



**BAREFOOT
RESORT
RESIDENTIAL
OWNERS'
ASSOCIATION, INC.**

**MASTER ASSOCIATION
ARCHITECTURAL REVIEW
APPLICATION & DESIGN
GUIDELINES**

Revised January 1, 2024

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SECTION I—Application and Agreements

Architectural Review Application

Barefoot Resort Residential Owners' Association, Inc.

Please Deliver To:

Ponderosa Management, LLC
4876 Barefoot Resort Bridge Road, Ste. C
North Myrtle Beach, SC 29582

Please Mail To:

P.O. Box 1706
North Myrtle Beach, SC 29598

Please Fax To:

843-399-1761

NAME: (Please Type or Print): _____

ADDRESS OF PROPOSED CHANGE: _____

COMMUNITY: _____

UNIT NUMBER OR LOT NUMBER: _____

MAILING ADDRESS FOR DECISION LETTER: _____

CONTACT PHONE #: _____

E-MAIL ADDRESS: _____

GENERAL DESCRIPTION OF PROPOSED CHANGE:

Description of improvement: _____

Estimated Date of Modification to Begin: _____ Estimated Completion Date: _____

Description of materials to be used: _____

Description of colors to be used: _____

Owner's Signature _____ **Date** _____

For Association Use Only, this Application is: Approved Not Approved Conditionally Approved
Date Approved: _____
Reason for Denial or Conditional Approval: _____

REQUIRED EXHIBITS AND SUPPORTING DOCUMENTATION

The supporting documentation listed below must accompany this architectural review application, as applicable for the proposed change. **An application submitted without all required submissions will be considered incomplete.** In such case, the ARC's 30 day review period will not commence until all required submissions have been provided. In general, an applicant should provide all documents and exhibits required by The City of North Myrtle Beach for the proposed improvements.

- a. **Paint or Stain Colors:** A sample of the color(s) to be used must be provided, both for repainting or restaining existing improvements and for structural additions, together with a list of existing paint colors on the house or appurtenant structures which will remain unchanged.
- b. **Finish Materials:** A description and/or sample of all finish materials to be used for the exterior surface of proposed improvements must be provided.
- c. **Plot Plan:** A site plan, drawn to scale, showing the location and dimensions of the proposed improvement, including orientation with respect to the property lines, unit, and adjacent dwelling units must be provided for decks, patios, walls, fences, major landscape changes which require approval, and structural additions to the home. **Plot plans are required. Application without such plan will not be accepted.**
- d. **Architectural Drawings and Landscape Plans:** Detailed architectural drawings or plans are to be provided for decks, house additions, and major landscape improvements which would change the topography of the lot or landscape plan originally provided by the builder.
- e. **Photographs:** Photographs of the affected area are required with all applications.
- f. **Other Exhibits:** Other exhibits may be required in order to permit adequate evaluation of the proposed change. Owners are advised to seek guidance from the ARC and/or Managing Agent prior to the submission of an application.
- g. **Contractor:** How does the contractor plan on entering the modification area?
- h. **Deposits:** All deposits are required with the application.
- i. **City:** All city permits and approvals are required with the application.

OWNER AGREEMENTS

- Owner agrees to give the Architectural Review Committee (ARC) and/or Managing Agent, express permission to enter on the Owner's property at a reasonable time to inspect the proposed project, the project in progress, and the completed project.
- Owner understands any approval is contingent upon the completion of alterations in a workmanlike manner and in accordance with the approved plan and specifications for said alterations.
- Owner acknowledges familiarity with the architectural review requirements and procedures for the Barefoot Resort Residential Owners' Association, Inc.
- Owner understands the authority to perform an alteration granted by this application will automatically expire if the work is not commenced within 180 days following approval, and completed within 1 year following commencement of work, unless another time frame is specifically authorized in writing by the ARC.
- Owner agrees to store construction materials only on owner's own property, rather than on common areas, easements or parking areas, to bear the cost of repairing any damage caused to such areas, and to remove all unused materials from public view within 7 days following the completion of work.
- Owner agrees to have read the Supplemental Declarations, if applicable, before submitted the application.

NOTES

- Nothing contained herein shall be construed to represent alterations to lots or buildings to be in accordance with the provisions of the Building and Zoning Codes of The City of North Myrtle Beach. Further, nothing contained herein shall be construed as a waiver or modification of any said restrictions.
- Where required, appropriate building permits shall be obtained from The City of North Myrtle Beach and The Army Corp of Engineers for any work abutting the wetlands prior to the start of any construction and/or modification. Nothing contained herein shall be construed as a waiver of said requirement.
- Owner understands and agrees no work on this request will commence until written approval has been obtained from the ARC.
- Owner further understands and agrees any exterior alterations undertaken before written approval is obtained is not permitted and the Owner may be required to restore the property to its former condition at Owner's own expense if such alterations are made and subsequently disapproved in whole or part. Further, owner understands any legal expense associated therewith may be the responsibility of Owner
- I, _____, owner, have read all paragraphs on page 4 and agree and understand what is due when the application is submitted for review and decision.

Architectural Review COMPLIANCE Form
Barefoot Resort Residential Owners' Association, Inc.

Please Deliver To:

Ponderosa Management LLC
4876 Barefoot Resort Bridge Road, Ste. C
North Myrtle Beach, SC 29582

Please Mail To:

P.O. Box 1706
North Myrtle Beach, SC 29598

Please Fax To:

843-399-1761

NAME: (Please Type or Print): _____

ADDRESS OF PROPOSED CHANGE: _____

COMMUNITY: _____

UNIT NUMBER OR LOT NUMBER: _____

MAILING ADDRESS FOR DECISION LETTER:

CONTACT PHONE #: _____

E-MAIL ADDRESS: _____

MODIFICATION COMPLETED:

I hereby certify the exterior modification as approved by the Barefoot Resort Residential Owners' Association, Inc. ARC has been completed in accordance with the approved ARC application.

I, the property Owner, hereby grant the ARC and/or Managing Agent, express permission to enter on the property at a reasonable time to inspect the project.

