

Planter's Row Homeowners Association

Architectural Control Committee (ACC)

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ACC Request form

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I. Introduction

This document is a compilation of Articles V., VI. and VII of the Planter's Row Declaration and rules established by the Planter's Row Board of Directors regarding architectural control and maintenance of the dwellings and lots in Planter's Row. For brevity and simplicity, many of the covenants and restrictions presented herein are abbreviations and/or paraphrases of what appears in the Declaration. The Declaration article and section number for each covenant and restriction herein is shown in parenthesis. Sentences or paragraphs without an article and section number notation indicate that the rule was established by the Board of Directors.

These guidelines have been established in order to maintain and enhance the character and visual environment within the **Planter's Row** development. Many of the guidelines have been extracted from the **Covenants & Restrictions** document for The **Planter's Row** Subdivision and are not intended to change, alter, or circumvent the community restrictions and by-laws.

Failure of the homeowner to submit the required information or failure to comply with these guidelines could result in immediate action by the Planter's Row Homeowner's Association and the developer. If unsure about the need to submit a request, please submit it. It is better to err on the side of submitting the request rather than suffering any consequences of failure to do so for an improvement needing approval.

Keep in mind that the Architectural Control Committee (ACC) does not review the structural adequacies, building code or permit issues for any proposed modification. The property owner is responsible for ensuring that all modifications are structurally adequate, meet applicable building codes and are performed with the appropriate permits. Please contact the Mauldin Building Permit Office for information on permits. It is located in the City Hall Building at 5 E. Butler Rd and the phone number is 288-4910.

II. Exterior Improvements and Alterations (Article V.)

Covenant No exterior improvements or changes will be made without the approval of the Architectural Control Committee (ACC). This includes buildings, fences, walls, other structures, landscaping, and topography (ground level). (V.1.)

Purpose This covenant was established by the developer to insure buyers that the harmony of the external design, colors, location of structures and plantings and the developed topography throughout Planter's Row would be maintained by all buyers (homeowners) in the future. (V.1.)

Procedures Homeowners desiring to make any improvement, alteration or change to the exterior of their property shall submit the plans and specifications thereof: showing the nature, kind, shape, height, materials, and location of same to the ACC. (V.2.a.) A form for this purpose is located one page 13. of this manual. Additional copies can be obtained from our property manager: Wm Goldsmith Company, telephone number 297-4970.

Fees Association fees must be current before a project request will be considered by the ACC.

Approval Does Not Establish A Precedent Approval of an improvement or alteration by the ACC does not establish a precedent for the approved improvement or alteration. The ACC at its discretion may disapprove similar improvements or alterations submitted subsequently. (V.2.b)

Article I. Submittals

1. The Design Review Committee will regularly meet to review submitted claims. Submittals should be received by the committee on or before the Friday preceding each meeting. Any submittal received later than the deadline will be reviewed at the next committee meeting. **Please allow 30 days for the submittal to be returned to you.**
2. All submittal requests must be in writing. No verbal submittal will be considered. Submittals should be sent as noted on the request form. The submittal should be made as soon as plans are finalized and when the estimate has been received from the contractor, if one is involved. Please advise the contractor involved that they may not start work on the project until approval from the ACC is received.
3. Submittals **must** include the following or **will be returned** to the homeowner:
 - A. **A completed Planters Row Submittal Request for Approval of Property Improvement.** A copy of this form is attached to these guidelines. Additional copies can be obtained from the property manager William Goldsmith, Attn: Cathy Bell, Phone: 297-4970.
 - B. **Site Plan:** A copy of the official lot survey (site plan) should include the street address and the lot number, the position of any existing structures, the location of any utility or drainage easements that affect the property and the area of the proposed property improvement. The placement of the improvement and any setbacks from the property line should be noted on the lot survey.
 - C. **Sketch:** The sketch should illustrate the proposed improvement and should include appropriate notation and or description to clarify and specify the proposed improvement. All materials, colors and relevant dimensions of the improvement must be included. Specifications for fencing should include the composition and dimensions of the posts and board to be used as well as the fence height and color. Any photograph, brochure, contractor's estimate or sketch that provides

that information should also be included. Any other information that you think will clarify the proposed improvement should also be included.

