

I. OBJECTIVES, DESIGN GUIDELINES AND GENERAL INFORMATION FOR POTOMAC OVERLOOK

A. Objectives of these Guidelines.

This document's objective is to guide architects, builders, homeowners, residents and members of the Architectural Review Board, (the "ARB"), in maintaining and enhancing the Potomac Overlook environment. The guidelines described address not only those improvements for which Owners most commonly submit applications to the ARB, but also some of the rules governing Owner's use and occupancy of their lots. They are not intended to be all inclusive or exclusive, but rather serve as a guide as to what is permissible. The specific objectives of this document are:

1. To increase residents' awareness and understanding of the Declaration of Protective Covenants for Potomac Overlook, (the "Protective Covenants").
2. To focus on all improvements made by Owners to Lots in Potomac Overlook and any subsequent alterations or additions to those improvements.
3. To describe the organizations and procedures involved with the various standards established by the Protective Covenants.
4. To illustrate design principles that will aid Owners in developing improvements to their Lots that are in harmony with the immediate neighborhood of Potomac Overlook and Berkeley County as a whole.
5. To assist Owners in preparing an acceptable application to the ARB.
6. To provide uniform guidelines to be used by the ARB in reviewing applications for improvement to lots.
7. To illustrate certain rules that will govern Owners use and occupancy of their Lots.

B. Protective Covenants

The basic authority for maintaining the quality of design and use in Potomac Overlook is found in the Protective Covenants, which are incorporated into the deed of every lot in Potomac Overlook. The intent of the Protective Covenants enforcement is to assure Owners that the standards of design and use quality will be maintained. This reliance on high standards in turn, protects property values and enhances Potomac Overlook overall environment. Every Potomac Overlook Owner received a copy of the Protective Covenants at Settlement of his or her purchase. All too frequently, an Owner does not read the Protective Covenants. Because the Protective Covenants run with the land, they are binding on all Owners, whether or not the Owner has read them. The Protective

Covenants should be reviewed periodically and understood fully. The Protective Covenants established the Potomac Overlook Community Association, Inc., (the “Association”), and the ARB.

C. Role of the Association and ARB

The role of the Association of which every Owner is a member, is not only to maintain community easements and rights of way, but also to conserve and enhance the resources of the total Potomac Overlook community. The Association accomplishes these functions in a variety of ways, one of which is by ensuring, through the ARB, the retention of harmonious, though diverse design qualities. Another way in which the Association accomplishes these functions is by regulating and supervising the maintenance, use and overall condition of lots in Potomac Overlook.

The ARB performs its task of ensuring aesthetic quality of the homes and environs by monitoring the architectural review process. The ARB ensures that proposed improvements to Lots comply with the objectives set forth in the Protective Covenants. This task involves regular review of all applications for exterior alterations submitted by residents.

The ARB performs its task of ensuring proper use and maintenance of Lots by promulgating Rules and Regulations, by monitoring the overall condition of Potomac Overlook, and by enforcing, in the manner specified in the Protective Covenants, the mutually beneficial requirements that Owners must observe.

II. ARCHITECTURAL REVIEW POLICIES

A. Governing Principle

The basic principle governing all aspects of the architectural review process for Potomac Overlook is set forth in Article XI, Paragraph C, of the Protective Covenants:

No improvements, alterations, repairs, change of paint colors, excavations, changes in grade or other work that in any way alter the exterior of any Lot from its natural or unimproved state, existing on the date such Lot was first subject to this Declaration, or the improvements located on such Lot, shall be made or done without the prior approval of the Board. No building, residence or other structure, fence, wall or landscaping in lieu thereof shall be commenced, erected, maintained, improved, altered, made or done on such Lot without the prior written approval of the Board

This paragraph explicitly states that any improvement, permanent or temporary, to the exterior appearance of an Owner’s property must be approved by the ARB. Further, once a plan is approved, it must be followed or a modification must e approved in accordance with the Protective Covenants.

B. Application of Guidelines

It is important to understand that ARB approval is not limited to new construction or major alterations, (such as adding a room or deck to a house), but includes such items as changes to color and materials, etc. Approval is also required when an existing item is to be removed.

