

Four Seasons at Gold Hill  
Architectural Control Handbook  
December 2010

Prepared by:

Four Seasons at Gold Hill  
Home Owners Association Board of Directors  
Gold Hill Road  
Fort Mill, SC 29708

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# 1 Scope

This Architectural Control Handbook is prepared and maintained jointly by the Four Seasons at Gold Hill (FSGH) Home Owners Association Board of Directors and the Architectural Control Committee (ACC). The purpose of Architectural Control, and the Architectural Control Committee, is to ensure that the Community is maintained to provide for visual harmony and soundness of repair, avoid activities that would hamper the aesthetic or property values, further the comfort of Members and guests, and promote the general welfare and safety of the Community. The ACC will regulate the design, appearance, use, and maintenance of the exterior of all Buildings, roadways, parking areas, landscape areas and Common Property.

FSGH is an age-qualified community subject to recorded Covenants, Easements and Restrictions and Bylaws with the association thereof granted the power to enforce certain Guidelines and Regulations. It is hereby declared that, notwithstanding any agreements to the contrary; all residents, owners, boarders, caregivers, etc. are subject to such Architectural Control.

Any action by the ACC may be appealed to the Board of Directors by any party deemed by the Board of Directors to have standing as an aggrieved party. A vote of a majority of the full authorized membership of the Board of Directors may affirm, modify or reverse any such decision.

Actions by residents, either in the form of modifications without ACC approval, modifications beyond that which was approved, or any other act which is deemed an ACC violation, may result in fines, legal action, suspension of member privileges, and/or removal of the modification. Any and all costs incurred by the HOA and ACC may be assessed to the homeowner, including legal costs incurred.

# 2 Background

K. Hovnanian provided official documents to all new home buyers with their initial homeowners' packet. The documents were the Bylaws, CE&Rs, Regulations, and Guidelines, all of which contained information relating to Architectural Control. This document, along with the FSGH Resident Handbook, replaces the Regulations and Guidelines. All current referenced documents are available on the Four Seasons at Gold Hill web site and/or from the Board of Directors.

The ACC Handbook supplements the CE&Rs and the By-Laws, and is not meant to duplicate or replace the content of either document. In accordance with the Four Seasons By-Laws, Article XII, the Board of Directors has established an Architectural Control Committee. Section 8 of the CE&Rs addresses the purpose of Architectural Control, prohibited activities, committee membership, procedures, liability, appeal, and associated fees. Article XII of the Bylaws addresses the purpose, powers and authority of the ACC, and appeals of ACC decisions to the Board of Directors. This handbook should be used together with the two referenced documents. Should there be conflict between this document and the Bylaws or CE&Rs, it is unintentional, and the Bylaws and/or CE&Rs take precedence. To the extent that any government ordinance, building code or regulation requires a more restrictive standard, the government standards shall prevail. To the extent that the Government ordinance is less

restrictive, this Handbook, the Bylaws and/or the CE&Rs shall prevail. Refer to Article 1 of the CE&Rs for definitions that apply to Four Seasons at Gold Hill.

### 3 Guidelines for Residents

This section presents guidance with respect to many of the most common requests. Check this section before acting or making an ACC request.

**Unless specifically stated to the contrary, requests for all activities shall be submitted for review by the ACC. Residents shall not proceed prior to receiving ACC approval.**

