



# **BAREFOOT RETREAT HOMEOWNERS' ASSOCIATION, INC.**

**Architectural Review/Landscape Committee (AR/LC)**

## **Guidelines**

Revised January 7, 2022

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**SECTION I—Application and Agreements**

**Architectural Review/Landscape Application**  
Barefoot Retreat Homeowners' Association, Inc.

**Please Deliver To:**

Ponderosa Management, LLC  
4876 Barefoot Resort Bridge Road, Ste. C  
North Myrtle Beach, SC 29582

**Please Mail To:**

P.O. Box 1706  
North Myrtle Beach, SC 29598

**Please Fax To or Email To:**

843-399-1761 or  
dWASHINGTON@pm-llc.com

NAME: (Please Type or Print):  
\_\_\_\_\_

ADDRESS OF PROPOSED CHANGE:  
\_\_\_\_\_

MAILING ADDRESS FOR DECISION LETTER:  
\_\_\_\_\_

CONTACT PHONE #: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

**GENERAL DESCRIPTION OF PROPOSED CHANGE:**

**Description of improvement:** \_\_\_\_\_  
\_\_\_\_\_

**Estimated Date of Modification to Begin:** \_\_\_\_\_ **Estimated Completion Date:** \_\_\_\_\_

**Description of materials to be used:** \_\_\_\_\_  
\_\_\_\_\_

**Description of colors to be used:** \_\_\_\_\_  
\_\_\_\_\_

<b>Owner's Signature</b> _____	<b>Date</b> _____
For Association Use Only, this Application is: ___ Approved    ___ Not Approved    ___ Conditionally Approved	
Date Approved: _____	
Reason for Denial or Conditional Approval: _____	

## **REQUIRED EXHIBITS AND SUPPORTING DOCUMENTATION**

The supporting documentation listed below must accompany this architectural review application, as applicable for the proposed change. **An application submitted without all required submissions would be considered incomplete.** In such case, the ARC's 30 day review period will not commence until all required submissions have been provided. In general, an applicant should provide all documents and exhibits required by The City of North Myrtle Beach for the proposed improvements.

- a. **Paint or Stain Colors:** A sample of the color(s) to be used must be provided, both for repainting or re-staining existing improvements and for structural additions, together with a list of existing paint colors on the house or appurtenant structures which will remain unchanged.
- b. **Finish Materials:** A description and/or sample of all finish materials to be used for the exterior surface of proposed improvements must be provided.
- c. **Plot Plan:** A site plan, drawn to scale, showing the location and dimensions of the proposed improvement, including orientation with respect to the property lines, unit, and adjacent dwelling units must be provided for decks, patios, walls, fences, major landscape changes which require approval, and structural additions to the home. **Plot plans are required. Application without such plan will not be accepted.**
- d. **Architectural Drawings and Landscape Plans:** Detailed architectural drawings or plans are to be provided for decks, house additions, and major landscape improvements which would change the topography of the lot or landscape plan originally provided by the builder.
- e. **Photographs:** Photographs of the affected area are required with all applications. The inclusion of photographs with applications is appropriate for exterior lighting fixtures, decorative objects, and similar cosmetic additions to the unit or lot.
- f. **Other Exhibits:** Other exhibits may be required in order to permit adequate evaluation of the proposed change. Owners are advised to seek guidance from the ARC and/or Managing Agent prior to the submission of an application.

## **OWNER AGREEMENTS**

- Owner agrees to give the Architectural Review Committee (ARC) and/or Managing Agent, express permission to enter on the Owner's property at a reasonable time to inspect the proposed project, the project in progress, and the completed project.
- Owner understands any approval is contingent upon the completion of alterations in a workmanlike manner and in accordance with the approved plan and specifications for said alterations.
- Owner acknowledges familiarity with the architectural review requirements and procedures for the Barefoot Retreat Homeowners' Association, Inc.
- Owner understands the authority to perform an alteration granted by this application will automatically expire if the work is not commenced within 180 days following approval, and completed within 1 year following commencement of work, unless another time frame is specifically authorized in writing by the ARC.
- Owner agrees to store construction materials only on owner's own property, rather than on common areas, easements or parking areas, to bear the cost of repairing any damage caused to such areas, and to remove all unused materials from public view within 7 days following the completion of work.