Plans submitted will require a 30 day review period.

Improvement of a lot in Potomac Overlook can be broken down into several different components, each of which is subject to ARB review and approval. The various components are as follows:

1. Major Design Elements (Proposed house layout of lot & size)
2. Minor Design Elements (Color of exterior)
3. Major Landscaping, and driveway location.

Owners about to begin improvement of their Lots will be concerned with all of these components and their various related sub components. The overall goal with respect to the new construction is to provide improvements that are compatible with the specific Lot. Allowable architectural styles for new improvements can range from farm style to contemporary style. The critical considerations are that the design, building materials, colors and other elements compliment the landscape of Potomac Overlook and its environs. Specifically prohibited are modular units. Owners about to begin improvement of their lots will be obligated to comply with all of the application and review procedures set forth in the Protective Covenants and these Guidelines.

Major alterations in general are considered to be those that substantially alter an existing improvement, either by addition or subtraction. Major alterations are those alterations to an existing improvement that encompass major design elements, including but not limited to rooms, screened porches, garages, driveways, decks and fences. Several types of alterations may be combined on one application.

The design of major alterations should be compatible in scale, materials and color with the Owner's house. New windows and doors should match the type used in the Owner's house and should be located in a manner that will relate well to the location of the exterior openings of a house.

If an owner contemplates making a major alteration to a home or lot, the Owner must comply with the application and review procedures set forth in the Protective Covenants and these guidelines, except that the Owner need not provide for a pre design conference with a major alteration. If any alteration might entail a change of grade or any other site condition that might affect drainage of the Owner's lot to an adjacent lot, these changes must be indicated clearly on any plans or application regarding such major alteration.

The ARB will not approve any major alteration that might adversely affect drainage on any adjacent lot.

Minor alterations are in general considered to those which do not alter substantially an existing improvement, either by addition or subtraction. Minor alterations are those alterations to an existing improvement that encompass minor design elements. Several types of alterations may be combined on one application. The design of minor alterations should be compatible in scale, materials and color with the applicant's house.

If an Owner contemplates making a minor alteration to a home or lot, the Owner, (except as may be specifically provided otherwise in these Guidelines), must only file an application with the ARB, which application should include a design of, and any construction or installation specifications for, the proposed minor alteration.

Landscape planting, for purpose of these Guidelines, relates to street tree planting, which contributes to the overall aesthetic effect that is desired for Potomac Overlook. Street tree planting serves to delineate the street edge and to soften the dominance of the improvements and structures of Potomac Overlook.

C. ARB Criteria

The ARB will evaluate all submissions on the individual merits of the application. Besides evaluation of the particular design proposal, this process will include consideration of the characteristics of the housing type and individual site. What may be an acceptable design of exterior in one instance might not be acceptable in another. Design decisions made by the ARB in reviewing applications are not based on any individual's personal opinion or taste. Judgments of acceptable design are based on the following criteria, which represent in more specific terms, the general standards of the Protective Covenants.

1. Validity of Concept – The basic idea must be sound and appropriate to its surroundings.
2. Design Compatibility – As stated elsewhere in these Guidelines, any proposed major or minor alteration to an existing house or improvement must be compatible to the existing house or improvement with respect to design, building materials, color and other elements. Compatibility will also take into consideration the quality of workmanship and construction details.
3. Location and impact on neighbors – Any proposed improvement must be compatible with the landscape and existing improvements of the neighborhood. The primary concerns are access, view, sunlight, ventilation and drainage.

4. Scale – The size, (in three dimensions), must be compatible with adjacent structures and surroundings.
5. Color – Color may be used to soften or intensify visual impact of an improvement to a lot. Colors used in any new construction must harmonize with the natural surroundings and other finish materials. Parts of an addition to an existing house, such as roofs and trim, must be matching in color to the existing house.
6. Materials – Continuity in any house design is established by use of the same or compatible materials in all exterior elements. In the case of an addition, the options might be limited somewhat by the design and materials of the original house. For instance, horizontal wood siding on the original house should be reflected in an addition to that house. On the other hand, an addition with wood siding might be compatible with a brick house.
7. Timing – The construction authority granted by the ARB approval will be revoked automatically if the construction requested has not been completed within the dates specified by the Berkeley County building permit, if applicable, or as specified by the ARB certificate of approval.