Signature: _____

Date: _____

SEND TO THE MANAGEMENT OFFICE AFTER MODIFICATION IS COMPLETE

SECTION II—History, Introduction, and Process

A. History

The Barefoot Resort ARC is a dependent entity of the Owners' Association Board of Directors designated and authorized by the recorded Deed, Code, Covenants, and Restrictions (CC&R's) in the area known as Barefoot Resort to administer the Architectural Guidelines to preserve, for the mutual benefit of all property owners, the concept of a homogeneous, planned community. It is supported in its endeavors by the Barefoot Resort Residential Owners' Association, Inc., a duly incorporated and certified Owners Association.

The CC&R's run with the title or deed to your property in the Tracts. In some cases, they may be more stringent than the codes demanded for this area by The City of North Myrtle Beach or the municipal governments of The City of North Myrtle Beach.

These Guidelines are not intended to be punitive but are and always were intended for the protection of the rights of each homeowner in the community. Approvals from the ARC protect your rights as well as those of your neighbors and help avoid legal complications that may arise from neighbors' disputes over the proposed construction. Avoiding or ignoring the Guidelines or flat-out noncompliance with its conditions will only serve to slow down your project and cause additional work for you as well as the ARC.

Regarding plans for your project, early, free hand, or conceptual studies are encouraged to be submitted prior to final submission and approval. An informal meeting arranged with you, your architect, and/or landscape architect could avoid the time and expense of re-drawing plans. The City of North Myrtle Beach Department of Building & Safety in no way places the ARC under any constraints or pressure to approve conditions that countermand any conditions stated in these Guidelines or in your CC&R's.

Many additions to your property may require approval of The City of North Myrtle Beach and certain permits may be required. It is strongly suggested these organizations be contacted in order to determine whether such permits or approvals are required. Another suggested contact is Horry Electric with regard to plantings placed around the green power boxes in front and side yards. They have indicated through mailings that they require 10 feet at the front of the box and 4 feet on the other 3 sides of the box. It is also suggested you contact PUPS at 811 to identify any utility lines that may be buried.

B. Introduction

Throughout the community, single family owners are permitted to reconfigure their landscaping and homes within their property lines to enhance the pleasures and benefits of living in our community and to maximize the usefulness of their properties. Prior to renovations or construction, owners are required to obtain all necessary approvals and permits. This includes approvals by The City of North Myrtle Beach Building Department, The Army Corp of Engineers, and the ARC. If your project is not specifically listed herein, consider the review criteria set forth in Section III – The Architectural Standards and then call the Managing Agent to discuss the project. Because Barefoot Resort is a planned community, certain design and construction limitations have been implemented.

The intent of the Guidelines:

- To permit each homeowner to enjoy the owner's home without unreasonable interference by and to the owner's neighbor.
- To minimize and stabilize the costs to maintain our properties.
- To preserve and/or enhance the community and its real estate values.
- To promote thoughtful design so there is harmony between buildings, their sites, and with neighboring homes, avoiding harsh contrasts in the visual perception of the community.

Deposits:

Note: When work crosses HOA common area, a \$1,000.00 refundable deposit will be required prior to the beginning of work on any improvement. Failure to notify the Managing Agent in advance and obtain written

approval to proceed with your construction, may result in fines being imposed on your account. In order to provide direction to the owners within the community, the ARC provides herein guiding principles in evaluating applications that are considered when reviewing applications for property improvements.

Repairs:

Owners are responsible for repairs to existing structures and additions. No application to affect repairs and restoration to original condition (color and materials) is required.

C. ARC Process General Information

1. Information Needed with Submittal: See Section I – Architectural Review Application

2. Enforcement:

- a. Architectural standards help assure that Barefoot Resort property values are maintained. It is not possible to inspect the properties every day, nor is it likely every completed but unauthorized modification will be noticed during a drive through inspection. Therefore, we must rely on all owners to maintain the standards of our community.
- b. Violation Notices are issued by the Managing Agent or persons authorized by the Board of Directors to do so. The Notice of Violation will be sent by U.S. Postal Service to the owner of record. The notice will include the specifics of the alleged violation along with the amount of fine to be imposed by default unless a hearing is requested within 10 business days after receipt of the Notice of Violation.

3. Hearings and Review:

In most cases, applications submitted to the ARC are approved or are approved with relatively modest conditions; however, there are occasional applications that during the ARC decision process, do not meet the requirements of these Design Guidelines and/or do not meet reasonable expectations of existing neighbors. These applications may be disapproved.

A disapproved applicant has an opportunity to seek a hearing with the ARC, an owner may request a hearing and will be given written notice of a time and place where the ARC, as authorized by the Board of Directors, will conduct a hearing to review the case. At such hearing, the owner may present the reasons for objecting to the ARC decision and introduce expert witnesses and newly discovered evidence. If the ARC decision, after the hearing is still adverse, the owner shall receive a timely notice of the decision, which shall be binding on all parties.

There would normally be no further review; however, if the owner requests further review and can qualify under one or more of the following criteria, the ARC will investigate and notify the Board, if the case qualifies for the Board final review and determination. The Board will then review the evidence from the application and the ARC hearing and issue its final decision in the matter:

- a. The ARC (or its chairman) may certify a Board Review on its own motion, within or subsequent to its decision that the Review qualifies and is eligible for Board Review.
- b. The ARC's Application disapproval decision was rendered by a closely divided ARC vote and then subsequently approved by a majority vote (or its Chairman's decision) requests a Board Review.
- c. The ARC may recommend Board review if the scope of an owner's Application identifies a problem that may affect a large segment of the Community or requires the review and approval of multiple committees reporting to the Board.
- d. The owner presents clear and convincing argument (in writing) that the ARC decision was based upon false, invalid, misrepresented, or misinterpretation of these Design Guidelines.
- e. There is no right of review by owners fined for the violation of performing any modification or home improvement work without having submitted an application for ARC approval.

4. Penalties/Fines:

- a. Failure to submit an application for a modification will result in a fine of \$25 per occurrence or modification. (Depending on the level of cooperation in resolving the violation, a waiver of this fine by the Board of Directors may be granted if requested).
- b. Failure to submit an application within 2 weeks after being fined per a. will result in a fine of \$25 per day until the application is submitted and approved.
- c. Failure to install the modification as approved will result in fines up to \$25 per day.

5. Costs:

In the event of any violation of these Guidelines or Declarations of the Association, the Board of Directors reserves the right to pursue any and all legal remedies to compel enforcement, legal, and equitable. Any and all costs and attorney's fees shall be charged to the account of the offending owner at the time they are incurred. Any restoration costs to bring property into compliance incurred by the Association will be charged to the account of the offending owner.

