

**WHEN RECORDED RETURN TO:
Cool Waters Homeowners Association
c/o Light Property Management
PO Box 8046
Spartanburg, SC 29305**

DEE-2019-1032



DEE BK 122-J PG 244-253

Recorded 10 Pages on 01/08/2019 04:14:30 PM
Recording Fee: \$16.00
Office of REGISTER OF DEEDS, SPARTANBURG, S.C.
Dorothy Earle, Register Of Deeds

**HANDBOOK OF ARCHITECTURAL GUIDELINES
FOR COOL WATERS
TO RUN WITH THE LAND AND SUPERSEDES ALL
PRIOR ARCHITECTURAL GUIDELINES**

**Cool Waters Homeowners Association, Inc.
Board Resolution 2019-002**

Whereas, Cool Waters Homeowners Association Board of Directors has established a Handbook of Architectural Guidelines for Cool Waters Homeowners Association. Now, Therefore, it is agreed that all Homeowners are subject to the Handbook of Architectural Guidelines for Cool Waters Homeowners Association.

Approved:

Date: 10/25/18

Signature: _____

Member of Board of Directors Alex Roe

Cover page – pages 1-8 attached

Cool Waters Homeowners Association

Handbook of Architectural Guidelines

2018

INTRODUCTION

The recorded Cool Waters Easements and Protective Covenants (EPC's) contain certain architectural standards and guidelines with which all property owners and homeowners, hereinafter referred to as HOA members are expected to comply. The Cool Waters Homeowners Association has adopted additional standards and guidelines not specifically referenced in the EPC's. This handbook pertains to the architectural standards and guidelines referenced in the EPC's as well as those adopted by the Cool Waters Homeowners Association (HOA) as referenced in the current By-Laws. This handbook is intended to provide helpful information to HOA members with respect to new construction, existing structure modifications, property maintenance, landscaping, and other property enhancements. This handbook is intended primarily for informational purposes only and does not purport to cover every architecturally related situation that may arise. Further, while the handbook is a part of, and governed by the Cool Waters By-Laws, it is not intended to constitute a stand-alone legal document. The information contained herein may be amended at any time if deemed appropriate by the Cool Waters HOA Board of Directors.

ARCHITECTURAL CONTROL COMMITTEE

As mandated by the Cool Waters By-Laws and the recorded Easements and Protective Covenants, an Architectural Control Committee has been established by the HOA. While the exact duties of the Architectural Committee are enumerated in EPC's, its primary responsibilities are to assist HOA members with any architectural issues which might arise, review proposed projects to ensure compliance with established architectural standards and guidelines, and generally help preserve and enhance the Cool Waters community and its real estate values. Homeowners and property owners must notify the Architectural Control Committee and submit an Architectural Review Application in advance of starting any project requiring review and written approval by the Architectural Control Committee. Failure to do so may result in fines being imposed by the Board of Directors. The standards contained in this handbook and the applicable requirements contained in the EPC's will serve as the guidelines to be followed by the Architectural Control Committee when reviewing submitted applications for new construction projects, landscaping or other property improvement projects requiring advance approval. **As a general rule, any exterior construction, existing structure modification or landscaping project requires advance approval unless specifically stated in this handbook that approval is not required.**

ARCHITECTURAL STANDARDS AND GUIDELINES

HOA members are advised that the Cool Waters Easements and Protective Covenants (EPC's) and By-Laws run with the title or deed of each property in Cool Waters. It should be noted that in some cases the provisions contained in these documents might be more stringent than the codes mandated for this area by Spartanburg County or any other municipal government entity. The guidelines contained in the EPC's and those adopted by the Cool Waters HOA are intended to be, and always will be, for the protection of the rights of each HOA member in the Cool Waters community. Project approvals, when required, serve to protect the rights of the HOA member and the neighborhood in general. They also help avoid potential legal complications from neighbor disputes over proposed construction and/or modifications. Avoiding or ignoring compliance with applicable standards and guidelines may result in costly delays and complications.