- 3.1 Driveway coating and coverings are not permitted.
- 3.2 Detached buildings are not permitted.
- 3.3 Owners have complete control over home interiors but are fully responsible for damage to their own home, adjacent property and/or homes caused by internal or external improvements.
- 3.4 Nothing shall be done to any home which will impair the structural integrity or which will structurally change a home. No Owner may make any structural additions, alterations or improvements without the prior written approval of the ACC.
- 3.5 Irrigation system improvements for single family homes may be installed without prior approval of the ACC. Irrigation system changes for townhomes and common HOA property must be submitted to the ACC for approval.
- 3.6 Landscaping changes which affect the turf area and/or shape must be submitted for approval to the ACC.
- 3.7 Satellite antennas shall be installed on the rear or back rear roof. All satellite antennas shall be installed such that they are less visible from the street on which the residence is located, and shall be 24 inches or smaller in diameter. Satellite antennas are not permitted to be installed at ground level. Prior approval is required for any satellite antenna.
- 3.8 Screened porches shall be of a design and construction complementary to the house design, and bearing similarity to approved neighboring porches. The roof shall also be of a design complementary to the house roof – either gable or hip. Screened porch additions to townhomes are not permitted.
- 3.9 No part of any front or side entry/porch/courtyard shall be enclosed by screen or walled structure.
- 3.10 Skylights may be installed in single-family homes without prior approval of the ACC. Skylight additions to townhomes are not permitted.
- 3.11 Storm doors on entranceways must be of the type designated as “Full View” by the manufacturer. The storm door color shall either be white, or shall be a color similar to the existing door and/or shutters. Wood storm doors are not permitted.

- 3.12 Sun rooms shall be of a design and construction complementary to the house design. Exterior finish (siding, trim, roof shingles, etc.) shall match the existing exterior house finish. The roof shall also be of a design complementary to the house roof – either gable or hip. Sunroom additions to townhomes are not permitted.
- 3.13 The planting or replacement of shrubs and/or flowers in beds already designated for such on the original plan does not require ACC approval. Likewise, owners may replace trees, shrubs or flowers that look sick, dead or even if you just don't like what is there. (This may be subject to York County regulations with respect to what can be planted.)
- 3.14 Vegetable gardens of any kind require prior ACC approval, no matter whether shrubbery or grass was previously in the area. Vegetable gardens will be subject to more scrutiny by the ACC than shrubbery plantings, because unlike shrubs, their primary purpose is not to beautify. Owners are advised to keep gardens small, and to take measures to shield view from neighbors' homes.
- 3.15 Owners may place bird feeders and statuary (not in excess of 10 feet in height), in reasonable quantities, in existing beds without ACC approval. Items over two feet in height, and all fountains, require prior ACC approval.
- 3.16 Owners may paint the painted surfaces on the exterior of their home as long as the same colors are used, without prior approval of the ACC.
- 3.17 Owners may repair exteriors as long as the original plan specifications are followed, without prior approval of the ACC.
- 3.18 Fenced-in yards and/or enclosures are not permitted. In the rear yard, fence material may be erected as safety features or as part of an overall decorative plan. All fence material must be of white vinyl or vinyl-clad material with a high degree of openness. No fencing may be erected without prior approval of the ACC.
- 3.19 Wireless dog "fences" are permitted with ACC approval. Wires must be buried at least eight (8) inches below the ground surface.
- 3.20 Hot tubs are not permitted.
- 3.21 Man-made screens and shade devices must appear as an integral part of the home elevation and shall be made of materials that complement the home. Fabric awnings or similar shading devices are permitted only on the rear of the home. The color, which must be solid, must be muted and consistent with the color of the home. Awnings or such other devices shall have a retractable feature, either mechanical or manual, for storage in inclement weather and when not in use. Awnings on townhomes must include an automatic retracting feature to protect the awning and structure in cases of inclement weather. Fixed awnings are not permitted. Window awnings are not permitted.
- 3.22 Window air conditioners are not permitted.
- 3.23 Owners must refer to detailed instructions in the Bylaws or check with the ACC for specifics regarding all other actions before commencing.

## **4 Guidance for Submittal Contents**

This section addresses factors which the ACC will use for evaluation, and provisos or requirements which may be included in ACC approvals.