## **NOTES**

- Nothing contained herein shall be construed to represent alterations to lots or buildings to be in accordance with the provisions of the Building and Zoning Codes of The City of North Myrtle Beach. Further, nothing contained herein shall be construed as a waiver or modification of any said restrictions.
- Where required, appropriate building permits shall be obtained from The City of North Myrtle Beach and The Army Corp of Engineers for any work abutting the wetlands prior to the start of any construction and/or modification. Nothing contained herein shall be construed as a waiver of said requirement.
- Owner understands and agrees no work on this request will commence until written approval has been obtained from the ARC.
- Owner further understands and agrees any exterior alterations undertaken before written approval is obtained is not permitted and the Owner may be required to restore the property to its former condition at Owner's own expense if such alterations are made and subsequently disapproved in whole or part. Further, owner understands any legal expense associated therewith may be the responsibility of Owner.

I, \_\_\_\_\_, owner, have read all paragraphs on page 4 and agree and understand of what is due when the application is submitted for review and decision.

**Architectural Review/Landscape COMPLIANCE Form  
Barefoot Retreat Homeowners' Association, Inc.**

**Please Deliver To:**

Ponderosa Management LLC  
4876 Barefoot Resort Bridge Road, Ste. C  
North Myrtle Beach, SC 29582

**Please Mail To:**

P.O. Box 1706  
North Myrtle Beach, SC 29598

**Please Fax To or Email To:**

843-399-1761 or  
dWASHINGTON@pm-llc.com

NAME: (Please Type or Print):

\_\_\_\_\_

ADDRESS OF APPROVED CHANGE:

\_\_\_\_\_

COMMUNITY: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

Type of Modification Completed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby certify the exterior modification as approved by the Barefoot Retreat Homeowners' Association, Inc. ARC has been completed in accordance with the approved ARC application.

I, the property Owner, hereby grant the ARC and/or Managing Agent, express permission to enter on the property at a reasonable time to inspect the project.

Signature: \_\_\_\_\_

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

**SEND TO THE MANAGEMENT OFFICE AFTER MODIFICATION IS COMPLETE**

## SECTION II—History, Introduction, and Process

### A. History

The Barefoot Retreat Architectural Review/Landscape Committee (AR/LC) is a dependent entity of the Owners' Association Board of Directors designated and authorized by the recorded Deed, Code, Covenants, and Restrictions (CC&R's) in the area known as Barefoot Retreat to administer the Architectural Review/Landscape Guidelines to preserve, for the mutual benefit of all property owners, the concept of a homogeneous, planned community. It is supported in its endeavors by the Barefoot Retreat Homeowners' Association, Inc., a duly incorporated and certified Owners Association.

The CC&R's run with the title or deed to your property in the Tracts. In some cases, they may be more stringent than the codes demanded for this area by The City of North Myrtle Beach or the municipal governments of The City of North Myrtle Beach.

These Guidelines are not intended to be punitive but are and always were intended for the protection of the rights of each homeowner in the community. Approvals from the AR/LC protect your rights; as well as, those of your neighbors and help avoid legal complications that may arise from neighbors' disputes over the proposed construction. Avoiding or ignoring the Guidelines or flat-out noncompliance with its conditions will only serve to slow down your project and cause additional work for you; as well as, the AR/LC.

In regard to plans for your project, early, free hand, or conceptual studies are encouraged to be submitted prior to final submission and approval. An informal meeting arranged with you, your architect, and/or landscape architect could avoid the time and expense of re-drawing plans. The City of North Myrtle Beach Department of Building & Safety in no way places the AR/LC under any constraints or pressure to approve conditions that countermand any conditions stated in these Guidelines or in your CC&R's.

Many additions to your property may require approval of The City of North Myrtle Beach and certain permits may be required. It is strongly suggested these organizations be contacted in order to determine whether such permits or approvals are required. Another suggested contact is Horry Electric with regard to plantings placed around the green power boxes in front and side yards. They have indicated through mailings that they require 10 feet at the front of the box and 4 feet on the other 3 sides of the box. It is also suggested you contact PUPS at 811 to identify any utility lines that may be buried.