The Board of Directors and the Architectural Control Committee are aware that situations may arise which may not be specifically addressed in this handbook. In such cases HOA members are advised to contact the Architectural Control Committee for guidance. In the event a proposed project does not comply in whole or in part with one or more of the architectural standards or guidelines that HOA members may request a waiver from the Architectural Control Committee. Waivers may be authorized so long as the proposed project does not negatively impact land joining properties or the Cool Waters community as a whole

NEW CONSTRUCTION

The EPC's contain specific guidelines and information pertaining to new construction with the Cool Waters community. HOA members contemplating the construction of a new dwelling or other permitted structures are advised to familiarize themselves with the applicable guidelines contained therein prior to submitting the required Architectural Review Application or beginning any construction project. Among the specific items covered in the EPC's are:

- Building Requirements
- Construction Completion Requirements
- Driveways and Entrance to Garage
- Outbuilding and Similar Structures

CONSTRUCTION REQUIREMENTS:

All applicable building permits must be obtained prior to the start of any new construction. Any necessary grading and/or excavation shall be done so as to lessen the possibility of erosion of adjacent properties or Common Areas due to improper drainage. No unused construction materials or construction debris may be deposited or discarded onto any other property or Common Areas within the Cool Waters community. The lot owner shall be held responsible for any damage to properties or Common Areas caused

during the construction process as well as for the removal of improperly discarded construction materials. A construction dumpster is required to be placed on and used for the property under construction. Construction sites should be kept clean and free of debris and litter. Dumpsters are required to be emptied or replaced with an empty dumpster before they are overflowing with debris.

GENERAL GUIDELINES AND STANDARDS

The EPC's contain specific guidelines and information pertaining to the architectural elements affecting new construction, existing structures and the Cool Waters community in general. HOA members are again encouraged to familiarize themselves with, and follow the guidelines contained in the EPC's so as to avoid inadvertent non-compliance with the stated guidelines and standards. Among the specific items covered in the EPC's are:

- Use restrictions for outbuildings and similar structures
- Livestock and pets
- Offensive activities
- Signage restrictions
- Aesthetics, nature growth, screening and underground utility service
- Trailers, trucks, buses, boats
- Restrictions on use of easements

The following guidelines, while not specifically addressed in the EPC's, have been adopted by the Homeowners Association for the benefit of the entire Cool Waters community:

AWNINGS: Awnings, whether stationary or retractable, should be of a suitable material such as wood or umbrella cloth and mounted with framing constructed of a suitable material such as wood or aluminum. The color of the awning and frame should be of a solid color compatible with the color of the structure on which the awning is mounted. Awnings are not permitted on the front of homes.

COMMON AREAS: Homeowners are not allowed to place or remove any plant or tree, place any structure upon or otherwise alter any common area or right of way maintained by the Cool Waters HOA. The pavilion, park and recreation area is maintained by the HOA for the enjoyment of all Cool Waters residents. Residents may not reserve this area for private use without the express, written consent of the designated Cool Waters HOA Board member.

DECKS, PATIOS: Decks should be located to the rear of the house. If the backyard is fenced the deck may extend beyond the width of the house to within three (3) feet of the fence line. Decks should be of a suitable material such as a simulated wood product, cedar, redwood or pressure treated lumber. The style and color of the deck should be compatible with the structure to which it is attached. Privacy screening such as wooden

lattice and arbors may be attached to or placed next to the deck. As a general rule, screening should not extend more than six (6) feet above the deck while arbors should not exceed ten (10) feet in length and height. All Deck and Patio plans must be submitted to Architectural Control Committee for approval

DOCKS: Construction and use of docks is governed by SJWD policies. Unless restricted by the EPC's, owners of waterfront lots are advised to contact SJWD directly to determine if construction of a dock is permitted. Under no circumstances may a Cool Waters lot owner have a dock installed without a permit having first been issued by SJWD.

DOG HOUSES: Dog houses should be located at the rear of the residence, placed at ground level, and be of a size suitable for its intended occupant.