6. Correction Procedures:

- a. An exterior change made without approval of the ARC constitutes a violation of the Declaration and may result in incurring fines. A violation may require removal or modification of the work at the expense of the property owner, or payment of damages incurred by the Association in having the work removed or modified.
- b. The ARC may inspect authorized construction in progress to identify violations. Additionally, all owners have the right to notify the ARC or Managing Agent of apparent violations of any provisions of these architectural standards and construction specifications.
- c. The ARC will investigate each reported violation. ARC may meet with the property owner making an improvement, which is in violation, to discuss problems and agree to resolutions. Should the owner fail to comply with the agreed upon corrections, the ARC will submit the matter to the Board of Directors for disposition. This could lead to the Association filing legal action against the owner.

7. Miscellaneous:

- a. Approval assumes that owner has obtained all required permits as applicable.
- b. The ARC shall have exclusive jurisdiction over all modifications, additions, or alterations made on or to existing units or structures containing units on any portion of the properties as required.
- c. In accordance with Article IV of the CC&Rs, the ARC shall have the responsibility to prepare the Design Guidelines and subsequent amendments. The Board shall be responsible for approval of the Design Guidelines and subsequent amendments as required.
- d. The ARC may require the applicant obtain approval from the neighbors for modifications such as a swimming pool installation, relocation of HVAC equipment, yard lighting, etc. The approval of a neighbor is not limited to the items mentioned.
- e. The application and Guidelines can be obtained from the Managing Agent or on the Barefoot Residential Owners' Association website (www.barefoothoa.com). All information required on the submittal form must be complete in order to be considered for approval.
- f. All assessments must be current before a modification will be approved.
- g. In the event the ARC fails to approve or disapprove a modification submittal or request additional information reasonably required within 30 days after submission, the applicant may give the committee written notice of such failure to respond. The written notice should state that unless the committee responds within 10 days of receipt of the notice, approval shall be deemed granted. If the committee fails to respond within 10 days, the submittal will be deemed approved, subject to the right of Silver Carolina to veto approvals as set forth in the governing documents.
- h. The BRRR through the ARC works to ensure that the community-wide standards are upheld for the benefit of all Owners. As such, periodic inspections are performed by the ARC to check for conformance with these Guidelines.

SECTION III—Architectural Principles, Rules, Standards, and Guidelines

This section provides general guidelines which the committee considers when reviewing an application. Is the project aesthetically pleasing, effect on property values, and impact to the neighborhood?

If the applicant is unsure if all guidelines and provisions are being met, a conceptual plan for pre-approval can be submitted.

These Design Guidelines apply to all Residential Neighborhoods within Barefoot Resort. All Single-Family Neighborhoods except for Brookstone have additional requirements, including exterior color schemes, included in Supplemental Declarations.

The following Single-Family Neighborhoods and Sub-associations have their own Architectural Review Committees, who have primary responsibility for review and approval of applications within those Neighborhoods:

- Leatherleaf

For Multi-Family Neighborhoods, the same application form is used, but the primary responsibility for review and approval lies with that's Neighborhood's Sub-Association Board of Directors. The applying Owner or Sub-Association Board may consult with the ARC to ensure consistent application of the Design Guidelines. Accessory Buildings: Shed, Shack, Tree House, Barn, Storage, Tent, or other outbuildings are prohibited.

Air Conditioners & Heat Pumps: This change will require an ARC Application.

- Exterior HVAC units or heat pumps may be relocated or added only if there is no adverse visual or audio impact to adjoining properties.
- Exterior units that are located on the side of the home are to be screened from common area view with proper screening.
- NOTE: Individual air conditioning units extending from windows are prohibited.

Artificial Turf & Vegetation: Artificial Turf & Vegetation are prohibited.

Attic Ventilators: This change will require an ARC Application.

Attic ventilators and turbines are permitted if original silver in color or painted to match the color of the roof (if roof mounted) or the color of the house siding or trim (if mounted on a gable end). Ventilators and turbines are to be mounted on the least visible side of the roof ridgeline to minimize their visibility and meet the following:

- No part of the ventilator protrudes more than 12 inches above the roof surface.
- Roof mounted and located on the least visible side of the roof and does not extend above the ridgeline.
- If it becomes necessary to block airflow through the ventilator, this should be done from the inside of the structure.
- All other installations require an application showing elevations of the ventilator installation.
- Attic ventilators are not permitted on a multifamily units or townhome roof structures.

Awnings: This change will require an ARC Application.

The ARC shall only approve an exterior retractable awning if the application demonstrates the awning shall be clearly compatible with the architectural design and qualities of the home, or is screened from the view of adjoining neighbors due to the proposed location of the installation, and meets the following criteria:

- Sun control devices are to be compatible with the architectural character of the house, in terms of style, color, and materials.
- Cloth and/or wood are preferred materials. Awnings must be approved and made of a straightforward design, without decorative embellishment such as fringes. Although solid colors are preferred, stripes may be approved if the color contrast is subtle and generally earth toned and are compatible with the color scheme of the house.
- Awnings are to be consistent with the visual scale of the houses to which they are attached. The location of any awning must not adversely affect sunlight or natural ventilation of adjacent properties.
- Awnings shall be retracted when not in use.
- Pipe frames for canvas awnings are to be painted to match dominant color of the house. If awnings are removed, pipe frames must also be removed.

Clothes Lines: Clothes lines are prohibited.

Common Area: No modifications are allowed within the common areas or in the wetlands. There is no parking allowed in common areas.

Decks: This change will require an ARC Application.

- **Location:** Decks, whether elevated or at ground level, will be located only to the rear of the main body of the house, with the exception of units whose rear yard fences extend beyond the width of the house, wherein such lower level decks can extend to within 3 feet of the fence line.
- **Scale and Style:** Decks are to be of a scale and style that are compatible with the home to which they are attached, adjacent homes, and the environmental surroundings. Neighborhood guidelines may, in some cases, place specific limits on the scale or style of decks, which will be approved, based on considerations of density, visibility, scale, and size of decks provided as standard builder features or options.
- **Materials and Color:** Materials and colors are to be consistent with the style of the houses to which they are attached.

Doghouses/Dog Runs: Doghouses and dog runs are prohibited.

