

**Toxaway Views Homeowners Association
Architectural Review Committee
Policy and Procedures**

This document describes the standards, policies and procedures of Toxaway Views Architectural Review Committee (ARC). The procedures of this document must be used by property owners within Toxaway Views (TV) for any changes, additions, or alterations to the exterior of buildings or units, common areas or limited common areas.

A. Purpose of the Committee

1. The TV community buildings blend into the beautiful natural surroundings of the area. It is important to maintain the architecturally pleasing exteriors of the buildings, thus retaining the rustic beauty of the neighborhood and enhancing the property values for all property owners.
2. In order to achieve these goals, the ARC shall be responsible for architectural and aesthetic review of changes to property within TV. The BOD shall establish and maintain the guideline by which the ARC shall function.
3. No modifications or additions to the exterior of a unit, building, common area or limited common area may be done prior to the written approval of the ARC.
4. No modifications to the support structures of buildings or units (internal or external) may be done without prior written approval of the ARC.

B. Membership of the Committee

1. The ARC shall be composed of three TV unit owners in good standing.
2. The three members shall be appointed by the TV Homeowners Association Board of Directors (BOD), and shall serve a two year term of office.
3. One member of the ARC shall be a BOD member.

C. Committee Officers

1. The BOD shall appoint one member of the ARC to serve as Chairman.
2. The Chairman shall be responsible to receive all request for approval or action, copy such request for other members, obtain decision of such request and provide prompt written response from the ARC.
3. Copies of ARC decisions shall be sent to the BOD and published on the community web site.

Standards and Rules

A. Issues Not Covered in the Policy and Procedures

1. The fact an issue is not mentioned or covered in these procedures does not give an owner the authority to act independently of the approval of the ARC.
2. Any such issue must be brought to the ARC and ruled accordingly.

B. Paint

1. The current exterior color must be maintained as close as possible
2. The ARC will advise specific information.

C. Satellite Dishes and Other Outside Antenna

1. Such devices shall require ARC approval.
2. If possible such devices should be installed such that they can't be viewed from the street.

D. Liability and Insurance

1. All contractors, tradesmen, or servicemen employed by an owner for a project approved by the ARC must be licensed and bonded.
2. Such individuals must also carry general liability and Worker's Compensation Insurance.

E. Trees

1. No tree on TV property may be removed or trimmed without ARC approval.
2. Trees removed to benefit a specific owner and approved by the ARC at the owner's expense.

F. Owner Responsibility

1. Property owners gaining approval from the ARC for changes to their unit will be responsible for any and all cost including all related repairs to the building for such projects.
2. Once a project is complete that owner assumes all future maintenance and repair expense for such projects. This responsibility shall convey to future owners upon transfer of ownership.
3. Modifications made for approved projects shall be included in the owner's insurance coverage for their unit.

G. Enforcement

1. Once approval for a project is obtained from the ARC, such owner shall be responsible to insure the contractor and his/her employees adhere to all provisions of this document.
2. Violations will require correction by the owner and not the ARC.
3. Failure to correct violations could result in fines imposed on the owner.
4. The owner shall be responsible for the actions of all contractors employed on the project.
5. Following the approval of a project changes to such project shall require review by the ARC.

H. Variances

The ARC may consider variances or adjustments from the provisions of this document where literal application would result in unnecessary hardship and if the granting of such would not be materially detrimental to other owners in the TV community.

Review Procedure and Approval Process

A. Application for Change, Addition, or Alteration to Building or Unit, Common Area, or Limited Common Area.

1. An owner requesting a change, addition, or alteration under the provisions of this policy must submit a complete package as follows to the ARC.
2. A completed Application for the proposed project (See Appendix A).
3. A completed Certificate of Compliance (See Appendix B).

4. A sketch of the proposed project including a description of materials to be used, exterior color, and estimated cost of the project.
5. Written approval from owners in building.
6. Name and address of contractor, tradesman, or serviceman to be used on the proposed project.
7. Copies of all required permits, licenses, and insurance prior to commencement of work.

