

FOXCROFT HOMEOWNER'S ASSOCIATION ARCHITECTURAL STANDARDS AND ARCHITECTURAL REVIEW COMMITTEE GUIDELINES

These guidelines are prepared to assist homeowners in making informed decisions regarding their property and the upkeep of the exterior of the home. This document also serves as a guide for the Homeowners' Association Board of Directors Architectural Review Committee. It is not the intent of these guidelines to remove or interfere with the rights of the individual's enjoyment of property or homeownership. The sole purpose of the Guidelines is to insure upkeep of property and the resulting desirability of the area for family residence. An important mission is to insure the ever-increasing value of property; the ability for property to move regardless of the selling/buying market and to insure the area maintains an aesthetic appeal.

Residents are encouraged to submit comments and recommendations regarding this document. Also, requests for clarification or special consideration are encouraged. It is only through the joint effort of all residents that we can continue with the growth of Foxcroft. EMAIL hoa@foxcroftofsumter.com.

Added April 14, 2012: This document may be changed by a majority of votes of the members of the Board of Directors. Changes which impact or disagree with the Covenants and/or Bylaws of the Association can only be approved after such changes to the Covenants and Bylaws are approved by the General Membership at an annual meeting. In cases of disagreement, the Covenants take precedence followed by the Bylaws and this document is the subordinate authority. Spelling and punctuation errors may be made without approval but only if such changes do not effective the meaning and implied directive of the portion being changed.

Added September 10, 2011: Disagreements between documents, Covenants, Bylaws and/or City Ordinances are resolved in favor of the senior document unless the junior document sets a higher standard.

Added December 5, 2016: Minor administrate changes of spelling and punctuation without causing meaning changes. The following changes were made which change the value of presented information: Article 1, Introduction, line 2; Article 1, Introduction, paragraph 2, line 6, Article 1 Introduction, Paragraph 2 Article 3, Purpose, Last sentence; Article IV, the Architectural Review Process; Article V, Architectural Guidelines, item 11; Article V, Architectural Guidelines, item 23; Article V, Architectural Guidelines, item 20; Article V, Architectural Guidelines,

item 26; Article V; Architectural Guidelines, item 39; Article V, Architectural Guidelines, item 41; Article V, Architectural Guidelines, item 47 and Attachment 1.

Document dated April 15, 2009 and amended May 14, 2010, September 10, 2011, April 14, 2012 and December 5 2016.

This document has been updated and is current as of December 5, 2016. Date of being current will be changed only when updates are necessitated.

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ATTACHMENT

Application for ARC Review

ARTICLE I INTRODUCTION

The Architectural Review Committee (ARC) is responsible to insure compliance with the Covenants and Bylaws of the Association. It is the ARC's obligation to advise all homeowners of the correct procedures for any and all improvements or projects. Homeowners are requested to follow the Request-For-Improvement guidelines that will enable the ARC to help each homeowner. The ARC is not attempting to prevent anyone from enjoying their home but must enhance the appearance of the community so everyone will have pride in their surroundings and receive the best possible return on their investment. The appropriate form is attached.

Residents of Foxcroft live in a closed community that is governed by Covenants, By-laws, and architectural guidelines. A Board of Directors is elected from the population of the Association to serve the residents. Membership in the Association is NOT optional. Membership is automatic with the purchase of property and is automatically transferred to new owners. Members of the Association are encouraged to participate in activities related to Foxcroft. Renters will comply directives and it is the responsibility of the owner to insure knowledge is passed and here is a full understanding of the directives. The Board of Directors will notify residents of results of meetings and of any decision made that effects member/s. As a member of the Association, residents are asked to be aware of the Covenants, By-Laws, and ARC Guidelines of the Association. Furthermore, residents are encouraged to contact an ARC member with questions, complaints, or request for assistance. This can be done by direct contact though email or letter. The ARC can be contacted at hoa@foxcroftofsumter.com or at P.O. Box 3556, Sumter, SC 29151-3556.

Added May 14, 2010: Residents should feel free to contact the Board with questions, concerns, or complaints. The information may be submitted through the website or in person to any Board Member. Residents may submit inquiries to the Board with an understanding that the Board will do everything legally possible to protect their identity. The Board does reserve the right to request more information regarding complaints and to verify information provided through other sources that may be available. Any complaints that result in legal action could result in court testimony.

Added September 10, 2011: Rental property should be maintained to the same standards of owner occupied property. The ARC will mail letters and notices to the residence. The homeowner is responsible to insure that the renter and/or real estate representative is aware of the need to forward such communications to the owner for disposition. Homeowners may request special or additional mailings by making such

a request to the ARC in writing. Such requests will be honored as much as possible. However, non-receipt of mail or notifications mailed to the property does not relieve owners from compliance responsibility.