Drainage Swales: This change will require an ARC Application.

- City approval is required. The City will approve the ground cover, which can then be approved by the ARC.

Driveways: This change will require an ARC Application.

- Circular driveways may be considered, depending on plot limitations.
- The color, texture, or design must stop at the public sidewalk if there is one crossing the driveway at its street end.
- To minimize cracking, control joints should be spaced at a maximum of 10 feet.
- City approval is required.

Exterior Colors: This change will require an ARC Application.

- Multifamily units and townhomes are prohibited from exterior color change.
- The decision whether to approve each application will be based on the conformity of each neighborhood.

Exterior Decorative Objects: An ARC application is not required, providing the below Guidelines are met, except for Park Hill. The guidelines below only apply to the single-family Neighborhoods. Multi-family Neighborhoods should refer to their specific CC&Rs.

Park Hill requires ARC approval for exterior decorative objects, including but not limited to sculptures, benches, artwork, furniture, fountains, flags, and similar items.

- **Location:** A more narrow set of standards to objects located in front yards or positioned where they can be fully viewed from the street or sidewalk fronting the applicant's property than to those objects located in back yards, or within screened locations of lesser visibility and impact. Objects are prohibited from being placed in the common area.
- **Color:** Objects must not contain colors or color combinations considered excessively bright, garish, jarring, overly reflective, or luminescent. The color or colors of an object are to compliment the overall appearance of the home and not distract from it in a way or draw excessive attention to the object.
- **Design:** Items are to be compatible in general style and in quality of materials and workmanship with the architectural characteristics of the applicant's home, adjoining homes, and the neighborhood setting.
- **Holiday Decorations:** Can be installed 4 weeks prior to a holiday and must be removed 2 weeks after the holiday.
- **Intrusiveness:** Objects must not substantially intrude by sight, sound, or smell upon adjoining homes or the neighborhood setting.
- **Materials:** Objects are to be made of suitable natural or man-made materials capable of withstanding outdoor weather conditions and must be capable of maintaining an attractive appearance. An object may be allowed to become mossy, rusty, or weathered only if it is appropriate to such an object and only if it presents an attractive appearance compatible with the home, adjoining homes, and the neighborhood setting.
- **Relationship to the environment:** Objects shall not create an adverse impact on the natural environment by their installation or location. The ARC will consider such issues as an alteration in the rate or direction of water runoff, the removal of trees or other substantial plants, and/or the creation of attractions, which are hazardous to wildlife by their nature or location.

- **Safety:** Objects shall not create a hazard to public safety.
- **Size, Scale, and Number:** Objects are to be of an appropriate size and within an acceptable scale which is harmonious with the home and its location. Items must not be so numerous so as to present a cluttered or overwhelming appearance.
- **Taste:** Objects are to avoid using words and designs that are, by their nature, inflammatory, offensive, or vulgar to the community.

For clarification, the following objects do not require approval:

- Door knockers, peep holes, camera doorbells, and kick plates.

Exterior Lighting: This change will require an ARC Application.

- Lighting should be directed away from neighboring properties and not shine into neighboring residences.
- Colored bulbs designed to repel insects may be installed only in lighting fixtures located at the rear of houses.
- Lighting which illuminates either common areas or private property other than on which it is installed, including reflected "backwash" behind houses, is prohibited.
- Temporary lighting for decoration, holiday, and festival use, does not require a formal application. Holiday lighting may be operative for a period not to exceed 6 weeks. After the period of use, all temporary lighting and decorations shall be removed.

Fences: This change will require an ARC Application.

- Wooden and chain link fences are prohibited.
- Only permanently installed PVC, wrought iron, and aluminum fences will be permitted.
- Coquina Pointe and Park Hill rear and back fence must be White vinyl to be compatible with the front fence style.
- Golf course lots must have prior written approval from the golf course.
- Fences must be placed a minimum of 2 feet inside the property line so that easements are not encroached upon.
- Perimeter fences will not exceed more than 4 feet in height.
- Patio privacy fences are permitted but will not exceed 6 feet in height, shall originate from the home and may not extend into the side yard or rear lot setbacks, and shall be no more than 30 linear feet and may not extend more than 20 feet across the back of the residence.
- For properties along the Water Tower Road wall, fence posts must be installed with at least 3 inches of clearance to the wall to allow for free movement of the panels. Fence posts may not be attached to any part of the wall, neither panels nor columns.

Firewood: Firewood will be kept neatly stacked on the rear ground level of the homeowner's property. Firewood is to be stacked in piles which do not exceed 6 feet in length and 4 feet in height for both aesthetic and safety considerations and may not be stacked against the vinyl fence or the servient units garage or dwelling wall. Other than a limited quantity of firewood intended for immediate use, firewood will not be stacked on patios or decks.

Flags and Flag Poles: An ARC application is not required, providing the below Guidelines are met. This section will only apply to the single family homes. Multi-family Units should refer to their specific CC&Rs.

1 American flag and 1 decorative flag may be attached to the home.

- The flags must be displayed from a flag pole attached to the house.
- If the American flag is left out to fly in inclement weather it must be made of an all-weather material.
- If the American flag is left out at night it must be properly illuminated. This illumination must be directed away from neighboring properties and must not shine into neighboring residences.
- On holidays when it is common practice to display the American flag, small flags on a stick or similar decorations may be placed around the property. These flags or similar decorations must not be allowed to touch the ground when in place and they must be removed by the end of the holiday.
- Flagpole staffs may not exceed 6 feet in length and are to be attached at an incline to the wall or pillar of the home.
- A free standing flag pole may be placed in the back of the home, not to exceed the height of the roof line.

Garages: This change will require an ARC Application.

- Note: No alterations, additions, or improvements shall be made to any garage that would defeat the purpose for which it was intended.

Garage Doors: This change will require an ARC Application.

Garage Screens: This change will require an ARC Application.

Acceptable screens:

- Screens that are removable.
- Screens that run on tracks described as overhead screens.
- Screens with a doorway access when closed are allowable.
- Screens must be dark charcoal or white in color.

Gardens (Vegetable): An ARC application is not required, providing the below Guidelines are met. This section will only apply to the single-family homes. Multifamily units and townhomes are prohibited.

- Located in the rear of the house and no closer than 5 feet from the side property line.
- Its size does not exceed 1/4 of the available area.
- All gardens must remain in the back yard.
- It is not placed on a grade that will cause damage to property adjacent to, through the flow of water.