### B. Introduction

Prior to renovations or construction, owners are required to obtain all necessary approvals and permits. This includes approvals by The City of North Myrtle Beach Building Department, The Army Corp of Engineers, and the ARC. **Most exterior modifications require AR/LC approval. Please refer to Section III below-for further specifics. Please call the Managing Agent (Ponderosa) to discuss any questions.** In light of the fact that Barefoot Retreat is a planned community, certain design and construction limitations have been implemented.

The intent of the Guidelines:

- To permit each homeowner to enjoy the owner's home without unreasonable interference by and to the owner's neighbor.
- To minimize and stabilize the costs to maintain our properties.
- To preserve and/or enhance the community and its real estate values;
- To promote thoughtful design so there is harmony between buildings, their sites, and with neighboring homes, avoiding harsh contrasts in the visual perception of the community.

Deposits:

**Note:** When work crosses HOA common area, a refundable deposit will be required prior to the beginning of work on any improvement. Failure to notify the Managing Agent in advance and obtain written approval to proceed with your construction, may result in fines being imposed on your account. In order to provide direction to the owners within the community, the AR/LC provides herein guiding principles in evaluating applications that are considered when reviewing applications for property improvements.

Repairs:

Owners are responsible for repairs to existing structures, and additions. No application to affect repairs and restoration to original condition (color and materials) is required.

## C. AR/LC Process General Information

### 1. Information Needed with Submittal: See Section I – Architectural Review Application

#### 2. Enforcement:

- a. Architectural standards help assure that Barefoot Retreat property values are maintained. It is not possible to inspect the properties every day, nor is it likely every completed but unauthorized modification will be noticed during a drive through inspection. Therefore, we must rely on all owners to maintain the standards of our community.
- b. Violation Notices are issued by the Managing Agent or persons authorized by the Board of Directors to do so. The Notice of Violation will be sent by U.S. Postal Service to the owner of record. The notice will include the specifics of the alleged violation along with the amount of fine to be imposed by default unless a hearing is requested within 10 business days after receipt of the Notice of Violation.

#### 3. Hearings and Review:

In most cases, applications submitted to the AR/LC are approved or are approved with relatively modest conditions; however, there are occasional applications that during the AR/LC decision process, do not meet the requirements of The Handbook of Architectural/Landscape Guidelines for Barefoot Retreat and/or do not meet reasonable expectations of existing neighbors. These applications may be disapproved.

A disapproved applicant has an opportunity to seek a hearing with the AR/LC, an owner may request a hearing and will be given written notice of a time and place where the AR/LC, as authorized by the Board of Directors, will conduct a hearing to review the case. At such hearing, the owner may present the reasons for objecting to the AR/LC decision and introduce expert witnesses and newly discovered evidence. If the AR/LC decision, after the hearing is still adverse, the owner shall receive a timely notice of the decision, which shall be binding on all parties.

There would normally be no further review; however, if the owner requests further review and can qualify under one or more of the following criteria, the AR/LC will investigate and notify the Board, if the case qualifies for the Board final review and determination. The Board will then review the evidence from the application and the AR/LC hearing and issue its final decision in the matter:

- a. The AR/LC (or its chairman) may certify a Board Review on its own motion, within or subsequent to its decision that the Review qualifies and is eligible for Board Review.
- b. The AR/LC's Application disapproval decision was rendered by a closely divided AR/LC vote and then subsequently approved by a majority vote (or its Chairman's decision) requests a Board Review.
- c. The AR/LC may recommend Board review if the scope of an owner's Application identifies a problem that may affect a large segment of the Community or requires the review and approval of multiple committees reporting to the Board.
- d. The owner presents clear and convincing argument (in writing) that the AR/LC decision was based upon false, invalid, misrepresented, or misinterpretation of The Handbook of Architectural Review Guidelines for Barefoot Retreat.
- e. There is no right of review by owners fined for the violation of performing any modification or home improvement work without having submitted an application for AR/LC approval.

#### 4. Penalties/Fines:

- a. Failure to submit an application for a modification will result in a fine of \$25 per occurrence or modification. (Depending on the level of cooperation in resolving the violation, a waiver of this fine by the Board of Directors may be granted if requested).
- b. Failure to submit an application within 2 weeks after being fined per a. will result in a fine of \$25 per day until the application is submitted and approved.
- c. Failure to install the modification as approved will result in fines up to \$25 per day.