ARTICLE II ARCHITECTURAL REVIEW AUTHORITY

The Architectural Review Committee (ARC) shall have such authority and duties as determined by the Foxcroft Homeowner's Association (HOA) Board of Directors. The ARC shall fulfill the requirement as noted in the Declaration of Covenants, Conditions, and Restrictions and the Bylaws of the Association. The ARC shall report directly to the Board of Directors. Acting with the full authority of the Board of Directors and in compliance with the governing directives, the ARC will notify residents of issues of non-compliance with the guidelines of the Association by written letter or by email. The ARC has full enforcement and penalty authority of the Covenants and Bylaws. The authority of the ARC includes not only resident property owners but for any and all lots within the subdivision with consideration of the limits imposed by the governing Covenants and Bylaws.

Added May 14, 2010: The ARC will, under authority of the Board of Directors, authorize and approve any and all items related to these guidelines that require prior approval. Requests for temporary variances and/or deviations from the guidelines must be reviewed and approved by the Board of Directors, as a body. No individual, no Board member (as a single individual) or any other authority/individual can approve any item pertaining to the Architectural Review of the Association except as noted herein. Authority to waive or change the Covenants and/or Bylaws of the Association cannot be granted but can be obtained only through changes to those items. The approval process is designed to facilitate the growth and beauty of the subdivision and to assist the property owner in assuring all proper authorizations, permits, and special right-of-ways are correct.

ARTICLE III PURPOSE

These guidelines have been prepared to assist Foxcroft homeowner with possible improvements or modifications to their existing property, to include but not limited to: Landscaping, additions, fencing, play equipment, the upkeep of property, appearance, maintenance, etc. The applications submitted under these Guidelines are reviewed and decided upon by the ARC at regularly scheduled meetings. Turn around time for the ARC is 30 days after receipt of a complete application. Suggestions and comments regarding the function of the ARC are appreciated and welcome. The ARC does not have the authority to waive, delay or modify the

stipulations of the Covenants or Bylaws. Such requests will be reviewed, compared to the directives, and presented to the Board of Directors for a final decision. Neither the ARC nor the Board of Directors can lessen the requirements of the State, County, City or other authority. While a stricter rule can be made and can be enforced, the Association does not have the authority to lessen the requirements of another authority.

ARTICLE IV THE ARCHITECTURAL REVIEW PROCESS

1. General: Using an Application for Architectural Improvement, homeowners shall communicate projects and changes to the ARC. If questions arise during the preparation of the applications, the homeowner may contact a member of the ARC. Completed applications should be mailed or emailed to the ARC in care of the Board of Directors. No individual has the authority to approve any change, modification, or new constructions either verbally or in writing. Only the ARC has the authority to approve changes and that approval must be in writing. Approvals by other persons, companies, or entities are not binding on the ARC or the Board of Directors. Not obtaining correct approval can result in modification or removal of changes.

2. Application requirements: A completed application should include sufficient information to describe what you propose to do. Depending on the project, the application could include plot renderings, site plan, landscaping plans, floor plans, elevations, color proposals, alternate/special details, and anything else deemed necessary to describe what you intend to do. Pictures are acceptable. All pages must be single sided on 8 ½ x 11 papers. All projects must have an established completion date and such dates should not exceed six (6) months from the approval date. The ARC may adjust completion dates, as deemed appropriate. Such adjustments must be approved in writing.

3. Incomplete application: The ARC cannot process partially completed applications. The ARC will notify the applicant if more information is needed. The 30-day approval time will not begin until all required information is received. Applications that are incomplete will be returned to the homeowner for needed information. The application will be considered rejected until such time as it is received in a completed state.

4. Requirements: Projects, additions, landscaping, or major alterations may not be started without prior written approval of such project. This applies not only to the homeowner but also to those acting on his/her behalf. This provision applies to any lot owner within the subdivision. It is the sole responsibility of the owner to insure complete compliance with all relevant building practices, codes, licensing

requirements, and obtaining required permits. Homeowners are permitted to add to landscaping with flowers, etc. without prior approval as long as such changes/additions lend to the existing landscaping. Additions or changes completed by a builder prior to selling the home are equally effected by these rules. Changes completed as a part of a selling process will be held to these guidelines and correction will be the responsibility of the owner at time of detection.