Garden Architecture: This change will require an ARC Application.

- Acceptable structures include arbors, trellises, pergolas, and similar structures.
- Max height is not to exceed 8 feet.
- The fence height is not to exceed 4 feet to provide adequate head space.

Gates: Gates may be replaced or installed without ARC approval if they do not differ in style, color, and neighborhood standards.

Gazebos: This change will require an ARC application.

- Gazebos are to be open on all sides and no privacy screening of the structure will be permitted.
- Gazebos may not exceed 144 square feet in area. The floor may not exceed one foot above the ground or deck floor and the wall height may not exceed eight feet.
- If the gazebo is constructed as part of a deck, the construction and finish shall match the deck. The gazebo must be constructed out of acceptable, weathered materials.
- Gazebos are to be located to the rear of the dwelling.
- Gazebos are to be located at least 5 feet from adjacent property lines.

Generator: This change will require an ARC application.

- The generator will be placed on the back or side of the home.
- The generator must be screened from street and neighbor view.

Grading and Drainage: Drainage away from the foundation/concrete slab of the home is imperative. The contractor has designed the grading so water will be dispersed away from the foundation/concrete slab.

Major changes in grading (For example: berms, mounds, retaining walls, etc.) shall be submitted for review. In addition, it should be noted major changes to the topography of a lot could result in flooding into a neighbor's yard, due to improper drainage. Neither the Board of Directors nor the ARC accepts any liability for any damage caused by any grading action, whether approved by the ARC or not.

It is imperative that the new drainage formed by excavation and grading be handled to direct water away from the house and existing structures and to prevent any erosion of the hillside or damage to neighboring property. Water cannot be directed to flow onto a neighboring property.

Grills and Fire Pits (Portable): This change will not require an ARC application.

Portable grills and moveable / temporary fire pits are to be placed in the rear yard of the house and as far as practical from the adjacent property lines and in accordance with The City of North Myrtle Beach Fire Codes.

Permanent installations are addressed under the topics of "Outdoor Fireplaces" and "Outdoor Kitchens" elsewhere in this Section.

Ground Covers: This change will require an ARC application.

Ground covers are to stay within the shrub bed or berm. Ground covers are to be consistent with existing barks and/or hardwood mulches within the property. Examples of pre-approved mulch substances are pine straw (not recommended for foundations beds as it is a fire hazard), pine bark, dyed pine mulch, cedar mulch, finely ground hardwood chips, river rock, rubber type mulch, brown and red crushed brick, and crushed rock.

Park Hill requires one (1) common ground cover.

Gutters and Downspouts:

- Written approval is not required for the installation of gutters and downspouts which are white in color or match the color of the house trim.
- Outflow may not be directed onto a neighboring property.

Hot Tubs/Spas/Outdoor Showers: This change will require an ARC application.

- Exterior hot tubs, spas, and outdoor showers are to be located in the rear yard adjacent to the dwelling unit. Consideration will be given to and dependent upon the location.
- The exterior finish of these features must blend with the exterior finish of the home, deck, or patio to which it is attached or most closely related.
- Screening material which will screen the hot tubs, spas, and outdoor showers from neighbors view, will be required.
- Note: Drainage of the hot tub, spa, or outdoor shower must not flow into wetlands, ponds, or neighboring property.

House Numbers: This change does not require an ARC application.

Numbers should be 4-inch-high reflective material. As recommended by the City of North Myrtle Beach Fire Department, house numbers should be clearly visible on both sides of the mailbox system. The mailbox numbers should be located vertical on both sides of the post, below the mailbox box, if you do not have a newspaper box, on both sides of the newspaper box, or vertical down the front of the post if you live in a cul-de-sac. House numbers can be purchased from the Sign Station by calling 843-280-8630.

Landscaping: This change requires an ARC application.

Landscaping must blend with existing plantings on the lot and the adjacent lots. Large shrubs and trees should be sufficiently set in from the property lines to avoid overhanging the property line or obstructing sight distance at intersections on corner lots at maturity. Check the side and rear yard drainage patterns are not adversely affected. Generally, items planted at least 3 to 5 feet from property lines will not affect drainage.

- **Lawn and Garden Implements:** must be stored in the garage or off-site when not in use. Garden hoses should be properly stored indoors or outdoors on suitable mounts or neatly coiled up in an inconspicuous area.
- **Plant bed landscape curbing:** made of brick, stone, timbers, etc. are to blend with the décor of the neighborhood. The owner is responsible for ensuring the installation does not cause drainage problems for adjacent properties. A minimum of 3 feet is required from the property line. The maximum height for the landscape curbing is 12 inches.
- **Side and rear walkways:** must be a minimum of 3 feet from all property lines.
- **Artificial Turf & Vegetation:** is prohibited.
- **Note:** No invasive plant material will be permitted.

Landscaping debris is not permitted to be placed in the street and cannot be placed curbside until Wednesday evening.

Mailbox and Mail Post: This change will require an ARC application.

Mailbox posts and boxes are unique to each neighborhood. Each owner is responsible for the maintenance and upkeep of the individual mailbox.

Mailbox colors are as below and the paint can be purchased at Sherwin Williams located at 2600 Highway 17 South, North Myrtle Beach, SC 29582. Their telephone number is 843-272-1386:

- Longbridge & Oak Pointe—Charleston Green Satin for the mailbox and the post.
- Cedar Creek, Coquina Pointe, Bridle Ridge—Coquina Pointe Green Gloss for the mailbox and post.
- Somerset, Sweetbriar, Park Hill—Super White Gloss for the post & Black Satin for the mailbox.
- Brookstone—Black Satin for the mailbox and Coquina Pointe Green Gloss for the post.
- Leatherleaf—Black Satin for the mailbox and the post.
- Park Hill - The Association shall provide house numbers, to be the same size and color, located on the mailbox posts of all Park Hill lots and shall be required as a part of the Park Hill streetscape. Cost and expenses of said

house numbers shall constitute Service Area Assessments pursuant to the Declaration. Said house numbers color shall be determined by majority vote of the Park Hill Owners.

Note: Magnetized box covers are to be maintained and must stay within the current season.