#### 5. Costs:

In the event of any violation of the Guidelines or Declarations of the Association, the Board of Directors reserves the right to pursue any and all legal remedies to compel enforcement, legal, and equitable. Any and all costs and attorney's fees shall be charged to the account of the offending owner at the time they are incurred. Any restoration costs to bring property into compliance incurred by the Association will be charged to the account of the offending owner.



## 6. Correction Procedures:

- a. An exterior change made without approval of the AR/LC constitutes a violation of the Declaration and may result in incurring fines. A violation may require removal or modification of the work at the expense of the property owner, or payment of damages incurred by the Association in having the work removed or modified.
- b. The AR/LC may inspect authorized construction in progress to identify violations. Additionally, all owners have the right to notify the AR/LC or Managing Agent of apparent violations of any provisions of these architectural standards and construction specifications.
- c. The AR/LC will investigate each reported violation. AR/LC may meet with the property owner making an improvement, which is in violation, to discuss problems and agree to resolutions. Should the owner fail to comply with the agreed upon corrections, the AR/LC will submit the matter to the Board of Directors for disposition. This could lead to the Association filing legal action against the owner.

## 7. Assumptions:

- Approval will be based on the assumption that owner has obtained all required permits as applicable.
- The AR/LC shall have exclusive jurisdiction over all original construction; as well as, modifications, additions, or alterations made on or to existing units or structures containing units on any portion of the properties as required.
- The AR/LC shall have the responsibility to prepare the initial Guidelines and subsequent amendments. The Board shall be responsible for approval of the initial Guidelines and subsequent amendments as required.
- The AR/LC may require the applicant obtain approval from the neighbors for modifications such as a swimming pool installation, relocation of HVAC equipment, yard lighting, etc. The approval of a neighbor is not limited to the items mentioned.
- The application and Guidelines can be obtained from the Managing Agent or on the Barefoot Residential Owners' Association website ([www.barefoothoa.com](http://www.barefoothoa.com)). All information required on the submittal form must be complete in order to be considered for approval.
- All assessments must be current before a modification will be approved.
- In the event the AR/LC fails to approve or disapprove a modification submittal or request additional information reasonably required within 30 days after submission, the applicant may give the committee written notice of such failure to respond. The written notice should state that unless the committee responds within 10 days of receipt of the notice, approval shall be deemed granted. If the committee fails to respond within 10 days, the submittal will be deemed approved, subject to the right of Silver Carolina to veto approvals as set forth in the governing documents.

## **SECTION III**—Architectural/Landscape Principles, Rules, Standards, and Guidelines

This section provides general guidelines which the committee considers when reviewing an application. Is the project aesthetically pleasing, effect on property values, and impact to the neighborhood?

If the applicant is unsure if all guidelines and provisions are being met, a conceptual plan for pre-approval can be submitted.

**Remember all exterior building projects require AR/LC approval prior to the start of the project.**

**Maintenance of Property:** The appearance of each and every unit in Barefoot Retreat affects not only the overall look of the community but the individual property values within it. Property ownership in Barefoot Retreat includes the responsibility for continued maintenance of all structures and grounds, which are part of each homeowner's lot. This includes, but is not limited to, keeping buildings and structures in good condition and repair.

- a. All owners are responsible for inspecting their own property periodically to ensure there is no faded or peeling paint, rotting wood, loose mortar, or spalled masonry. Homes, fences, and driveways should be power washed as necessary (it is prudent to power wash as often as twice per year. If the driveway is severely marred, it could be subject to a violation letter).
- b. It is necessary that all wood surfaces such as door and window trim, bay windows, dormers, and garage doors be caulked, sanded, and painted periodically to keep them in good condition.
- c. All decks, fences, and other exterior structures such as children's recreation/play equipment are to be maintained as to appearance and working order. The homeowner must replace rotting or warped wood. It is strongly suggested that all wood (decks, fences, and other structures) be treated periodically with transparent wood preservative (further described in the section of this manual regarding decks and fences) to maintain and enhance their condition.

