required: \_\_\_\_\_

Suggested: \_\_\_\_\_

VI. Final Design Approval:

\_\_\_\_\_ Granted as  
noted above; however, construction start is  
subject to Approval to Commence Work.

\_\_\_\_\_ Granted as  
submitted; however, construction start is  
subject to Approval to Commence Work.

\_\_\_\_\_ Denied as  
noted above.

Reviewed and Approved By:

Advisory Design Professional

\_\_\_\_\_ Date:

THE OAKS AT LAKE KEOWEE OWNERS ASSOCIATION, INC.

ARCHITECTURAL REVIEW COMMITTEE

\_\_\_\_\_ Date:

## SCHEDULE C

### EROSION CONTROL GUIDELINES

1. EROSION CONTROL MEASURES SHALL BE PROVIDED FOR EACH LOT AS IT IS DEVELOPED.
2. THE OWNER SHALL BE RESPONSIBLE FOR INSTALLING AND MAINTAINING THE EROSION CONTROL MEASURES FOR EACH LOT OWNED BY SUCH OWNER.
3. THE OWNER SHALL INSTALL A #5 WASHED STONE CONSTRUCTION ACCESS TO EACH LOT OWNED BY SUCH OWNER. ACCESS TO EACH LOT SHALL BE VIA THIS DRIVE ONLY. THE OWNER SHALL NOT ENCROACH OR ALLOW ANY ENCROACHMENT INTO THE UNDISTURBED GRASS AREA BETWEEN THE BACK OF CURB AND THE RIGHT-OF-WAY LINE WITH MATERIALS OR VEHICLES.
4. THE OWNER SHALL PROVIDE A MATERIAL STORAGE AREA ON EACH LOT OWNED BY SUCH OWNER. THIS STORAGE AREA SHALL BE ACCESSED ONLY FROM THE LOT OR THE CONSTRUCTION ACCESS DRIVE.
5. THE TYPICAL LOT EROSION CONTROL MEASURES SHOWN SHALL BE FIELD LOCATED AND ADJUSTED TO REFLECT THE FINAL GRADES AND ACTUAL FIELD CONDITIONS OF EACH LOT.
6. THE OWNER SHALL PROVIDE MAINTENANCE INSPECTIONS OF ALL LOT EROSION CONTROL MEASURES ON A DAILY BASIS AND AFTER RAINFALL. REPAIRS SHALL BE PERFORMED IMMEDIATELY.
7. NO CLEARING, GRADING OR CONSTRUCTION OF ANY KIND WITHIN THE LIMITS OF THE LAKE BUFFER AREAS.

SCHEDULE D

MAILBOX AND NEWSPAPER BOX DIAGRAMS

(The Oaks At Lake Keowee)

[TO BE INSERTED]

**SCHEDULE E**

**DOCK, PIER AND BOATSLIP DIAGRAMS**

(The Oaks At Lake Keowee)

[TO BE INSERTED]

## MATERIALS SPECIFICATIONS FOR DOCKS, PIERS, BOATSLIPS AND GAZEBOS

### Lumber:

Piles to be Southern Yellow Pine of sizes 7" diameter round or 7" width square minimum dimension and pressure treated by Vulcanization process to .60 minimum retention. Structural wood framing and decking to be 41 Southern Yellow Pine of sizes noted on Plans and pressure treated to .40 minimum retention.

### Steel Dock Frames:

Docks to be constructed from modular steel frames 3' wide x 9 1/4" deep. Frame members are 36 KSI yield steel angle 3/16" x 1 1/2". Fabrication is performed off-site using jiggling fixtures and controlled welding processes. Frames are hot-dip galvanized (G-90) after fabrication. Field assembly of frames is with 3/8" diameter bolts.

### Flotation:

Flotation for docks is from premolded expanded polystyrene foam bullets encased in a high impact polyethylene shell as manufactured by "Formex Manufacturing, Inc.," Norcross, GA, or approved equal. Built size is 37" wide x 17.5" deep x 47" long, Model HI, with a flotation capacity of 1010 lbs. Bullets are lag bolted to steel frames with 1/4" diameter bolts (8 bolts/built). AU polyethylene shells are to be black in color.

### Steel Piles:

Steel piles are used to stabilize the docks from impact loads, wind loads and wave action. Steel piles are from three sizes - 3", 4", and 5" diameter pipe, and are designed to telescope depending on the lake water level. Because of this design feature, the top of the pile never protrudes above the dock deck. Material for steel pile fabrication is Schedule 40 pipe. This system is only suggested by ARC.