5. Meetings: The ARC will meet each month. This meeting will normally be held on the second Monday of each month, before the Board of Directors meeting. This will allow the ARC to submit unusual cases to the Board of Directors, as warranted. Homeowners may contact Committee for information on the location of any scheduled meeting. The ARC will review each proposal and determine if the proposal is approved, approved with conditions, needs to be resubmitted, or disapproved. The ARC must receive applications seven calendar days prior to a scheduled ARC meeting to allow for processing and review of the project. Applications received after this deadline may not be processed until the following meeting. The ARC can be contacted at forcroftboa@sc.rr.com or at PO Box 3556, Sumter, SC 29151-3556

6. Homeowner's rights: Homeowners may discuss their request in person at an ARC meeting. No decision should be expected at that time. Those desiring to meet with the ARC should contact an ARC member at least one day prior to the next scheduled meeting. Homeowners will be notified within seven calendar days after the ARC meeting as to the disposition of their request. Appeals to the ARC decision may be made in writing to the Board of Directors for consideration. It should be noted that any appeals must be made within time frames specified in completion dates. Expired completion dates will be considered the same as a refusal to comply and steps will be taken to insure the Covenants and Bylaws of the Association are affected.

7. Completion times: Once the homeowner has received ARC approval, their project can be started. Projects should be completed in the approved time frame. The ARC will specify a completion date. Completion time is thirty (30) days if not specified. Request for an extension must be requested for those not able to complete the project in the approved time frame. Exceeding time frames can result in penalties allowed by the Covenants and Bylaws of the Association.

8. Approval conditions: If an application is approved with conditions, the project can commence as approved. If the homeowner does not agree with the decision, the homeowner should contact the ARC to discuss an acceptable resolution. In cases of dispute, an email or phone call will restart the review process. If an application is disapproved, the homeowner may submit a new application addressing the identified concerns. If the homeowner does not agree with the ARC decision and wishes to

appeal to the Board of Directors an appeal may be submitted in either writing or by email. If an appeal is not received within the appropriate time frame, the application changes will be treated as accepted by the homeowner. Homeowners must comply with all City Ordinances and homeowners are responsible for all permits.

9. Neighbors: Neighbors may, and are encouraged to, comment and present views about requested improvements within Foxcroft Subdivision. Signatures are required from all property owners having common lot lines with the applicant. This requirement is necessary depending on the project or improvement. The signatures indicate only that the other homeowners have been notified of the proposed improvement and in no way indicates approval or disapproval; signatures do not affect the ARC decision. Common lot line homeowners may request to meet with the ARC on improvements. Some examples of projects requiring neighbor acknowledgment are: Permanent basketball goals, fences, dog runs, etc.

10. Infringement: Property owners are cautioned that buildings and other property improvements infringing on easements, buffers, or access to right-of-ways, are subject to removal at the owner's expense.

11. Non-compliance: Failure to follow ARC guidelines and/or comply with the approved plan will result in a request from the ARC to remove or correct out-of-compliance modifications/constructions. The request will be processed through the Board of Directors for possible legal action at a later date. All expenses related to the legal action will be the homeowner's responsibility. Homeowners should refer to the Covenants and Bylaws of the Association to better understand the ramifications of non-compliance and the fines, penalties, administrative costs, and legal costs that can be imposed.

ARTICLE V ARCHITECTURAL GUIDELINES

General: This section provides guidelines regarding exterior architectural situations frequently encountered in a neighborhood. The following list of items gives generally acceptable methods for achieving required objectives; standards are indicated. Merely following the guideline does not guarantee automatic approval of an application; all applications shall follow the approval process. Any permanent or non-permanent structure needs to have an application submitted. The list does not cover all possibilities; contact the ARC for items not listed. Unless otherwise indicated in these guidelines, all projects/improvements shall have an application submitted to establish a file for reference to be used for future requests.

1. ANIMAL CONTROL

- a. Each resident is responsible to insure animals are constrained in such a manner so as to protect the safety of the residents and to maintain the tranquility of Foxcroft. No animal may be kept on property for breeding and commercial purposes.
- b. No animal may be allowed to roam off property without being restrained by a leash. While on property, animals must be restrained by a fence or tethered with a system from which escape is not likely. Invisible electric fences are not approved.
- c. Noise by animals must be controlled. Owners should not leave them unattended while the homeowner is absent. Animal noise, barking and howling, after 9:00 PM and before 7:00 AM on a frequent and repetitive basis is considered a nuisance. Other instances of unabated barking are also considered a nuisance.
- d. A leash must restrain dogs while walking in Foxcroft and the owner is responsible to clean up messes made the animal.
- e. Animals that are a threat must be restrained in such a manner as to absolutely insure the safety of residents and to further insure a child cannot gain access to an area where such animals are kept.
- f. Animal owners should be aware of possible liabilities for acts by animals and are recommended to have insurance protection for themselves and those who may be harmed by an animal.

2. ANTENNAS

No freestanding antenna tower whatsoever is approved. Local station antennas visible from any street are not approved. Interior installation shall be the only option. (Also see Satellite Dishes)

3. ARBORS/PERGOLAS

Arbors/pergolas shall be located to the rear or side of the property, consistent with the scale of the house, and be an integral part of the landscape design. They may be left natural or painted/stained provided the paint/stain matches the trim or dominant color of the house. ARC approval must be obtained prior to installation of these items.