**Accessory Buildings:** Shed, Shack, Tree House, Barn, Storage, Tent, or other out buildings are prohibited.

**Air Conditioners/Ductless Units (Splitters):** This change will require an AR/LC Application.

- Exterior HVAC units or heat pumps may be relocated or added only if there is no adverse visual or audio impact to adjoining properties.
- Exterior units are to be screened to obstruct view from common area as much as possible. Plantings are most often used.
- NOTE: Individual air conditioning units extending from windows are prohibited.

**Attic Ventilators:** This change will require an AR/LC Application.

Attic ventilators and turbines are permitted if original silver in color or painted to match the color of the roof (if roof mounted) or the color of the house siding or trim (if mounted on a gable end). Ventilators and turbines are to be mounted on the least visible side of the roof ridgeline so as to minimize their visibility and meet the following:

- No part of the ventilator protrudes more than 12 inches above the roof surface.
- Roof mounted and located on the least visible side of the roof and does not extend above the ridgeline.
- If it becomes necessary to block airflow through the ventilator, this should be done from the inside of the structure.
- All other installations require an application showing elevations of the ventilator installation.

**Awnings:** This change will require an AR/LC Application.

The AR/LC shall only approve an exterior retractable awning if the application demonstrates the awning shall be clearly compatible with the architectural design and qualities of the home, or is screened from the view of adjoining neighbors due to the proposed location of the installation, and meets the following criteria:

- Sun control devices are to be compatible with the architectural character of the house, in terms of style, color, and materials.
- Cloth and/or wood are preferred materials. Awnings must be approved and made of a straightforward design, without decorative embellishment such as fringes. Although solid colors are preferred, stripes may be approved if the color contrast is subtle and generally earth toned and are compatible with the color scheme of the house.
- Awnings are to be consistent with the visual scale of the houses to which they are attached. The location of any awning must not adversely affect sunlight or natural ventilation of adjacent properties.
- Awnings shall be retracted when not in use.
- Pipe frames for canvas awnings are to be painted white or a color compatible with the trim of the house. If awnings are removed, pipe frames must also be removed.

**Clothes Lines:** Clothes lines are prohibited.

**Common Area:** Alterations and Signs are prohibited in all Common Areas.

**Decks:** This change will require an AR/LC Application.

- a. **Location:** Decks, whether elevated or at ground level, will be located only to the rear of the main body of the house, with the exception of units whose rear yard fences extend beyond the width of the house, wherein such lower level decks can extend to within 3 feet of the fence line.
- b. **Scale and Style:** Decks are to be of a scale and style that are compatible with the home to which they are attached, adjacent homes, and the environmental surroundings. Neighborhood guidelines may, in some cases, place specific limits on the scale or style of decks, which will be approved, based on considerations of density, visibility, scale, and size of decks provided as standard builder features or options.
- c. **Materials and Color:** Materials: Pressure-treated wood, composite decking material (e.g.Trex) only. Non-pressure-treated wood is prohibited. Colors are to be consistent with the style of the houses to which they are attached.

**Deck Screening/Arbors:** This change will require an AR/LC Application.

- Arbors are permitted on decks and/or patios.
- Arbors can be placed on either side or at the rear (side parallel to the exterior wall) of the deck and/or patio. The maximum dimensions for arbors are 10 feet long and 6 feet high. Materials to be compatible in style and color with house or existing on-property structures.

**Doghouses/Dog Runs:** Doghouses and dog runs are prohibited.

**Driveways: This change will require an AR/LC Application.**

- Depending on soil conditions, 2 to 8 inches of crushed rock should be used as sub-grade material under the concrete slab. Concrete is the only permitted driveway surface.
- The color, texture, or design must stop at the public sidewalk if there is one crossing the driveway at its street end.
- To minimize cracking, control joints should be spaced at a maximum of 10 feet.
- Sealing of driveways is permitted providing that the surface is scrubbed/power washed and the sealant applied is clear coat. Colors are prohibited.
- Widening of an existing driveway is prohibited.

**Exterior House and Trim Colors:** This change will require an AR/LC Application only if new/different colors are requested. New color applications must include a color sample.