### Hardware & Miscellaneous:

All nails, bolts, screws, hangers, brackets and miscellaneous hardware items are to be hot-dip galvanized or zinc plated.

All irrigation piping and electrical conduit must be constructed so that it is hidden from view.

This **Schedule E** is for assistance and clarification in designing docks, piers, boatslips and gazebos for ARC review. The ARC's review or approval of these Plans is subject to the Plan's compliance with any additional requirements imposed by Duke Energy Lake Management and/or local government zoning and building ordinances. The ARC is not responsible for coordinating, obtaining or ensuring compliance with any such additional requirements.

**SCHEDULE F**

**APPLICATION FOR LANDSCAPE PLANS**

**AND SPECIFICATIONS APPROVAL**

(The Oaks At Lake Keowee - Lot \_\_\_\_\_)

REQUIRED INFORMATION:

Name of Lot Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: Cell \_\_\_\_\_ Work \_\_\_\_\_ Home \_\_\_\_\_

Email Address: \_\_\_\_\_

Landscape Contractor: \_\_\_\_\_

Builder Address: \_\_\_\_\_

Telephone: Cell \_\_\_\_\_ Work \_\_\_\_\_ Home \_\_\_\_\_

Email Address: \_\_\_\_\_

Landscape Contractor's License Number:

\_\_\_\_\_

Name of Landscape Architect/Designer: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: Work \_\_\_\_\_ Home \_\_\_\_\_

Email Address: \_\_\_\_\_

Landscape Contractor's License Number:

\_\_\_\_\_

Submission Date \_\_\_\_\_

Projected Construction Commencement Date \_\_\_\_\_



**SCHEDULE G**

**RECOMMENDED PLANT LIST**

(The Oaks At Lake Keowee)

Appropriate and aesthetically pleasing landscaping of individual Lots at The Oaks At Lake Keowee is integral to the success of the community as a whole. A list of recommended plant materials that thrive in our region is provided for use by builders, Lot Owners, and landscape contractors. The list represents a core group of plants, evergreen and deciduous, flowering and non-flowering, of various sizes at maturity, which perform well in our area. The list is not absolutely complete and naturally other plants not appearing on our list are worthy of consideration. The intention is to provide a group of plants which are well suited to our geographic location and which exhibit desirable ornamental characteristics. Many of the plants listed are indigenous (native) to our region and several display desirable characteristics such as drought tolerance (landscape plants) and tolerance of heavy (clay) soils. Local plant nurseries should be consulted to obtain specific information on the improved varieties that may be available and the sun/shade exposure requirements of each plant.

Street Trees/Shade Trees:	
Red Maple (October Glory, Red Sunset, Autumn Flame)	
Legacy Sugar Maple	
Southern Red Oak	
European Mountain Ash	
Ginkgo Biloba (male only)	
Shumard Oak	

Large-maturing Evergreen Trees:	
Deodar Cedar	
Southern Magnolia	
Austrian Pine	
Norway Spruce	

Fosters Holly	
Pyramidal arborvitae	
Bald Cypress	

Accent Trees (flowering):	
Kwanzan Cherry	
Yoshino Cherry	
Weeping Japanese Cherry	
White Dogwood	
Kousa Dogwood	
Pink Dogwood	
Smoketree	
Crabapple (improved varieties)	
Washington Hawthorn	
Eastern Redbud	
Star Magnolia	
White Fringetree	
Amelanchier (protected)	
Golden-chain Tree	

Accent Trees (nonflowering):	
Black Gum	
Wax Myrtle	
Green Japanese Maple	

Trident Maple	
Thornless HoneyLocust	

Evergreen Shrubs:	
Holly Species ( <i>i.e.</i> , Dwarf Burford Holly, Compacta Holly, Helleri Holly, etc.)	
Ligustrum Species	
Rhododendron Species (Carolina, Oconee, etc.)	
Azalea	
Camellia Sasanqua (protected)	
Cypress and False Cypress Species	
Nandina Species	
Wax Myrtle	
Cotoneaster Species (Bearberry, Rockspray)	
Inkberry	
Mahonia	
Dwarf Indian Hawthorn	

Deciduous Shrubs:	
Althea	
Spirea Species	
Butterfly Bush	
Flowering Quince	
Oakleaf Hydrangea	

Lilac Species (improved varieties)	
Mock Orange	
Weigela	

Groundcovers and Vines:	
Periwinkle	
Euonymus Fortunei "coloratus"	
Shore Juniper	
Liriope	
Santolina	
Ajuga	

Perennials:	
Sedum species (Autumn Joy, etc.)	
Coreopsis	
Iris	
Balloon Flower	