EXTERIOR AIR CONDITIONERS: Air conditioning units (condensers) should be located so as to minimize noise impact to adjoining neighbors. The units may be screened with plants or other suitable screening such as lattice or decorative fencing of a color compatible with that of the residence. Individual air conditioning units extending from windows are prohibited.

EXTERIOR COLORS: Any structure may be repainted or re-sided in the same material and color scheme as the original without pre-approval. Changes to color schemes are permitted so long as the proposed colors are compatible with those of the surrounding residences and have been approved by the Architectural Control Committee.

EXTERIOR DECORATIVE OBJECTS: Decorative objects intended for permanent installation and display must be approved prior to installation. Removable exterior decorative objects of a temporary nature such as those displayed for seasonal holiday periods or other special occasions generally do not require pre-approval. In considering the appropriateness of any decorative item, permanent or temporary, the following guidelines must be considered:

Location: Objects should be placed so as not to pose a safety hazard to the resident or any other person. They should not intrude by sight, sound or smell upon adjoining homes or the neighborhood in general.

Design and Color: Objects should be of a design and color that does not clash with or detract from the overall appearance of the residence or the neighborhood in general. **Materials:** Objects should be made of materials capable of withstanding outdoor weather conditions without deteriorating and becoming unsightly.

Environmental Impact: Objects should not have a negative impact upon the environment nor pose a hazard to wildlife in the area.

Size, Scale and Number: Objects should be of a size and scale appropriate to their location upon the property. Objects should not be so numerous as to present a cluttered or overwhelming appearance.

Taste: Objects should not contain language or images that are, by their nature, inflammatory, vulgar, or otherwise offensive to the community.

EXTERIOR LIGHTING: Exterior lighting is permitted for safety, security and architectural enhancement purposes. Security lights, including motion sensor lights should be mounted only on a house, garage or outbuilding and must be directed away from adjacent residences. Pole-mounted floodlights and/or yard lights are prohibited. "Malibu" style lighting, whether electric or solar powered, should be placed at ground level in appropriate locations. Colored light bulbs designed to repel insects should be installed only in fixtures located in the rear of the residence. Temporary lighting for holiday or other festive occasions does not require preapproval.

Holiday lighting shall be operable for a limited amount of time, normally six (6) to a maximum of eight (8) weeks.

FENCES: Fencing must encompass all sides of the rear yard. Waterfront lots are not required to fence along the lake frontage and are subject to SJWD policies. Chain link and split rail fences are not permitted. Fences may be stained or painted. Colors are permitted so long as the proposed colors are compatible with those of the surrounding residences and have been approved by the Architectural Control Committee. All fence plans must be submitted to Architectural Control Committee for approval.

FIREWOOD STORAGE: Firewood should be kept neatly stacked in a pile that does not exceed six (6) feet in length and four (4) feet in height. Firewood should be stored to the rear of the dwelling. Firewood should not be stored directly on decks or patios except in limited quantities intended for immediate use.

FLAGS AND FLAG POLES: Freestanding flagpoles are prohibited. Flagpoles that attach to a structure at an angle may be installed without prior approval. A maximum of two (2) such flagpoles are allowed on a house to accommodate one (1) American flag and one (1) decorative flag. Flags should be no larger than three (3) feet by five (5) feet.

GARDEN (VEGETABLE): Vegetable gardens are not allowed in front or on the sides of the house. should be located toward the rear of the residence at least five (5) feet from the property line and should not take up more than one quarter of the rear yard area. Gardens should not be placed on a grade or slope that allows water to flow onto a neighboring property. Vegetable gardens meeting these conditions do not require pre-approval.

GATES: Gates should match perimeter fencing in material and color. No re-approval is required for replacement of such gates with like kind.