Maintenance of Property: The appearance of each and every unit in Barefoot Resort affects not only the overall look of the community but the individual property values within it. Property ownership in Barefoot Resort includes the responsibility for continued maintenance of all structures and grounds, which are part of each homeowner's lot. This includes, but is not limited to, keeping buildings and structures in good condition and repair.

- All single family owners are responsible for inspecting their own property periodically to ensure there is no faded or peeling paint, rotting wood, loose mortar, or spalled masonry. Homes, fences, and driveways should be power washed as necessary (it is prudent to power wash as often as twice per year. If the driveway is severely marred, it could be subject to a violation letter).
- It is necessary that all wood surfaces such as door and window trim, bay windows, dormers, and garage doors be caulked, sanded, and painted periodically to keep them in good condition.
- All decks, fences, and other exterior structures such as children's recreation/play equipment are to be maintained as to appearance and working order. The homeowner must replace rotting or warped wood. It is strongly suggested all wood (decks, fences, and other structures) be treated periodically with transparent wood preservative (further described in the section of this manual regarding decks and fences) to maintain and enhance their condition.
- **An Owner's responsibility under this Section to provide regular maintenance is required regardless of whether the Owner permanently lives in the community.**

Maintenance of Grounds: Single family owners are also responsible for the continued maintenance of all grounds and landscaping within their lot. The owner must keep grass, shrubs, and trees neatly trimmed, properly cultivated, free of weeds, pet excrements, and other debris. Owners may not allow trees, shrubs, or plantings of any kind to overhang or otherwise encroach upon any sidewalk, street, pedestrian walkway, Association common area, or another homeowner's property.

Maintenance Summary: It is impossible to list and describe each and every component of an owner's lot that is to be maintained and how it should be maintained.

- Suffice it to say all exterior finishes whether brick, metal, wood, or any other material, should be maintained in a state of good repair. A state of good repair consists of ensuring the unit and its entire component parts look as good as it did when it was new.
- Siding must be clean and free of significant warping or bubbling.
- Peeling paint and rotting wood evidenced by cracks and black mold or soft areas are to be sanded, caulked, and repainted.
- Owners must replace or, if possible, repair any rotted wood components. Windows, doors, garage doors, exterior roof, and gable trim all need to be caulked and repainted on an average every 2 years.
- Paint on doors and shutters fade with time and even if it is not peeling, these areas and others described above need to be repainted on average every 2 years.
- Mailboxes and post present a unique problem. Lawn care companies commonly use trimmers. These trimmers may do damage to the mailbox post. We recommend painting the bottom of the post twice a year, once in the mid spring and again in late fall. Mailbox posts are susceptible to being hit by cars backing out of the driveway or lawn tractors. If a tilt becomes noticeable, please shore it up as close as centered as possible. Magnetic mailbox covers must be maintained.

New Home Construction (Rebuild): This change will require an ARC application.

- Plans prepared and sealed by a SC licensed Architect and Landscape Architect.
- \$1,000.00 ARC Bond.
- The City of North Myrtle Beach permits. Builders are required to obtain all required building permits and paying the associated fees prior to beginning any construction activities.
- Construction plans to include all exterior elevations, colors, materials, heated and cooled square footage, roof material, grading and drainage, outdoor amenities, mailbox, garage and parking area, fence, walkways, accessory structure, landscape plantings, and lighting.

Outdoor Fireplaces: This change will require an ARC application.

Fireplaces are to be placed in the rear yard of the house and as far as practical from the adjacent property lines and in accordance with The City of North Myrtle Beach Fire Codes.

Outdoor Kitchens: This change will require an ARC application.

Outdoor Kitchens are to be placed in the rear yard of the house and as far as practical from the adjacent property lines and in accordance with The City of North Myrtle Beach Fire Codes.

Outdoor Speakers: This change will not require an ARC application.

Music speakers may be installed on the rear part of the property; however, the Owner should be mindful of the city noise ordinance in addition to general consideration of their neighbors.

Patios: This change will require an ARC application.

- **Location:** Patios should generally be to the rear of the home unless the site plan, topography, and/or elevation would appear to favor a side or wrap-around placement as more useful and aesthetically suitable, and the house and landscaping is designed with potential in mind. Any slope of the walking surface of the patio must be downwards and away from the rear of the house;
- **Colors and Materials:** Visible portions of patios are to be constructed only of brick, slate, stone, concrete, or concrete interlocking pavers. Colors should coordinate with the existing materials and colors of the home. Where installation of a patio material dictates the use of joints or seams, the joint or seam must be entirely filled with sand, compacted stone dust, pea gravel, or mortar. Wooden borders or trim; as well as, seating, planters, plant hangers, or other similar fixed accessories may be added if their material and finish matches allowed for lower level deck construction;
- **Foundations:** If this material is exposed, it should be integrally colored and include some form of surface texture treatment to replicate stone, brick, or pavers. There are limits to the area of concrete than can be poured without including control joints to prevent cracking. Seek professional advice if uncertain about these limits based on the particular installation;
- **Drainage:** Any impact to existing drainage requirements, which might result from the construction of the patio must be considered, addressed in the application, and architecturally and environmentally sound mitigation proposed. At least 1 foot of pervious ground surface (For example: a mulch bed, "grass block", or partially porous surface) should remain between the sides and rear of the patio and any adjacent properties or common area. Construction of the patio must not adversely affect the existing drainage scheme for surrounding properties or common areas. All discharge must be addressed on the homeowner's property. No portion of existing drainage systems shall be removed nor their functioning impede. Any French drains or similar runoff management systems constructed may not intrude into common areas (For example: direct venting through piping extending beyond the owner's property line).

Parking Pad: Parking pads are prohibited.

Propane Tanks: This change will require an ARC application.

- All propane tank must be buried and are to follow The City of North Myrtle Beach "buried tank requirements", which requires a city permit. A tank that is 125 gallons or less can be buried at the structure. A tank that is 126 gallons or larger must be 10 feet from the structure and 10 feet from the property line.

Recreational Equipment: These change will require an ARC application.