4. AWNINGS

Awnings of any type are not approved.

5. BARNES

Barns are not allowed.

6. BUSES

See vehicles

7. CAMPERS

Campers can only be parked in the rear of the home or in the garage and out of view from the street. Such parking must have agreement of neighbors on either side and behind and, finally, ARC approval if outside.

8. CARPORTS

Carports of any type are not approved.

9. CLOTHES LINES

Clotheslines of any type are not approved.

10. CURBS

Homeowners are responsible for curbing around their home. This curbing should be maintained in a suitable state of repair and should not be modified, painted, stained, or otherwise changed from its natural state. Homeowners are responsible to trim grass around the curbs.

11. DECKS

Decks shall be constructed of treated lumber or vinyl decking material. The crawl space under decks should be enclosed or screened to prevent animal access, assure child safety, and appear visually pleasing. Lattice, if used, should be wood or vinyl and complement the trim and color of the house. Lattice must be framed between structural members and will be held off the ground slightly to prevent discoloration from contact with the soil. Treating wood decks with a clear wood preservative is highly recommended. Any color change by staining will be approved by the ARC prior to application..

12. DECORATIONS

See Holiday Decorations and Signs

13. DELIVERY AND WORK TRUCKS

Delivery and work vehicles exceeding a full-sized pick-up truck will not be parked within the subdivision. Those employees requiring immediate emergency response by their company may park such vehicles in their drive. However, permanent parking of such is not approved.

14. DETACHED STRUCTURES

All detached buildings must be consistent with the overall design and color scheme of the house. Detailing must be consistent with the design material and colors of the

house. Plans for the proposed structure must show all views, with all dimensions clearly marked. A landscape plan should be included. It is the homeowner's responsibility to insure all required permits and obtained. These buildings shall be placed behind the home or behind a fence to minimize visibility from the street. Buildings used for storage or limited workshops are approved on an individual basis. Any building use that would result in noise must have neighbor approval. Flat roofs are NOT approved. Barns of any type are not approved (see 5, above).

15. DOG HOUSES AND RUNS

Dog houses/runs shall be located in the back yard against the house and not visible from the front of the house. If property has a privacy fence, the location may be in the back yard at the owner's discretion. Doghouses may be painted to match their surroundings or painted to match the house. Pre-fabricated chain link dog runs including vinyl coated fencing are approved.

16. DRIVEWAYS

Any driveway of any type, other than the initial driveway that was installed when the house was first constructed, is not approved. To remove and reinstall the initial driveway with concrete is approved. The same dimensions must be used. **Added May 15, 2010:** Effective May 15, 2010 driveways and walks are not be painted with any type of paint or covered with epoxy or any other matter without prior written approval of the ARC. Existing covers may remain until such time as they become damaged or worn. The homeowner will then be required to remove the existing cover or gain approval from the Board of Directors for replacement coverage.

17. FENCES

- a. Careful consideration shall be given to fencing concepts and executions. The ARC will review all fence details and locations. A plot plan or diagram must be included with the application showing the location of the proposed fence.
- b. Fences in the front of the house are not approved.
- c. Fences on the sides of a house shall not align with or project in front of the front corners of the house. There shall be a minimum 10 feet set back from the front corner. Side fences cannot restrict access to utility meters. If necessary, a gate will be installed to allow utility personnel access to meters. Signatures of homeowners with common property lines must accompany applications; signatures are for RC notification purposes only.
- d. Fencing installed on easements or right-of-ways could be subject to removal.
- e. Split rail or farm style horizontal railing fences are not approved.
- f. Fencing material shall be treated wood, metal, coated or uncoated chain link, or vinyl fences shall not be higher than 6 feet. Wooden fences shall

be left in a natural state and treated with preservative treating wood a fence with a clear wood preservative is highly recommended. Staining wood fences may only be done using one of two stains: Naturaltone Fir/Pine or Cedar Naturaltone made by Olympic or like stain colors of a different manufacturer.

- g. Fences shall be installed with the smooth or finished surface facing out.
- h. Installing finished side in and out is acceptable.
- i. Metal fences shall be coated with a rust preventative from the factory for initial installations; hand or spray painting is not approved except for touch up.
- j. Vinyl fencing shall be white in color. Vinyl fencing hardware shall be black or white.
- k. Homeowners with fences shall be responsible to keep grass on both side of their fence trimmed neatly.
- l. **Added May 15, 2010:** Fencing materials shall be treated wood, metal, coated or uncoated chain link or vinyl but types of materials cannot be mixed. Homeowners are responsible to obtain all permits and easement exceptions.
- m. **Added September 10, 2011:** Fences must meet height requirements and specifications. Fence placement must be carefully considered. Fences placed along the property line are acceptable. Fences inset from the property line will be approved on an individual basis and must be inset sufficiently so as to allow easy access for cutting and weed control. Insets of less than four feet will not be accepted. It is desired that fences not along property lines be aligned with the side plan of the home so as to give a straight line to the back of the property. All fences must lend to the quality of appearance of the subdivision. Fences will have equal placement on each side of the lot measured from the property lines.