4. In general, the homeowner will be notified in writing as to the committee's decision within ten (10) business days after the committee meets.

Association Rules Take Precedence Over Building And Zoning Codes In those instances where building and zoning codes permit structures or activities that are contrary to the Declaration and the Association's rules the Declaration and rules take precedence. Example: A proposed shed may meet all building and zoning code requirements, but it exceeds the Association's maximum size rule of 12 feet by 12 feet by 8 feet high. The Association's rule takes precedence and the shed will not be approved.

Association Not Liable For Plan Defects The ACC or members of the ACC are not responsible or liable for any defects in any plans or specifications. (V.2.c.) Also, the ACC does not review the proposed plans for building and zoning code compliance or the need for a building permit. Contact the Mauldin Building Permit Office regarding these matters. The office is located in the City Hall Building at 5 E. Butler Road and the telephone number is 234-3475.

Enforcement Failure to comply with ACC rules can result in the Association requiring corrective at the homeowners expense. There is no time limit on the Association as to initiating an enforcement action. Therefore, please contact the ACC if there is any doubt as to the need to obtain approval for any exterior improvement or alteration. Also, see the Approval In Writing item regarding the keeping of project approval documents. (X.1. and V.2.b.)

Sprinkler Systems The installation of a sprinkler system does not require ACC approval if it does not involve changing the grade level or erecting a structure.

Rules for Exterior Improvements and Alterations All of the following Items require ACC approval This list is not a complete list of items that may require ACC approval. Therefore, please contact the ACC if you are planning any exterior improvement or alteration that is not listed below.

Planter's Row Homeowners Association **Architectural and Landscaping Control Guidelines**

1. **Antennae and Dishes** Reception towers, satellite dishes or antennae shall not be erected upon any structure or within the property without the approval in writing from the ACC. Such structures shall be screened to conceal them from the view of neighbors or from the street. (VII.15.) However, satellite dishes that are 18 inches or less in diameter and are shielded from view from the street do not require ACC approval.

2. **Awnings** Awnings and similar structures are considered permanent additions to the house. Categories of such awnings are those designed to be installed over windows, doorways, decks, patios, etc. All awnings require ACC approval.
3. **Basketball Goals** Permanently installed basketball goals are permitted with ACC approval. They must be situated no less than two-thirds (2/3) up the driveway from the street. Portable basketball goals and similar sports equipment when not in use must be placed within the limits as stated above for permanently installed equipment.
4. **Colors, Exterior of House** Any departure from the current exterior colors of any house requires ACC approval. The areas covered by this provision include siding, trim, garage doors, front doors, roofs, and sheds/outbuildings. Close approximations of the current colors on the house do not need require ACC approval. Mail box posts will be painted with Sherwin Williams paint, color: Stone Lion.
5. **Decks:** All deck replacements, additions or new installations are considered elevation changes and must be approved by the ACC.
6. **Driveway Coatings** The painting or tiling of driveways is prohibited. However, clear sealers may be applied without obtaining ACC approval.
7. **Driveway Additions** Driveways may be widened up to eight (8) feet and extended no further than the front of the garage. The widened section will start at least one half of the distance from the street to the garage, tapering out gently from this point to the full width of the extension. The driveway may not be more than two (2) lanes (16 feet) wide at the street. The driveway extension may not extend past the front of the garage. The expansion must be made of concrete that matches the concrete of the existing driveway. All driveway expansions require ACC approval.
8. **Elevation (Ground Level) Changes** Elevation (ground level) changes must be approved by the ACC. An evaluation must be made as to how the proposed elevation changes would impact drainage and tree roots on the subject lot and on adjacent lots. No lot owner shall excavate or extract earth for any business or commercial purpose. (VII.18.)
9. **Fencing: Refer to Planter's Row Landscaping and Fencing Guideline Document**
10. **Gazebos** All such structures require the approval of the ACC. They will be located behind the house, shall not exceed 12 feet in diameter and will be constructed of wood. Metal structures are prohibited.
11. **Lamp Posts** Front yard lamp posts are permitted subject to ACC approval. Lamp posts must be situated no less than two-thirds (2/3) up the driveway from the street
12. **Landscaping Guidelines: Refer to Planter's Row Landscaping and Fencing**

Guideline Document.