GAZEBOS: Gazebos should be located to the rear of the residence at least five (5) feet from adjacent property lines. Gazebos should be open-sided and constructed of wood or other suitable material. If painted, colors should be compatible with those of the residence. While there are no formal size limitations, a gazebo should not be so large as to overwhelm the area in which it is located. A building permit must be obtained if applicable. All Gazebo plans must be submitted to the Architectural Control Committee for approval

GRILLS (PERMANENT): Permanent grills should be installed at the rear of the residence and as far as practical from adjacent property lines. The location of permanent grills must comply with applicable municipal fire codes.

GUTTERS AND DOWNSPOUTS: Gutters and downspouts may be added or replaced without pre-approval so long as they match existing house colors.

HOT TUBS/SPAS: Hot tubs and spas should be located in the rear yard adjacent to the residence. They may be placed on a patio or incorporated as part of a deck system. The exterior finish of an elevated hot tub or spa should blend with the exterior finish of the residence, patio or deck to which it is attached or most closely related.

HOUSE NUMBERS and DELIVERY RECEIPTALS: House numbers attached to residences within the Cool Waters community are regulated for reasons of security and public safety as well as compliance with aesthetic appearance and overall community standards.

LANDSCAPING — GENERAL: Landscaping around newly constructed residences should be compatible with existing landscaping within the community. For a newly constructed residence, the front yard and side yards, up to the rear corners of the home, should be covered with sod and foundation landscaping in place upon completion of construction. The foundation of the entry elevation and HVAC equipment should be screened with vertical plantings to the fullest extent possible. Rear yards should be seeded or covered with sod as soon as practical upon completion of construction. Lakefront lots must meet SWJD policies that require sod to be placed in rear yards adjacent to the lake. Re-landscaping or adding additional landscape items such as trees, shrubs and flowers around existing residences for aesthetic enhancement is permitted. Dead trees may be removed from a property with board approval or arborist report. Approval is required prior to removing a tree for any other reason. Flower beds and other non-grass areas may be filled with any pre-approved material such as pine bark, pine needles, dyed pine mulch, cedar mulch, finely ground hardwood chips, dark hardwood mulch or dark crushed brick without pre-approval. Water features such as fountains and fishponds require approval from Architectural Control committee. Landscaping and yard maintenance equipment should be stored out of sight when not in use.

PATIOS: Patios should generally be located in the rear of the residence but may extend to the side fence line of a fenced back yard. Side or wrap-around patios are permitted if the residence configuration and/or topography favor such placement as a better alternative. In this case, plans must be submitted to the Architectural Control Committee for approval. Patios should not adversely affect proper drainage. Patios should be constructed of a suitable material such as concrete, brick, slate, stone, or interlocking pavers. Any added fixed accessories such as raised planter boxes, bench seating, or wooden trim should be of a color compatible with the colors of the residence.

RECREATIONAL EQUIPMENT: Recreational items such as swing sets, play structures, and trampolines should be located to the rear of the residence and should not extend onto adjacent properties. Portable basketball goals may be placed on a driveway but must be positioned to ensure the play area remains strictly within the property lines. Play areas such as sand boxes or the area around swing sets or other play equipment may not extend past the property lines. Such areas should be of a size appropriate for their intended use. Tennis or volleyball courts are not permitted on any private property within the Cool Waters community.

REPAIR AND REPLACEMENT: Owners are responsible for making repairs to the structures upon their property. No pre-approval is required to restore a structure to its original condition. Replacement of structural items such as roofing, windows, screens and doors with material or items of the same as the original may be done without pre-approval. Any repair or replacement that would result in a change from the original requires pre-approval.

SATELLITE DISHES: Satellite dishes should be no larger than three (3) feet in diameter. Dishes should be located in the least visible area consistent with optimum signal reception. No more than 1 satellite dish allowed.

SHEDS AND OUTBUILDINGS: It is preferred members construct storage or other outbuildings, but members may use a premanufactured building. All buildings must be permanently attached. (ie: poured concrete slab, pylons, etc..). Shingles are to be of the same quality and color of house. The siding on the outbuilding must match the run of the siding on the main house. The color must match the color of the main house. A permanent skirting must be installed to cover the bottom portion to prevent a air gap between the base of building and the ground. The building should be located in the rear of the lot (or as close as reasonably possible) at the setback lines of the lot as described in the Easements & Protective Covenants. All plans must be submitted to ACC for approval.