The following factors will govern approval of such equipment:

- **Location:** Generally, such equipment must be placed in rear yards. All elements of the equipment must be within the homeowner's lot boundaries. Equipment should not be placed within 10 feet of the nearest structure, fence, or wall and reasonably distanced from any public property such as greenways and streets. Equipment shall be maintained and positioned in accordance with manufacturer suggestions.
- **Scale and Design:** The equipment must be compatible with the lot size. The design and any individual screening are additional considerations in evaluating whether or not there will be an adverse visual impact. Natural colors are encouraged.
- **Height:** The equipment must not be readily visible from adjacent roadways and common elements.
- **Basketball Backboards:** Basketball goals are to be away from curb areas of the street and must be located on the owner's property in such a manner so as to not be placed on the common landscape and so the playing area is not

in the street. Backboards may be attached to garages of single family homes. The backboards may be clear, white, or painted to match the trim color of the structure to which secured. No basketball hoop or backboard shall be erected next to the curb on any road right of way nor should any portable hoop be placed in the street.

- **Swing Sets:** Wood sets may be left natural, stained, painted white, or painted to match the exterior color of the house. The maximum height of a swing set structure is 15 feet.
- **Tree Houses:** Tree houses are prohibited.
- **Play Areas:** Play areas may include sandboxes and large mulched areas around swing sets. Play areas must conform to the same side setbacks but may extend to no longer than 3 feet from the rear property line. The areas may be edged with timbers or other suitable edging material. To avoid the use of sandboxes by animals, the owner is encouraged to cover them when not in use.
- **Trampolines:** Trampolines are to be placed at least 3 feet from the property line. They must be kept rust-free with no torn canvas or missing springs.
- **Condition:** All equipment must be maintained as to appearance and working order.

Retaining Walls: This change will require an ARC application.

Design Considerations: The forces acting behind a retaining wall may cause a poorly built wall to lean, separate, bulge, or topple. These forces are due to the size of the soil caving wedge that the wall must resist. A caving wedge of soil or fill generally weighs 100 plus lbs. per cubic feet and combines its force with water pressure that can build up due to moisture that seeps in behind the wall. In order to counter-act these natural forces the following should be considered:

- At least 1/10 of the wall's overall height should be buried to prevent slippage along the wall's bottom surface.
- The wall should lean back toward the retained soil between one quarter to three quarters of an inch for each foot of its height. This allows the wall's weight to counter some of the natural forces distributed on its internal surface.
- Water build-up behind the wall will significantly increase the pressure against the wall. When the wall is built the soil/material directly behind it should be compacted to remove any air holes that could collect water. Also, the wall should be built on top of a 6 to 12 inch thick layer of level crushed stone. In addition, a drainage pipe or drain holes should be incorporated in the wall. A wall that does not have a reliable means for water captured behind it to escape is in danger.
- The ground surface behind the wall should slope toward the wall sufficiently to allow run off to flow over the wall and thus eliminate pooling behind it. Also, all run off water must be directed such that it does not flow on to a neighbor's property.
- A retaining wall that is directly visible to a neighbor must be approved by that neighbor.

Acceptance Process and Requirements:

- A retaining wall that fronts 'The Wet Lands' must go through 3 levels of acceptance: The Army Corp of Engineers, The City of North Myrtle Beach permit process, and the ARC. When 'The Wet Lands' are involved, The City of North Myrtle Beach requires that The Army Corp of Engineers be notified and requested to come out and flag 'The Wet Lands' boundary. The Army Corp of Engineers contact number is 843-365-4239. Written proof from The Army Corp of Engineers and The City of North Myrtle Beach permit will be required with the application.
- A retaining wall that does not front the 'The Wet Lands' must go through 2 levels of acceptance: The City of North Myrtle Beach permit process and the ARC. The City of North Myrtle Beach permit will be required with the application. The City of North Myrtle Beach permit application form must be submitted for all construction higher than the curbscapes or similar low level boundary techniques used around planting beds. Even though a permit application is filed, the city may determine a permit is not required for work to proceed; however, if the retaining wall is 30 inches or higher above ground level the permit request must be accompanied by detail engineering drawings signed and sealed by a professional engineer.
- The application must be accompanied with written proof, if applicable, the requirements of (a) and (b) above have been complied with and that the design considerations discussed above have been considered and properly administered in the retaining wall's design.

Roof Replacement: This change will require an ARC application.

The shingle should be consistent with the community integrity.

Roof Vents: This change will require an ARC application.

Satellite Dishes: This change will not need an ARC application providing the following are adhered to:

- The dish should be located in areas of the lot where it is compatible with the natural setting of the home and the neighborhood.
- The dish must not be visible from street or neighboring views.
- The dish must be 24” or less in diameter.
- The dish should be located entirely within and entirely below the height of an approved screening.
- The dish should be located at ground level in the rear of any single family non-attached home.
- The dish should be screened or decorated with natural landscaping.
- The dish may be placed above the walking surface of a deck, providing no portion of the device projects more than 6 feet above the height of the deck railing.
- The dish may be attached to the back outside railing of the deck, providing no portion of the device projects more than 6 feet above the height of the deck railing.
- The device is of a color, which is reasonably compatible with the color and materials of the home.
- The device does not adversely affect the safety of others or interfere with the receptions of radios and television sets of neighbors.
- Note: Satellite dishes are prohibited in multifamily Neighborhoods.

Security / Security Cameras: This change requires an ARC application

The use of security bars or grates on windows and doors is prohibited. Owners concerned about the security of their homes are advised to consider alternatives, including alarms and sophisticated lock systems.

Security camera installation should be mindful of SC Law Section 16-17-470. Specifically, cameras may only view the Owner’s property and should not be aligned so as to view adjacent properties.

Siding (Re-siding and Restyling Structures): This change will require an ARC application.

Signs: This change does not require an ARC application, providing the below are adhered to:

- Real Estate signs advertising sale, rental, or lease of the premise on which the sign is located and must be removed within 48 hours immediately after sale, rental, or lease.
- Only 1 approved residential “For Sale” or “Rent” sign will be allowed. The sign must be displayed in the center of the lot and 5 feet back from the curb or edge of the sidewalk.
- This sign is available through Sign Studio & Graphics located in Garden City, SC or a vendor of choice.

“For Sale” sign specifications are as follows:

- 20 inch x 20 inch X 1 inch Sandblasted/Routed Sign Face.
- Green Background.
- Tan Border and “Barefoot Resort”.
- White “For Sale” and Phone Number.
- Gold & Silver Logo.
- Sign Mounted on a 4 foot Tan Treated Post.
- A 4 inch x 4 inch placard with the Real Estate Company Name will be permitted attached to the post, providing it is tan in color to match the post with company name printed in white.
- Signs may only be placed in the yard of available properties.
- House Sold signs are prohibited.
- A sub Association has the right to disallow “For Sale” signs within the community.