D. Standards for Major Design Elements

The following identified certain major design elements and the specific standards that apply to those elements. The ARB may in its sole discretion, waive specific material requirements or other design criteria should it determine the intent of the Guidelines can be met through the use of alternative materials, additional or alternative placement of landscaping, etc. The list is not intended to be exhaustive, and Owners should anticipate that the ARB will treat as a major design element any improvement to a lot that is similar in scope and impact to any of the items included in the following list.

1. Driveways

All driveways are to be no more than twelve feet in width. Owners are encouraged to incorporate creative curves into driveway designs whenever practical. All driveways must be designed to uphold and enhance all established character and standards of Potomac Rock Estates.

All driveway entrances and curb cuts will be reviewed on an individual basis. Safety and ease of traffic flow will be major criteria utilized by the ARB in reviewing driveway entrances and curb cuts.

All driveway materials must be designed for all weather use and must be dust free. Use of concrete, bituminous concrete, brick on stone pavers are required. Driveways must be completed prior to owner moving in.

2. Fences

All fence styles to be installed in the rear and side yards must be reviewed and approved by the ARB. Fences are prohibited in front yards.

Three board stained fence style is prohibited for lots one acre or smaller in size.

All fence materials must be either hardwood or pressure treated. Fencing is to be left natural, (not painted: color stained and clear preservatives are encouraged).

Gates should be compatible with fencing in design, material and height.

Wire mesh screening may be used to increase security as part of an open fence. The wire mesh will be attached on the inside of the fence and will not extend about the top rail.

Galvanized chain-link fencing is not allowed.

Fencing is to be contoured to grade, (not stepped).

3. Patios and Decks

All patios and decks should be located in rear yards. The ARB will evaluate side locations on an individual basis.

Decks with supports more than three feet high in height where visible from adjoining lots must have landscaping around the supports to soften the impact. Landscaping will be of permanent nature, such as bushes and trees. The height at maturity will be such that most or all of the height of the supports will be screened.

Should an underdeck area be used for storage, said area shall be screened by trellis work or solid walls. Should said area be screened by solid walls, then the storage area will be treated as a shed and must conform with the provisions of these guidelines applicable to storage sheds. An Owner must obtain specific ARB approval for underdeck storage.

4. Swimming Pools, Spas and Hot Tubs

Only in ground pools are allowed. Swimming pools, spas and hot tubs must be located in the rear of the house and may not be located within 150

feet of any boundary line for lots larger than one acre. Applications must include copies of the County permit submission.

5. Storage Sheds

Sheds must be designed to appear as part of the house, landscaping or fence theme, or it may appear as part of a deck as provided elsewhere in these Guidelines.

Sheds must be constructed of building materials and be a color which is compatible with the main house.

A completed application with respect to a shed, requires a site plan indicating location, color, building material and the size of the proposed shed.

6. Solar Collectors

Panels mounted to the rear side of roofs may be flush or elevated. They may not extend above the roof peak to the extent they are visible from the yards facing houses. No other mounting locations are acceptable. A completed application for a solar collector requires a site plan indicating location and size of panels, and location of roof peaks.

7. Dog Houses and Dog Runs

Dog houses must be compatible with the main house in color and material, or must match an approved wood fence. They must be located where they will be visually unobtrusive, so as to be out of sight from any adjacent street, road or lot.

Owner must submit a site plan to the ARB showing the relation of the dog house/run to the main house, property line and adjacent neighbors. The site plan must include the following:

A detailed drawing of the proposed dog house/run that includes dimensions.

A description and samples of materials to be used, including color samples.

A landscaping plan which shows how landscaping will be used to compliment and/or screen the dog house/run.

8. Exterior Lighting

Lighting in the front or rear yard of a lot must be placed so that the light does not shine outside the lot, in a manner which could disturb adjoining property owners. In particular, care must be taken in arranging the angle of spotlights used on the lot. Low wattage Sodium and mercury vapor lights/lamps are permitted for installation. Lighting must not be oversized to blind lot over adjoining lots.