- 4.1 No additions or modifications to the primary structure shall be located closer than the distance that may be imposed by the appropriate municipal ordinance.
- 4.2 No additions or modifications to any Home shall be located between the front of the Home and the front property line of the Lot upon which it is located, and the side of the Home and either side property line of said Lot.
- 4.3 Decks or porches may only be constructed in the rear yard and may not extend beyond the sides of any Home or extend closer to any other building or any lot line than permitted by the appropriate Township ordinance. Decks may not be free-standing.
- 4.4 No additions, modifications or accessory buildings shall be constructed on a Lot in an amount which exceeds appropriate Township ordinance.
- 4.5 Owners are responsible for all damage to existing structures or underground utility lines, systems, materials, irrigation, and drainage swales caused by installation of internal or external changes.
- 4.6 Owners must not obstruct any easements, landscaper or other rights of ways, drainage swales, nor adversely affect drainage or irrigation on his/her or any nearby property.
- 4.7 Submissions for landscaping changes must show a North arrow, scale of drawing, existing site features with labels - trees (size and type), shrubs, property lines, adjacent land uses (e.g., street, neighbor, common area). Also include any additional hardscape that Owner desires to install, such as brick, masonry, wood edging, concrete, rocks, or other inert materials. Color pictures, brochures and color samples of products shall be submitted with application to assist the ACC in understanding the application.
- 4.8 Owners are responsible for the care and maintenance of all additions.

## **5 Home Appearance and Maintenance**

This section addresses continuing care and maintenance of resident homes.

- 5.1 Unsightly and/or unsafe conditions on a Member's property relating to dead trees, fallen trees, fallen limbs, etc. must be promptly corrected by the property owner.
- 5.2 If the property owner fails to correct such condition within fourteen (14) days after the Architectural Control Committee has given written notice, the ACC shall have the right to correct the unsatisfactory condition and the expense shall be billed to and borne by the property owner.
- 5.3 Mailboxes and newspaper tubes shall be of the same design, size, color, appearance and placement as the mailboxes originally provided by K. Hovnanian. Plants and any decorative material on mailboxes shall extend to no higher than the lowest part of the scroll-work below the paper tube.
- 5.4 No tower, television antenna or other antenna shall be erected on a home or lot except with the prior approval of the Architectural Control Committee.

- 5.5 Free-standing flagpoles are not allowed. One bracket-mounted flagpole is allowed as long as it is used to fly only the American Flag. No flag may extend so that the end protrudes more than 4 feet from the exterior wall of the Home to which it is attached. All flags shall be maintained in good condition and should not be displayed on days when the weather is inclement. Proper lighting is required for nighttime display of the American Flag.
- 5.6 Displays are not permitted, except for security or fire and rescue decals, which may be displayed on windows, and/or security warning signs not to exceed 12" by 12", placed at ground level.
- 5.7 Lawn ornaments, bird feeders, statues, sculptures, and artifacts shall not be placed in turf areas. Placement in beds shall be such that lawn care is not impeded.
- 5.8 Holiday decorations are allowed. Holiday decorations may be displayed up to two weeks in advance of a holiday, and for up to two weeks following the holiday. An allowed exception is Christmas, where decoration may be displayed as early as Thanksgiving. Lawns with holiday decorations and/or wiring in turf areas will not be cut or trimmed.
- 5.9 Residents (including townhome residents) are responsible for the care and maintenance of all exterior features including, but not limited to, driveways, walks, patios, shrubbery, and decks. Townhome building exteriors are the responsibility of the HOA, with the exception of owner-added features, which are the responsibility of the respective townhome owner.
- 5.10 Townhome owners are responsible for return of exterior surfaces to their original condition prior to modification after removal of items such as awnings, satellite antennas, flag brackets, and any other additions or changes.

## **6 ACC Request Submission and Review Process**

Applications must be sent to the Property Manager, Cedar Management LLC, by mail. Cedar will coordinate with the Architectural Control Committee, and your request will be acted upon. Applications may not be faxed, as it is often difficult to interpret photographs. An Architectural Control Application is attached for your use. All forms should be completed with the necessary information and supporting documentation. Generally, the homeowner will receive a response within twenty days. If the county needs to be consulted it could be as long as thirty days. Additional applications may be downloaded from the Four Seasons at Gold Hill web site at [www.FourSeasonsGoldHill.org](http://www.FourSeasonsGoldHill.org). The Architectural Control Committee may be contacted via email at [ACC@FourSeasonsGoldHill.org](mailto:ACC@FourSeasonsGoldHill.org).