**Exterior Decorative Objects:** An AR/LC Application is not required, providing the below Guidelines are met.

The ARC will evaluate decorative objects based upon:

- Location:** A more narrow set of standards to objects located in front yards or positioned where they can be fully viewed from the street or sidewalk fronting the applicant's property than to those objects located in back yards, or within screened locations of lesser visibility and impact.
- Color:** Objects must not contain colors or color combinations considered excessively bright, garish, jarring, overly reflective, or luminescent. The color or colors of an object are to compliment the overall appearance of the home and not distract from it in a way or draw excessive attention to the object.
- Design:** Items are to be compatible in general style and in quality of materials and workmanship with the architectural characteristics of the applicant's home, adjoining homes, and the neighborhood setting.
- Holiday Decorations:** Can be installed 4 weeks prior to a holiday and must be removed within 2 weeks after the holiday.
- Intrusiveness:** Objects must not substantially intrude by sight, sound, or smell upon adjoining homes or the neighborhood setting.
- Materials:** Objects are to be made of suitable natural or man-made materials capable of withstanding outdoor weather conditions and must be capable of maintaining an attractive appearance. An object may be allowed to become mossy, rusty, or weathered only if it is appropriate to such an object and only if it presents an attractive appearance compatible with the home, adjoining homes, and the neighborhood setting.
- Relationship to the environment:** Objects shall not create an adverse impact on the natural environment by their installation or location. The AR/LC will consider such issues as an alteration in the rate or direction of water runoff, and/or the creation of attractions, which are hazardous to wildlife by their nature or location.
- Safety:** Objects shall not create a hazard to public safety.
- Size, Scale, and Number:** Objects are to be of an appropriate size and within an acceptable scale which is harmonious with the home and its location. Items must not be so numerous so as to present a cluttered or overwhelming appearance.
- Taste:** Objects are to avoid using words and designs that are, by their nature, inflammatory, offensive, or vulgar to the community.

The following objects do not require approval:

- Door knockers, peep holes, camera door bells, and kick plates.

**Exterior Lighting: This change will require an AR/LC Application.**

- Lighting should be directed away from neighboring properties and not shine into neighboring residences.
- Landscape lighting shall be white in color and the bulbs must be clear.
- Colored bulbs designed to repel insects may be installed only in lighting fixtures located at the rear of houses.
- Lighting which illuminates either common areas or private property other than on which it is installed, including reflected "backwash" behind houses, is prohibited.
- Temporary lighting for decoration, holiday, and festival use, does not require a formal application. Holiday lighting may be operative for a period not to exceed 6 weeks. After the period of use, all temporary lighting and decorations shall be removed.

**Fences: This change will require an AR/LC Application. (Bungalow owners are prohibited)**

- Wooden and chain link fences are prohibited.
- Only permanently installed PVC and aluminum fences will be permitted.
- Fences must be placed within the property lines and conform to City of North Myrtle Beach Rules and Regulations.
- Perimeter fences must be a minimum of 48” and a maximum of 54” in height. AR/LC applications for fencing require a certified survey and property lines are to be clearly identified with surveyor stakes/medallions prior to AR/LC approval and fence installation.
- The owner assumes full responsibility for lawn and landscape maintenance inside the fence section. Lawn/landscape maintenance within the fencing will no longer be provided by the HOA.
- Patio privacy fences are permitted but will not exceed 6 feet in height.
- All fencing/privacy screens are to be installed with posts set in concrete (and/or firmly affixed to the house or adjoining sturdy structure) so as to avoid any unsightly leaning/shifting or that may present a safety hazard.

**Firewood:** Firewood will be kept neatly stacked on the rear ground level of the homeowner’s property. Firewood is to be stacked in piles which do not exceed 6 feet in length and 4 feet in height for both aesthetic and safety considerations and may not be stacked against the vinyl fence or the servient units garage or dwelling wall. Other than a limited quantity of firewood intended for immediate use, firewood will not be stacked on patios or decks.

**Flags and Flag Poles:** An AR/LC Application is not required, providing the below Guidelines are met.

1 American flag and 1 decorative flag may be attached to the home.

- The flags must be displayed from a flag pole attached to the house.
- If the American flag is left out to fly in inclement weather it must be made of an all-weather material.
- If the American flag is left out at night it must be properly illuminated. This illumination must be directed away from neighboring properties and must not shine into neighboring residences.
- On holidays when it is common practice to display the American flag, small flags on a stick or similar decorations may be placed around the property. These flags or similar decorations must not be allowed to touch the ground when in place and they must be removed by the end of the holiday.
- Flagpole staffs, which do not exceed 6 feet in length and are to be attached at an incline to the wall or pillar of the home.
- Free standing flag poles are not allowed.