9. Building Materials

Front façade can be of mixed building materials.

Building materials permitted to be used include: brick, stucco, stonework, wood siding, and composite siding such as HardiPlank or other cement board. Vinyl siding is prohibited. Vinyl soffit is acceptable on the eave's & porch area's only.

10. Colors

Earth tones are recommended. Primary colors must be approved on a case by case basis.

11. Roof

All roof stacks, flashing, vents or protrusions from the roof shall be painted deep gray or the same color the roof will be at maturity. Roof stacks and plumbing vents shall be placed on rear slopes of roofs where possible, any vents on the front must be painted to match the roofing materials.

Allowable materials are cedar shingles, cedar shakes, slate, slate imitation, standing seam metal and architectural grade shingles.

12. Garages

Garages shall be located and treated so that approaches to houses are not visually dominated by the garage.

Garage doors must face the side unless site constraints prevent such orientation and the ARB grants special approval.

Detached garages are allowed but must maintain the architectural style of the house.

13. Lindal & similar high-end homes

Lindal & similar high-end, high cost homes are exempt from the size and perhaps other design restrictions. However, they have to go through the ARB committee for approval, just like other homes.

E. Standards for Minor Design Elements

The following list identifies certain minor design elements and the specific standards that apply to those elements. The list is not intended to be exhaustive, and Owners should anticipate the ARB will treat as a minor design element, any improvement to a lot that is similar in scope and impact to any of the items included in the following list.

1. Foundations

All foundations must be constructed so as to have installed to grade either brick or stone for the front and side elevations. No exposed blocks or poured concrete walls.

2. Recreation and Play Equipment

Creatively designed recreation and play equipment is encouraged. All recreation and play equipment is to be located in rear yards and is to be screened from adjoining properties. No application is required if recreation and play equipment is consistent with the aforementioned guidelines.

3. Antennas/Satellite Dishes

All exterior antennas and satellite dishes must be submitted for ARB review, must not be visible from any road or street, and must be screened from view by landscaping or otherwise not be seen by adjoining property owners.

4. Clothesline

No clothesline or other clothes drying apparatus will be permitted on any lot without the Board's prior approval.

5. Exterior Painting

Color changes apply not only to the house siding, but also to doors, shutters, trim, roofing and all other appurtenant structures. Repainting or staining a specific object to match the original color does not require submission for ARB approval.

6. Glass

No reflective glass of any type will be permitted.

7. Flagpoles

Permanent flagpoles must be of a height, color and location appropriate for the size of the lot and environs. Permanent free standing flagpoles must be installed and maintained in a vertical position, and require approval of height, color and location by the ARB. Proper flag flying etiquette is flags must be illuminated at night if flown.

8. Mailboxes

The Post Office will require use of a postal center to serve the development, in lieu of individual mailboxes. Final location will be worked out by the developer and the Post Master.

9. Skylights

Skylights must be located on the least visible side of the roof peak.

F. Standards for Landscaping

The following list of minimum rules is not intended to be exhaustive and Owners should expect the ARB will review all landscape plans in detail to determine how well the plan satisfies the rules and advances the overall landscaping goals:

Foundation shrubs and planting for each house are to be provided a minimum of 1 plant per 3 feet of building frontage with direct exposure to streets, roads or common driveways.

Driveways must have trees planted on both sides a minimum of 80 feet on center.

Driveway culverts located at lot entrances must have a stone façade, or approved end section.

III. ARCHITECTURAL REVIEW PROCESS

A. Pre Improvement Application

Before any Owner undertakes any improvement on his or her Lot, or makes any alteration of the improvements on his or her Lot, the Owner must file an application with the ARB. The application form/checklist provides information that may be useful to the ARB in determining the scope and detail of the proposal. All information requested on the application as specified in these Guidelines must be completed before consideration by the ARB.

B. Review Process

1. Predesign Meeting.

In the event an Owner intends to construct or otherwise effect any improvements or additions to a Lot as referenced in these Guidelines and Declaration, to cut trees or otherwise alter or remove any portion of a Lot from its natural, unimproved state, then the Owner or his/her representative must meet with the Board prior to the design process. At this meeting the Board will review with the Owner the requirements of the Declaration and these Guidelines, the design procedures and design criteria and any applicable rules and regulations. If the Owner is proposing to construct any improvements, then such improvements are to be sited on the Owner's Lot.