Other Signs

- 1 temporary political sign advertising candidates or issues. The sign may be erected 45 days before the election, run off, primary or referendum, and must be removed within 2 days of the election, run off, primary or referendum.
- Yard and garage sale signs must be removed within 1 day of the event.
- Community Watch signs or 1 small “house is alarmed” sign.
- Sign lighting is prohibited.
- All other signs require ARC approval.

- Signs are prohibited in multifamily communities.
- All signs will be prohibited in the common areas.

Skylights/Solar Tubes: This change will require an ARC application.

The installation of skylights/solar tubes will be considered for single family homes (ONLY).

Solar Collectors/Panels: This change will require an ARC application.

- Solar panels may only be installed on rooftops, not at grade level (except for self-contained solar lighting systems).
- The preference is to minimize the visibility of solar panels; however, the ultimate ARC decision will be based on consistency with the Community Wide standards.
- Solar panels may not be installed in Multifamily Neighborhoods.

Sprinkler Systems: This change does not require an ARC application.

Storm/Screen Doors: This change will require an ARC application.

- Full-view, store-in-door, security, and thermal pane doors are acceptable.
- Colors are to match existing color schemes or meet exterior color selection guidelines.

Storm Shutters: The installation of permanent storm shutters or brackets will require an ARC application.

Temporary storm shutters or protective panels can be placed upon windows in the event a storm is forecasted to impact the North Myrtle Beach area, without an ARC application. Shutters or panels are to be removed within 10 days of the storm passing and/or the lifting of an evacuation order (if in fact issued). If an owner is unable to remove the temporary shutters within 10 days, an ARC approval for extension is required.

Swimming Pools: This change will require an ARC application.

- City permit is required.
- Detailed diagram of the pool to include style of pool and color photos of all pool material.
- Detailed, marked plot plan of the fence location.
- Style of Fence.
- Location of Pool Equipment.
- Pool Equipment screening material. The pool equipment cannot be visible from the street, common area, or neighboring lots.
- Landscape plan and marked plot plan.
- Note: Above ground pools are prohibited.

Tennis Courts: Individual tennis courts are prohibited.

Trash Containers: This change will require an ARC application.

Trash containers located outside residences will be kept in the rear yard and out of sight from the street. Trash containers stored on the side of the home must be screened.

- Trash containers can be placed curbside no earlier than sunset the day before regularly scheduled pickup.
- Trash containers are to be removed from curbside and out of view by sunrise the morning after the regularly scheduled pickup.

If your trash is not collected on Thursday, you must take the trash to the City Solid Waste Transfer Station located at 1220 2nd Avenue South. The Transfer Station is open Monday through Friday from 7 a.m. until 3 p.m. and Saturday and Sunday from 7 a.m. until 12 p.m.

Landscaping debris is not permitted to be placed in the street and cannot be placed curbside until Wednesday evening.

Trees & Shrubs: This change will require an ARC application.

It is suggested trees be planted no closer than 3 feet from the closest fence and consideration be given to the development of the tree in relationship to buildings.

Park Hill: Each lot within Park Hill shall have one Sabal Palmetto palm tree in each front yard. Each lot within Park Hill shall also have at least one canopy tree in each front yard as provided by Centex, except Lot #179 and Lot #166 (as shown on the Plat) which did not receive said trees due to size of lot. Sabal Palmetto palm tree and one canopy tree shall be required as a part of the Park Hill streetscape.

Park Hill: Each lot within Park Hill shall have a variety of shrubs within the planting beds lining the street side of the white picket fence, back of the picket fence (between fence and home front), sidewalk to the front door, as well as at least one shrub located on each side of the garage door.

- Note: Any tree removal must include removal of the stump below ground level and the ground repaired with sod or otherwise landscaped. Property landscaping must be maintained in accordance with the standard for the neighborhood.

Vehicles: Commercial/Recreational/Boats/Trailers/Campers/Mobile Homes/Inoperable/Motorcycles:

- Inoperable vehicles may only be parked inside a garage. An inoperable vehicle is defined as any vehicle unable to be driven legally on a public roadway.
- If a truck has the option of a mounted camper, the camper must be stored in the garage when not in use.
- Any vehicle, such as a camper, motor home, or RV, which is used for vacation purposes, may not be in the neighborhood for more than 2 nights in a row. This allows sufficient time for packing, unpacking, and/or cleaning of said vehicle. The owner is required to get a temporary parking pass from Ponderosa Management, LLC.
- For Sale signs are prohibited on any vehicle parked in the driveway or on the streets.
- No automobile, motorcycle, or other similar vehicles shall be repaired or placed on blocks or stands, except in an enclosed garage.
- Trailer, boat, ATV, golf cart, motorcycle, Jet Ski, or any other recreational vehicle are prohibited unless garage kept.
- Commercial vehicles are prohibited unless garage kept.
- Street parking is strongly discouraged.
- Vehicles are not permitted to park on common areas.

Water Tower Road Wall: This change will require an ARC application.

- The Wall is located within a 10 foot easement. The location of the Wall within the easement can vary from one homeowner to the next.
- The Barefoot Resort Master Association is responsible for the Wall on the Water Tower Road side; the homeowner is responsible for keeping the Wall clean on the homeowner side.
- Nothing may be affixed to the Wall; i.e., side yard fences, decorative items, etc. Fence posts must be installed with at least 3 inches of clearance to the wall to allow for free movement of the panels. Fence posts may not be attached to any part of the wall, neither panels nor columns.
- Landscaping in front of the Wall on the homeowner's side is permitted with an approved ARC application as long as it does not impede drainage under the Wall and also must allow maintenance access to the Wall. Trees and bushes must be kept trimmed so as not to be in contact with the wall. Climbing plants, ivies, trellises, etc. are not permitted on the wall.

Wells: Underground wells are prohibited.

Wetlands and Buffers: Buffers and wetlands are not to be encroached upon in any way.

Wind Turbines: Any and all types of wind turbines are prohibited.

Windows/Doors/Shutters: This change will require an ARC application.

Wires and Cables: All shall be hidden, buried, or secured flush with the side of each house and painted the same color as the background, so as to minimize their visibility.