18. GARAGE DOORS

Garage Doors shall be replaced with like equipment, installing window panels is acceptable. Door color shall remain the same as initial color or may be changed to agree with the color scheme of the home. Damaged doors will immediately be repaired or replaced.

19. GARAGES

Garages, other than that originally installed at the building of the home, are not approved.

20. GARBAGE & RECYCLABLE CONTAINERS Changed April 14, 2012

- a. All garbage and recyclable containers shall not be visible from the street. Containers should be placed behind the home, behind a fence, or in the

garage so as to be hidden from view from any street. This also applies to bagged trash, landscaping clippings and brush piles until pickup.

- b. The City of Sumter will pick up yard debris on Wednesdays. ~~Residents may add boxes that are reduced to the smallest possible size to the pick-up pile.~~ Yard debris that is to be picked up must be bagged. Tree limbs should be placed in an orderly pile and not be more than six (6) feet in length nor eight (8) inches in diameter. ~~between November and February. The other months do not have to be bagged. However,~~ Residents should not place ~~piles of grass clippings~~ debris in the roadway for pickup. If ~~piles of clippings~~ debris is left, ~~they~~ it must be on the property of the resident.
- c. City provided green trash containers are emptied on Fridays. This will include the emptying of the recycle bin. Items should be placed inside the containers. Residents may place boxes that are reduced to the smallest possible size to a pickup pile. City Ordinances provide that trash containers should be placed at the curbside after 7:00 PM on the day before collection and removed no later than 7:00 PM on the day of collections. Containers left out for over 24 hours are considered a City Codes violation and owners may be cited for such violations.

21. GUTTERING/DOWNSPOUTS

Guttering and downspouts shall be aluminum or vinyl and match the trim of the house. They shall be uniform in size, shape and color throughout the installation. Tin guttering is not approved. If these conditions are adhered to, guttering installation is approved.

22. HEDGES

Hedges, shrubs, or bushes planted for the purpose of a separation between two lots shall be kept trimmed neatly on all sides. The hedge shall not be more than 6 feet in height. ARC approval must be obtained for type and placement of shrubs.

23. HOLIDAY DECORATIONS

Holiday decorations are encouraged and do not require approval of the ARC. All such decorations shall be limited to 45 days prior to and 15 days after the holiday. Decorations shall not be left out all year. Decorations must be maintained and kept in the spirit of the season and good taste. Damaged or non-functioning decorations must be repaired or removed immediately. Decorations that are explicit, not in good taste for the season.

24. LANDSCAPING

- a. Landscaping shall blend with and complement each lot's surrounding to include house colors and size and lot shape and topography. Planting beds in

the front of the house should not extend out further than 15 feet. Each lot shall have grass coverage to prevent erosion onto the street.

- b. Each lot owner shall install a minimum of four evergreen shrubs in the front of the home. Shrub height should be suitable so as not to interfere with the view of the home. They shall be of the evergreen variety and will be trimmed and the area around such shrubs will be weeded. Hedgerow type shrubs must have ARC approval prior to being planted.
 - c. Within one year of occupancy, all yards will seeded, sprigged, or have sod laid. Natural growing wild grasses may be allowed to become ground cover and should be treated the same as cultivated grasses. The type of grass should be suitable for this area. Grass is to provide total area coverage. All yards will be maintained in a neat manner. During the growing season, yards should be cut at least every two weeks. The owner is responsible to trim and edge the entire yard. Edging should be done along the street curbing, walks and drives. Dirt and debris are to be removed from the roadway and to extend to the middle of the road surrounding the property.
 - d. Fruit, nut bearing and pine trees are not allowed.
 - e. Trees in the front of the home should be restricted in number and locations so as not to block the home from street view either at planting or in the future.
 - f. Shrubs and trees planted to surround and hide the home are not permitted.
 - g. Border shrubs must be maintained to a height of not greater than 30 inches.
- ALSO SEE THE SECTION ON TREES.

25. LIGHTING

Post lights are acceptable; owner must obtain necessary permits as required. Post color shall match or compliment house colors. Intensity shall be no greater than what is required for pedestrian safety. Low voltage walkway lighting is approved.

26. MAILBOXES

- a. Mailboxes shall be of a substantial nature; installed vertically, horizontally, and securely fastened together. They shall be maintained in this fashion. Unsightly mailboxes are not acceptable.
- b. Mailbox assemblies may be wood, metal, or vinyl. Wood assemblies shall be natural color or black. Metal and vinyl shall be black or white. *Novelty mailboxes are not approved. Residents should contact the ARC for guidance if there are any doubts about the type being installed.*
- c. All mailboxes must meet US Postal Service approval and be installed according to their guidelines. Mailboxes, once installed, become the property of the US Postal Service and residents are not allowed to use the boxes for any purpose except those of the Postal service. The US Postal Service does not allow mailboxes to be used as drop points.