B. Disclaimer

1. The ARC does not assume responsibility for structural adequacy, capacity, or safety of the proposed project.
2. The ARC does not assume responsibility for the compliance with all codes and ordinances for the proposed project.

C. Approval Process

1. Once the ARC has received the complete application package it shall have 30 days to render a decision. Should the ARC feel the nature of the proposed project justifies a longer processing time the Chairman shall notify the applicant in writing, but in any case a decision must be made within 45 days.
2. Review and approval of all projects shall include but not be limited to the value and aesthetics of the proposal, the impact on the community architecture, materials to be used, impact on unit neighbors, common areas, limited common areas, and the impact on the value of the community.
3. No owner who is delinquent in fees, assessments, and/or fines shall be approved to make changes to their unit, building, common area, or limited common area.

D. Appeals

1. An owner may appeal in writing to the Chairman any denial of a proposed project.
2. The BOD shall hear the owner's presentation and the ARC's reasoning for denial. The BOD shall render a decision no later than the next scheduled Board meeting. The decision of the Board is final.

E. Time Frame For Completion

1. No work will begin prior to approval of a project.
2. Upon approval an owner has 90 calendar days to begin work. Once a project is started it must be completed in 180 calendar days.
3. If an owner determines the project can not be completed within these days they shall petition the ARC for and extension.

F. Working Hours

Except for an emergency repair, all construction work must be done between the hours of 8:00 AM and 6:00 PM, Monday thru Saturday. No work is allowed on Sunday or legal holidays.

G. Storage of Construction Material

Construction materials, including debris and dumpsters may not be stored on roadways or parking lots.

H. Job Signs

No job signs of any sort are allowed.

I. Final Inspection

Once the project is complete the ARC will have a representative conduct an inspection to ascertain the project has been completed according to the presentation for approval (See Appendix C).

J. Non-Compliance

1. Should the ARC determine that a project does not comply with the proposal, the owner will be notified in writing to bring into compliance.
2. Should an owner fail to comply the BOD may contract out the job to bring into compliance and bill the owner for such expense.
3. If the owner fails to pay for such expense a lien shall be placed on the property.

Appendix A
Toxaway Views Homeowners Association
Application
To Change, Alter, or Modify a
Unit, Building, Common Area, or Limited Common Area

Name of Owner:_____

Unit #:_____

Description Of Project:_____

(continue on back of form if needed)

This form with the following supporting documents must be submitted to the Architectural Review Committee Chairman:

1. Signed Certificate of Compliance.
2. Sketch/drawing of proposed project including description of materials to be used.
3. Written approval from owners of units in building.
4. Copy of appropriate permits. Work can't be approved or begin until received.
5. Name, address, telephone number, license number, and proof of insurance coverage for contractor, tradesman, or serviceman to be used on the project.

Owner's Signature:_____

Date:_____

Appendix B
Toxaway Views Homeowners Association
Certificate of Compliance

We, the undersigned owners, have read all of the requirements of the Toxaway Views Policy and Procedure for changes to our unit, building, common area, or limited common area. We agree to abide by these rules and standards. We also agree to complete the proposed project approved by the Architectural Review Committee within 180 calendar days from starting date. We certify that all fees and assessments/fines have been paid.

Unit Owner Signature: _____

Date: _____

Appendix C
Toxaway Views Homeowners Association
ARC Final Inspection Checklist

Unit Owner: _____

Unit#: _____

- _____ 1. Project completed and on schedule.
- _____ 2. Owner/contractors complied with the policy and procedure.
- _____ 3. Site cleanup of all trash and building material complete.
- _____ 4. All construction equipment, including temporary structures removed.
- _____ 5. Project completed according to approved proposal.
- _____ 6. Violations noted (list of back of form).

Signature of ARC Representative: _____

Date: _____