SIGNS: One real estate sign of standard size advertising sale, lease or rental of a premises or lot may be placed in the center of the front yard of that property only. An additional sign, visible from the lake, may be erected in the rear of lakefront properties. Such signs should be removed as soon as practical after finalization of the sale, lease or rental transaction. One temporary political sign promoting a particular candidate or issue may be placed without requiring approval upon a property no sooner than thirty (30) days prior to an election and must be removed within seven (7) days following the election. Such signs should be of appropriate size and not be inflammatory in nature. Other signs such as community watch signs, small security warning signs, and yard sale signs may be posted without prior pre-approval. Yard sale signs must be removed within one (1) day following the sale. (See YARD SALES below for additional information.) No lighted signs or signs that are inflammatory, vulgar, or otherwise inappropriate in nature will be allowed on any property within the Cool Waters community. No real estate, political or other signage shall be erected in any Common Area.

SKYLIGHTS: Skylights should be installed so as to minimize exterior reflection from sunlight and interior lighting. Interior lighting should not be directed up into any skylight. Roof-mounted lighting directed down through a skylight is not permitted.

SOLAR COLLECTORS: Solar collectors or panels are not permitted in the Cool Water's subdivision.

SPRINKLER SYSTEMS: In ground sprinkler systems may be installed without pre-approval. Care should be exercised to ensure coverage remains within the property lines.

STORM AND SCREEN DOORS: Storm doors and screen doors including such types as Store-in-Door, security, thermal, and full view are permitted. The colors of such door should be compatible with the exterior colors of the residence.

TREE REMOVAL: Approval is required prior to removing a tree for any other reason. For safety reasons dead trees should be removed in a timely manner. Live trees with trunks in excess of six (6) inches in diameter as measured 54" above grade may be removed from private property so long as there is a valid reason for removal and the Architectural Control Committee has granted approval. Valid reasons include, but are not limited to: disease or damage, safety concerns, too large for space, invasive roots. Removal of trees from easements controlled by SJWD must be done in accordance with SJWD policies.

VEHICLE STORAGE: Untagged and/or inoperable vehicles should be parked in a garage or other structure so that they are not visible to neighboring residents. At no time is parking on the street allowed for a homeowner, or long term residents or visitors for more than one (1) week. A request can be made to the Architectural Control Committee to extend driveway for one additional vehicle. Larger recreational vehicles such as Boats, Class A, Class C or mini motor homes, kept on private property should be stored within a fenced area when not in use. Large trucks, buses or other commercial vehicles may not be kept on private property within the Cool Waters community unless express, written permission to do so has been given by the HOA Board of Directors or Architectural Control Committee.

WELLS: Underground wells are permitted for irrigation purposes only and may not be connected to any source of domestic water, metered or otherwise, from sources beyond the property boundaries. Lakefront lots may install a pump to draw water from Lake Cooley for irrigation purposes with permission from SJWD. Wells and pumps should be located so as to minimize visual and noise impact on adjacent properties. Wires and cables, such as those intended for telephone, radio or television reception should be buried or otherwise hidden. Cables that need to run up the side of a structure toward the roof should be secured flush with the side of the residence and painted the same color as the background.

YARD/GARAGE SALES: As a general guideline, homeowners should conduct no more than two (2) private yard or garage sales per year. Sales should be held during daylight hours only and should not last more than two (2) consecutive days. A sign advertising the sale should be posted no sooner than forty-eight (48) hours prior to the start of the sale and must be removed within twenty-four (24) hours following its completion. One sign of an appropriate size is permitted and must be posted only upon the premises hosting the sale. Additional signs, or posting signs in any common area, are not permitted unless the Architectural Control Committee has granted permission.