- d. House numbers will be affixed to each side of the mailbox or its holder. These numbers are to be of white or black color and are placed primarily for the use of emergency personnel in home location.

27. MOTOR HOMES

See vehicles

28. OFFENSIVE OR NOXIOUS BEHAVIORS OR ACTIVITIES

Activities or behaviors acted upon or displayed by residents, which constitute an annoyance or violation of rights of others fall in this category and are forbidden by the Association and, in most cases, by City Ordinances. Such activities include but are not limited to: Loud music, burning trash or leaves, late night outside loud conversations, working on vehicles, loud automobile radios, or animals that bark and howl, etc. Activities that violate the rights of others or disrupt the tranquility of the area should be curtailed immediately.

29. PAINTING/PAINT COLORS

Color schemes other than the colors initially approved for the property, as a whole shall be reviewed on a case-by-case basis. Color changes require samples to be submitted with the application.

30. PARKING Changed April 14, 2012

Parking within the subdivision is restricted to the drive of the home. The concrete drives of homes are designated as the appropriate parking location. In those cases where it is necessary to park on the street, such parking is requested to be limited to the side of the street where the walks are located. Homeowners are responsible for parking of guests and must insure compliance with these restrictions. Parking on the grass of a home, side or in the rear of a home is not permitted. ~~Parking on the property of other residents, be it by another homeowner or the guest of another homeowner is not permitted. Such parking is a violation of property rights and can be enforced by towing. Residents or guests should not park within 100 feet of any intersection.~~ Parking on the property of others is not allowed unless approved by the property owner – other parking restrictions still apply.

Added May 14, 2010: Residents are asked not to park on the non-walk side of the street or within thirty (30) feet of an intersection. The streets within Foxcroft are too narrow to accommodate multiple side parking or staggered parking without restricting entrance and movement of emergency vehicles.

31. PATIOS

Patios shall be located at the rear of the house or located within a fully enclosed area. The size of the patio shall be consistent with the size of the house and lot. Patios shall be constructed with natural color concrete, slate, flagstone, or brick. Patios shall be kept clean of trash and clutter on property located with a patio visible from any street.

32. PLAY EQUIPMENT

- a. In general, play equipment shall be placed in rear yards. Consideration shall be given to lot size, equipment size, material, design, amount of visual screening, and relationship to neighboring property.
- b. Wood play equipment may be painted or left natural and treated with a preservative. Painted wood equipment colors must be approved.
- c. Pre-manufactured assemblies of metal and vinyl are acceptable. Applications will be considered on a case-by-case basis.
- d. Tree houses are not approved.
- e. Playhouses/dollhouse must be placed in the rear yard. If they are to be painted or stained, the ARC must approve the colors.
- f. Permanent skateboard, bike, and other ramps are not approved. Mobile ramps shall only be used on the homeowner's property; ramps must be stored after use and not visible from the street.
- g. It is preferred that mobile basketball goals be stored in the rear yard and not visible from the street when not in use. They may be used in the front driveway. Basketball goals shall not be used in conjunction with the street; basketball goals shall not be affixed to a home. The ARC must approve permanently installed basketball goals on a post. This will be done on a case-by-case basis due to the topography of the lots and relative closeness of the homes to each other.
- h. Trampolines shall be erected in the rear yard only. They must be enclosed by a net or fence. Placement of play equipment on common property is not permitted.

33. POOLS

- a. In-ground swimming pools are permitted and must be reviewed by the ARC on a case-by-case basis prior to beginning construction. It is the homeowner's responsibility to insure that construction complies with all local, state, and city ordinances and all safety codes. All permits must be obtained.
- b. Above ground pools are permitted and must be reviewed by the ARC on a case-by-case basis prior to beginning construction.
- c. It is the homeowner's responsibility to insure that construction complies with all local, state, and city ordinances and safety codes and that all permits are obtained, as required.

- d. Swimming pools shall have a fence enclosure to prevent access from adjacent lots. Small wading pools 18 inches or less in depth do not fall in this category and may be erected.

34. REAL ESTATE SIGNS

See signs

35. RENTAL SIGNS

See Signs

36. SATELLITE DISHES

Satellite dishes larger than 19 inches in diameter will not be approved. Preferred installation is on a pole located in the rear yard. Dishes should be installed so as not be visible from any street, if practical. Dishes may be installed in such a manner as to provide the best reception for the homeowner.