- 13. Play Structures** They must be located in the back yard. Play structures more than 7 1/2 feet in height, 12 feet in length or 10 feet in width must be submitted to the ACC for approval. Materials, colors, and placement on the property will be considered in the review process.
- 14. Retaining Walls** Retaining walls are permitted with the approval of the ACC. The height may not rise above the finished grade elevation of the embanked earth. The exposed part of retaining walls shall be made of clay bricks, concrete retaining wall stones, natural stone, or pressure treated lumber. (VII. 3.) Railroad ties and stucco walls are prohibited.
- 15. Sheds/Outbuildings Rules:**
 - A. Sheds/Outbuildings:** All detached structures and accessory sheds require ACC approval and must be located to the rear of the main dwelling. (VII.5.) Temporary, metal or plastic sheds/outbuildings are prohibited.
 - B. Specifications for Basic Shed/Outbuilding** The dimensions of the structure shall not exceed 12 feet by 12 feet , i.e. not to exceed 12 feet on any one side. Side walls shall not exceed 8 feet in height at the exterior from grade level to the bottom of the eaves. Roofs shall be gable-ended or hipped, in keeping with the prevailing style for houses in the community. The roof pitch shall closely approximate that of the main dwelling on the property. The gabled ends shall not exceed the side walls in length. The roof shall be shingled to closely match that of the main dwelling. The structure shall have siding to closely match the main dwelling in style and color. Corner boards and trim shall match that of the main dwelling in color and proportion. Doors shall be painted a single color to match the trim or the front door of the main dwelling.
- 16. Sun Rooms and Screened Porches/Decks** All such structures require the approval of the ACC. Metal structures are prohibited.

- 17. Swimming Pools** Only in ground swimming pools located behind the house will be considered for approval by the ACC. The request must indicate that all code required fencing and safety equipment will be installed. This provision does not apply to temporary children's pools that are ten (10) feet or less in diameter.
- 18. Trampolines** Trampolines are allowed without prior approval from the ACC. The trampoline must be located at the rear of the house at all times. All equipment associated with the trampoline must be properly maintained and kept in good visual condition by the property owner.
- 19. Tree Removal** Living trees with a diameter of six (6) inches or greater and measures two (2) feet above the ground shall not be intentionally destroyed or removed without prior approval from the ACC. (VII.14.)

III. Exterior Maintenance (Article VI.)

Responsibility Each homeowner is responsible for the exterior maintenance of his/hers house, other structures, and grounds. This includes, but is not limited to the following:

- | | |
|---|--|
| <input type="checkbox"/> Decks | <input type="checkbox"/> Painting and staining exteriors |
| <input type="checkbox"/> Driveways | <input type="checkbox"/> Plant beds |
| <input type="checkbox"/> Fences | <input type="checkbox"/> Shrubs |
| <input type="checkbox"/> Gutters and downspouts | <input type="checkbox"/> Roofs |
| <input type="checkbox"/> House and out buildings exterior | <input type="checkbox"/> Trees |
| <input type="checkbox"/> Lawns | <input type="checkbox"/> Walks |
| <input type="checkbox"/> Mail box and post | (VI.) |

Enforcement Failure to maintain the lot and the exterior of structures in a manner consistent with other lots and structures in Planter's Row, can result in the Association providing the necessary exterior maintenance at the homeowner's expense. (VI.) Before doing so, the Association shall give a written notice to the homeowner of the specific maintenance or repair needed. The homeowner shall then have 20 days to take corrective action.

IV. Use Restrictions (Article VII.)

- 1. Advertising Signs** No advertising signs or billboards shall be erected on any lot, except real estate for sale signs. (VII.13.)
- 2. Animals, Etc.** No animals, livestock or poultry may be kept on any lot. However, dogs, cats or other small household pet may be kept, but not for breeding or commercial purposes. (VII.11.) Animal pens are prohibited, but dog houses are allowed.
- A. Leash Law** Mauldin City Code Section 4-37. No dog shall be permitted off the premises of the owner or the person keeping or harboring such dog, unless such

dog shall be placed on a leash held by a person over the age of twelve (12) years who shall have complete control of the dog. Such leash shall not exceed eight (8) feet in length. (Ord. No. 214, ¶ 5-17, 4-14-86)

B. Animal Waste Mauldin City Code Section 4-11. The owner of every animal shall be responsible for the removal of any excreta deposited by his animal on public walks, recreation areas or on private property. (Ord. No. 214, ¶ 5-23, 4-14-86) The Planter's Row Board further defines this ordinance to include any animal excreta deposited in swale areas and on the street of Planter's Row.