- 6.1 Submit the ACC Request (using the form included at the back of this handbook) describing the desired modification. Include the documents stipulated on the form.
- 6.2 The Property Manager will record the request, and forward the package to the members of the Architectural Control Committee. In certain instances, the Board may also be copied.
- 6.3 The ACC members will review the submission. In reviewing, depending on the request, the ACC may request additional information from the submitter, may visit the subject

home, may request opinions from submitter's neighbors, may obtain legal opinion, and may obtain information from York County or other municipal organizations.

- 6.4 If the ACC Request is denied, reason(s) for the denial will be provided. A limited approval may be included, as may suggestions for resubmission.
- 6.5 If the ACC Request is approved, the work may begin immediately, and must be completed within 90 days of the approval. Should events preclude completion within 90 days the resident shall notify the ACC as soon as the events become evident.
- 6.6 If the plans submitted by an Owner require a building permit, the approval by the ACC is not a guarantee that such plans will be approved by any governmental agency. If the governmental agency requires modification to such plans, such modifications shall also be submitted for approval by the ACC for the Owner to remain in compliance with these guidelines.

## **7 Revisions**

The Board and ACC may make revisions to this document from time to time by way of published addendums or revisions to this document. Suggestions from residents for additions and/or modifications to this document are welcomed. The most-current version of this document is always available on the Four Seasons web site at [www.FourSeasonsGoldHill.org](http://www.FourSeasonsGoldHill.org). The Architectural Control Committee may be contacted via email at [ACC@ FourSeasonsGoldHill.org](mailto:ACC@FourSeasonsGoldHill.org).

With each revision to this document a paragraph will be added to this section briefly describing the change and the date.

- 7.1 Initial Release November 11, 2007 – Includes changes from documents distributed by K. Hovnanian.
- 7.2 Updated December 1, 2007 to address holiday wiring and decorations in turf areas.
- 7.3 Updated August 24, 2008 to address townhome exterior restoration, fee removal and resident mailbox appearance.
- 7.4 Updated December 2010 to address mailboxes and satellite antennas.

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**ARCHITECTURAL CONTROL APPLICATION FORM**  
**FOUR SEASONS AT GOLD HILL HOMEOWNERS ASSOCIATION**  
**REQUEST FOR ARCHITECTURAL APPROVAL**

(Please complete all items and provide all supporting data as requested)

*Incomplete forms will cause delays in review of your application*

Date: \_\_\_\_\_

Property Owner's Name: \_\_\_\_\_

Property Address: \_\_\_\_\_ Lot #: \_\_\_\_\_

Telephone: (H) \_\_\_\_\_ (W) \_\_\_\_\_

Type of Modification:

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Description of Improvements:

1) Location: \_\_\_\_\_

2) Size: \_\_\_\_\_

3) Color: \_\_\_\_\_

4) Materials: \_\_\_\_\_

5) Contractor: \_\_\_\_\_

Estimated Start Date: \_\_\_\_\_ Days to Complete: \_\_\_\_\_

This architectural request must be accompanied by two (2) different drawings:

- 1) Plot plan (official survey of lot) – showing the improvement (i.e. deck, fence, landscaping, parking pad, addition, etc.) and its relationship/distance to property lines, easements, open space, drainage, neighboring homes, etc.
  
- 2) Elevation or “head on” view – elevation drawing showing height, width, and distance above finished grade and details of the proposed request. Be specific in order to expedite the architectural review process. Photographs or brochure pictures should be submitted along with this request when available.

**ARCHITECTURAL CONTROL APPLICATION FORM  
FOUR SEASONS AT GOLD HILL HOMEOWNERS ASSOCIATION  
REQUEST FOR ARCHITECTURAL APPROVAL**

**(Page 2 of 2 - FOR COMMITTEE USE ONLY)**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature of ACC Member)

The Architectural Committee of Four Seasons at Gold Hill Home Owners Association,

Approves \_\_\_\_\_

Disapproves \_\_\_\_\_

Please state any restrictions in approval and/or reasons for disapproval below:

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\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

All applications should be mailed to:

Four Seasons ACC  
c/o Cedar Management Group  
PO BOX 26844  
Charlotte, NC 28221