37. SCREEN AND STORM DOORS

Screen doors are not approved for the front of the house. Front storm doors shall be white or match the entrance door color. Storm doors shall be of metal or vinyl construction. Hardware shall be compatible with that of the entrance door. Doors on back or sides of the house may have a screen or storm door. They must be white or match the adjacent door color. Hardware must also be compatible.

38. SERVICE VEHICLES

See delivery and work trucks

39. SIDEWALKS

- a. Replacement of existing approved sidewalks with identical material and color is acceptable.
- b. ARC approved, walkways shall be constructed of naturally colored concrete brick, brick pavers, or slate.
- c. Walks within the Foxcroft subdivision remain the property of the resident who owns the property on which the walk is located. It is the homeowner's responsibility to insure the walk is trimmed and maintained in such a manner suitable for the Association.
- d. The homeowner is also responsible to insure the upkeep and safety of the walk.
- e. Parking on walks is not permitted.

40. SIDING

Aluminum siding is not approved. Replacement vinyl siding shall match the existing siding. Siding for additions shall match existing home siding.

41. SIGNS

- a. Standard 2 ft X 3ft real estate signs attached to a wooden or metal post are permitted. Ridged metal frame signs 18 inches by 24 inches are permitted.
- b. No signs are to be affixed to a house, mailbox, or tree.
- c. Standard vinyl FSBO signs purchased by homeowners and neatly placed on the lot are acceptable.
- d. The ARC does not permit advertising signs or billboards in the entrance drive, on any lot, or any other common area without approval from the ARC.
- e. Political signs may be placed in the front of a home but cannot exceed the size of the standard real estate sign. Political signs must be removed as soon as that election is over or the party/individual for who the resident is advertising is removed from the race. Only one sign for each office is allowed.
- f. Seasonal sign/decorations are allowed but must be in good taste.
- g. Under no circumstances can vulgar or explicit/suggestive decorations or signs be placed on any property of the subdivision.
- h. Garage sale signs shall be kept to a minimum. One at each end of the Foxcroft entrance drive and one on the involved property is permitted. They may be put out 7 days before the event and must be removed at the end of the event. The size of the signs shall be no larger than 18 inches by 18 inches.
- i. **Added May 15, 2010:** The use of signs is a form of expression that is important to all to allow self and interest expressions. However, to insure that all signs that are placed on property are not specifically forbidden in previous portions of this section, or detracting from the décor of the area, all other signs must be approved by the ARC prior to being installed.

42. SPAS AND HOT TUBS

Spas and hot tubs shall be located in the rear yard away from the adjacent property so that its use, presence and noise of the mechanical equipment do not adversely affect the adjacent property. They shall be screened from view of adjacent property.

43. STRUCTURES

See Detached Structures

44. TRAMPOLINES

Must be enclosed by protective netting or a fence.

45. TRASH Added April 14, 2012

- a. See Garbage & Recyclable Containers
- b. **BURNING:** Sumter City Ordinances generally preclude burning of yard or home debris within the confines of the subdivision. The close proximity of homes is such that burning is a potential for development of a major fire problem in the area. Burning by residents, builders or any type of

subcontractor should be immediately reported to the Sumter Fire Marshal disposition. Residential burning is allowed under certain restrictions as outlined in the City Ordinance. Residents should read this Ordinance before starting any fires on their property. All questions regarding burning should be addressed to the City Fire Marshal.

46. TRAVEL TRAILERS

See Vehicles

47. TREES

- a. Changed April 14, 2012The planting of the required trees for each lot, per the Covenants, should take place not later than the time of occupancy. In those instances where such is not accomplished, the homeowner is obligated to insure such is completed ~~within 60 days of closing of the home.~~ immediately. Homeowners may request a reasonable time delay to insure personal circumstances and weather conditions do not cause disruption to compliance.
- b. Occupied rental property must comply with this provision.
- c. Corner lots shall have two (2) approved trees minimum; all other lots will have one (1) approved tree minimum. Corner lots will have one tree on each street facing.
- d. Types of trees acceptable are: Live Oak, Willow Oak, Red Oak or any shade or canopy type tree. They must be at least 1 ½ - 2-inch caliper and 8 feet tall. Not acceptable trees are any Pine Trees, fruit bearing trees or any nut bearing three (except for the acorns born by Oak Trees).
- e. The homeowner may request from the ARC to have a fruit or nut-bearing tree placed in the rear of the home.
- f. Pine Trees of any type, unless left by the builder, are not approved.
- g. Trees left in the construction of the home will meet the requirement of the placement of trees. Such trees that are not normally approved, i.e., Pine Trees, will not be replaced with similar trees.
- h. All replacement trees must meet the requirements of the Covenants of the Association.
- i. Trees and shrubs planted to surround the home are not approved.
- j. Residents may not substitute shrubs or similar plants for trees. Crepe Myrtles are not acceptable for the tree stipulation.
- k. Homeowners of corner lots may request, in writing, a deviation to the stipulation of a tree on each street facing if a fence, any type, in is installed in such a manner so as, more likely than not, to have resulting damage by the tree root system if one is so installed. The ARC is responsible to complete the deviation process for the resident within 10 days of a written request by contacting the City Planning Commission for approval.