2. Preliminary Design Review.

The Owner must submit a site plan, floor plan, elevations, color scheme, material samples and landscaping plan, in accordance with any procedures or protocols adopted by the Board, for the preliminary review. The Board will make specific comments and recommendations and may request modifications to such plan. If the Owner satisfies the requested modifications, the Board will give preliminary approval to the Owner's plans.

3. Final Plan Approval.

The Owner must submit final plans, in accordance with any procedures or protocols adopted by the Board, prior to constructing or effecting the proposed improvements or other alterations. In addition to any other requirements adopted by the Board, the final plans must contain the following:

- a. Elevations, (1/8" or 1/4" = 1').
- b. Floor plans, (1/4" = 1') showing the interior square footage, porches, decks, and garages.
- c. Material and finish schedules.
- d. Site plan, (1" = 20'), indicating the location of buildings, driveways, walkways, patios and pools, contour lines, drainfields, wells and setbacks.
- e. Landscaping Plan, (1" = 20'), indicating all contour lines and the location of plantings, plant materials, sidewalks, driveways, patios, walls and areas in their natural unimproved, uncleared state.
- f. Exterior materials.

After review of such plans, and a review of the building location staked in the field, if applicable, the Board will inform the Owner of its approval or disapproval

of the final plans. The Board will have thirty (30) days within which to approve or disapprove the Owner's final plans after submission. If the Board fails to act on the Owner's final plans within the thirty (30) day submission, the final plans will be deemed to have been approved, provided, however, that no Owner may erect, under any circumstances, any building, structure or other improvement that violates any of the provisions of the Declaration or these Guidelines. Upon the Board's approval of an Owner's final plans, the Owner will have a right to obtain from the Board a certificate in recordable form evidencing and attesting to Board approval of the Owner's plans, specifications and Lot plans. The Owner must also obtain all required governmental permits before proceeding with construction.

4. Final Site Inspection.

Upon substantial completion of the improvements or alterations, the Board will make a field inspection and inform the Owner of any nonconformity with the approved final plans. The Owner will rectify any nonconformity the Board might note.

IV. GUIDELINES FOR ON GOING USE OF LOTS

A. Maintenance Requirements

Owners are responsible for maintenance of all structures and grounds on their Lots. The maintenance includes, but is not limited to, such items as landscape and grass trim, removal of trash, structural maintenance and retaining high quality appearance. Violations of maintenance standards are violations of the Protective Covenants and are pursued under Article XVIII of the Protective Covenants. Dumping of debris or lawn clippings on community easements or rights of way is prohibited.

B. Storage of Construction Materials

Any construction materials must be stored so that impairment of views from neighboring lots is minimized. Excess materials should be removed immediately after completion of construction. No debris may be allowed to accumulate during construction.

C. Storage of Boats, Trailers, Campers, Mobil Homes, Recreational and Commercial Vehicles

No recreational vehicles may be parked or stored in open view of lots, private streets or community easements and rights of way. All recreation vehicles are to be stored in approved garages or other screened areas or locations approved in advance by the ARB.

D. Compost Piles

Compost piles must be visually unobtrusive, and may not exceed four feet (“4”) in height, and must be located in the rear of a property at least one hundred feet (“100”) from a common Lot Line.

E. In Home Businesses

Customer intensive businesses which might attract large numbers of vehicles to the Owner’s neighborhood are not allowed in Potomac Overlook. The following special requirements must be met by any Owner seeking to establish and in-home business:

A copy of the Berkeley County permit must be filed with the Association.

No sign or other advertisement device of any nature is to be placed upon any Lot.

No exterior storage of business related materials will be allowed under any circumstances.

F. Real Estate Signs

Real estate signs must meet County regulations with respect to size, content and removal. Signs may be placed in the front yard of a Lot for sale or rent, and must be removed within seven (7) days of contract or lease acceptance. No sign is permitted at the entrance of the development, common areas or adjoining properties.

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