3. **Chain Link Fences** These are prohibited. (VII.3.)
4. **Driveway Coatings** The painting, tiling or changing the concrete surface of the driveway is prohibited. However, clear sealers may be applied without obtaining ACC approval.
5. **Excavation** No lot owner shall excavate or extract earth for any business or commercial purpose. (VII.18.)
6. **Garbage Cans, Etc.** Garbage cans, lawn mowers, other equipment, and clotheslines must be screened from view. (VII.14.) Also, children's toys and play things should be kept in the rear yard.
7. **Intersection Obstructions** No structure or vegetation shall obstruct the view at street intersections. (VII.7.)
8. **Mail Boxes and Other Delivery Receptacles** The mail box and delivery receptacle assembly installed by the developer shall be the only mail box and delivery receptacle allowed. (VII.8.) The mail box shall be painted black and the post painted with Sherwin Williams paint, color: Stone Lion. The address numbers shall be Arial font 3.5 inch black plastic.
9. **Name Signs and Property Identification Markers** These require the approval of the ACC, except for the number on the mail box. (VII.8.) The painting of address numbers on the curb is prohibited. Such markers are neither required nor recommended by any public emergency service, i.e. police, fire companies, etc.
10. **Offensive Activities** Offensive and noxious activities are prohibited. (VII.12.) Call the Mauldin Police Department regarding noxious or offensive noise and/or activities. The City of Mauldin noise ordinance (Mauldin City Code, Section 13-71 through -76) considers the volume, duration, source and time of day of noises.
11. **Temporary Structures, Trailers, Etc.** No structure of a temporary nature shall be erected or allowed to remain on any lot. Also, no trailer, camper, shack, tent, garage, barn or similar structure shall be used as a residence, either temporarily or permanently. (VII.9.)

- 12. Trash Dumping** No lot or common area shall be used or maintained as a dumping ground for rubbish. (VII.17)
- 13. TV and Radio Reception Equipment** No radio or television transmission or reception towers, satellite dishes or antennae shall be erected upon any structure or within the property without the approval of the ACC. Such structures should be screened to conceal them from the view of neighbors or from the street. In no event shall freestanding transmission or receiving towers, satellite dishes or disks be permitted. (VII.15.) However, satellite dishes that are 18 inches or less in diameter and are shielded from street view do not require ACC review.
- 14. Use of Property** Lots shall be used for single-family residential use only and not for business activities unless approved by the ACC. (VII.1.)
- 15. Vehicle Parking:**

- A.** It is prohibited for a resident of Planter's Row to park his/her vehicle on the street or on the unpaved area of any lot. Guests may park their vehicle on the street or on the unpaved area next to the driveway, with the owner's permission, on a nonrecurring basis for up to 48 hours. (VII.16)

The purpose of this restriction is to promote pedestrian and vehicular traffic safety. The absence of sidewalks throughout most of the community requires pedestrians to walk in the streets. Parking your vehicle on the street puts your neighbors in harm's way by causing them to walk in the middle of the street to get around vehicles parked in the street. The safe flow of vehicular traffic is impaired by on street parking because the streets are not wide enough to accommodate parked and moving vehicles. The community was designed and built on the basis that all vehicles will be parked in either a garage or on a driveway. Almost every house in the community has a two car garage and a driveway that can accommodate at least two vehicles.

- B.** No house trailers or mobile homes, school buses, trucks or commercial vehicles over one (1) ton capacity, boats or boat trailers, motor homes, motorcycles, campers, and vans or vehicles on blocks shall be kept, stored or parked overnight either on any street or on any lot, except within an enclosed garage or screened from the streets and adjoining lots. (VII.16)