48. TREE REMOVAL

Live trees, the trunks of which are six or more inches in diameter, as measured two feet above the ground, shall not be removed without ARC review and approval. Removal of live trees will be approved if their continued existence is determined to be detrimental in some documented form. “Detrimental” conditions include physical intrusion by trees, roots, and branches on buildings or other structures in a way that could cause damage, excessive shade, or could block paths and sight lines from vehicles. Overgrowth may also be considered detrimental. City Ordinances have strict standards about tree removal and the ARC, while having no authority to waive or approve waiver of ordinances, will help in determining correct path for homeowners.

49. TRIM

Replacement of existing trim must match the existing trim in color, type, and style. Trim on additions must match the color, type and style installed on the house.

50. UTILITY TRAILERS

See vehicles

51. VARIANCES

The ARC, on a case-by-case basis will review variances from these guidelines when such requests are received from the homeowner. Approval of a variance for one property is not a blanket approval for subsequent requests.

52. VEHICLES

- a. No bus, motor home, camper, boat, travel trailer, utility trailer, tractor-trailer, or commercial truck (utility/delivery/service), larger than a standard conversion van, or similar device shall be kept on any lot so as to be visible from the street.
- b. Due to the placement of homes on some lots, access to the rear yard with a boat, camper, or trailer may not be possible. These cases will be handled on an individual basis upon receipt of such requests from the homeowner.
- c. Homeowners having guests utilizing a camper or motor home may do so but they may not be parked in the street. The visitor’s vehicles should not remain longer than two weeks.
- d. Motor vehicles must be parked in driveways or other designated parking areas and in no case across the sidewalk.
- e. Except as provided for in other regulations, no inoperative motor vehicle shall at any time be parked, kept or stored in the front or side yard for more than one initial period of ten days.

- f. No vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled in the front or side yard or at any location visible to the public. If the work is performed inside a structure or other fully enclosed area designed and approved for such purposes, vehicle may undergo major overhaul, including bodywork, on a premise. However, painting of vehicles is prohibited unless conducted inside an approved spray booth.

53. YARD ORNAMENTATION

Yard ornamentation includes, but is not limited to planters, decorations, statues, birdbaths, other decorative items and exterior furniture such as chairs, benches, lounges, and tables. In general, yard ornamentations must be compatible with the general tone and design of the neighborhood. Ornamental items normally kept on porches, patios, and enclosed areas do not require approval unless a specific complaint has been received

54. YARD MAINTENANCE

Each homeowner needs to maintain the exterior of the home in such a manner so to reflect positively on the area and to present a neat, well-maintained appearance. Grass is not to exceed 6 inches in height (except for flowers, plants, shrubs, trees and specialty accent grasses). Walks and drives are to be edged, the yard trimmed around the curbing and fences, and debris removed from drives, walks and the streets around the home. Fences are to be trimmed on both sides.

**FOXCROFT SUBDIVISION
APPLICATION FOR ARCHITECTURAL REVIEW**

NAME: _____ DATE: _____

ADDRESS: _____

DAY/EVENING PHONE: _____

EMAIL ADDRESS: _____

Project Type: _____

Projected Start Date: _____ Projected Completion Date: _____

Please provide below a detailed description of the nature of the request and attach, as necessary, plot renderings, landscaping plans/sketches, site plan with views of location of improvement, elevations, color proposals, drawings, and/or pictures as you feel are necessary to support your request.

Mail completed application to: Architectural Review Committee, P.O. Box 3556, Sumter, SC 29151

Description: _____

(Use additional sheets if required)

If adjacent homeowners' signatures are required, have them do so below; include street address.		
Name (print)	Signature	Street Address

Applicant's Signature _____ Date: _____

The ARC will review this request and you will be notified of the disposition within 30 days of receipt of the complete application. All projects must be completed within 90 days of the start of the project and no later than one year from the date of approval. Applicant's signature gives the ARC permission to enter onto his/her property for purposes relating to this application.

Date Received by ARC: _____

Date Reply Sent to Applicant: _____

APPROVED BY THE FOXCROFT HOMEOWNERS' ASSOCIATION BOARD OF DIRECTORS
THIS _____ DAY OF _____. THIS REVISED GUIDELINE REPLACES ANY AND ALL OTHER
GUIDELINES PUBLISHED BY THIS ASSOCIATION.

_____ Board President

_____ Architectural Review Committee Chair

_____ Secretary to the Association

_____ Board Vice President

_____ Board Member

_____ Board Member

_____ Board Member

_____ Board Member