**Garages: This change will require an AR/LC Application.**

- Note: No alterations, additions, or improvements shall be made to any garage that would defeat the purpose for which it was intended.

**Garage Doors & Screens: This change will require an AR/LC Application.**

- a. Acceptable screens:
  - Screens that are removable.
  - Screens that run on tracks described as overhead screens.
  - Screens with a doorway access when closed are allowable.
  - Screens must be dark charcoal or white in color.

**Gardens (Vegetable):** An AR/LC application is not required, providing the below Guidelines are met.

- Located in the rear of the house and no closer than 5 feet from the side/rear property line.
- Its size does not exceed 1/4 of the available area.
- All gardens must remain in the back yard.
- It is not placed on a grade that will cause damage to property adjacent to, through the flow of water.

**Garden Architecture: This change will require an AR/LC Application.**

- Structures are to include: arbors, trellis, pergolas, and similar structures that are not installed on decking. Refer to Deck Screening/Arbors for additional guidance.
- Max height is not to exceed 8 feet.
- Gates may be replaced or installed without AR/LC approval if they do not differ in style, color, and neighborhood standards.
- All structures are to be set in/on concrete to prevent excessive leaning/shifting.

**Gazebos: This change will require an AR/LC Application.**

- Gazebos are to be open on all sides and no privacy screening of the structure will be permitted.
- Gazebos may not exceed 144 square feet in area. The floor may not exceed one foot above the ground or deck floor and the wall height may not exceed eight feet.
- If the gazebo is constructed as part of a deck, the construction and finish shall match the deck. The gazebo must be constructed out of acceptable, weathered materials.
- Gazebos are to be located to the rear of the dwelling.
- Gazebos are to be located at least 5 feet from adjacent property lines.
- Depending on the design, the gazebo must either be set in concrete or affixed to a concrete base.

**Generators: This change will require an AR/LC Application.**

- Small, gasoline-powered portable generators are allowed but (along with gas cans) must be stored indoors (i.e., garage, outdoor storage closet) when not in use.
- Large, permanent/fixed-base generators (e.g., Generac) are allowed under the following conditions:
  - Located in the backyard at least 2 feet off of the property line. If the generator is to be placed along the property line a survey will be required and property lines clearly identified with stakes/medallions by a certified surveyor.
  - Generator is to be adequately screened so as not to be visible from the street/thoroughfare/common areas and adjacent neighbors. Appropriate screening/enclosure methods include privacy fencing, shrubbery and planked walls which match the main house in style, size and color. If shrubbery is chosen it must be of sufficient size to provide immediate and complete screening.
  - The owner is responsible for obtaining all necessary permits (e.g., electrical, plumbing, tank burial) from the City of North Myrtle Beach. Please refer to the section “Propane Tanks” in this document for additional guidance.
  - Proof of City of North Myrtle Beach inspection/approval is to be submitted with the Compliance Form to Ponderosa
  - All necessary permits must be attached to the AR/LC Application prior to final approval.

**Grading and Drainage:** Drainage away from the foundation/concrete slab of the home is imperative. The contractor has designed the grading so water will be dispersed away from the foundation/concrete slab.

Major changes in grading (For example: berms, mounds, retaining walls, etc.) shall be submitted for review. In addition, it should be noted major changes to the topography of a lot could result in flooding into a neighbor’s yard, due to improper drainage. Neither the Board of Directors nor the AR/LC accepts any liability for any damage caused by any grading action, whether approved by the AR/LC or not.

It is imperative that the new drainage formed by excavation and grading be handled to direct water away from the house and existing structures and to prevent any erosion of the hillside or damage to neighboring property. Water cannot be directed to flow onto a neighboring property.

**Grills and Fire Pits: This change will not require an AR/LC Application.**

Permanent grills and fire pits are to be placed in the rear yard of the house and as far as practical from the adjacent property lines and in accordance with The City of North Myrtle Beach Fire Codes.

**Ground Covers:** This change does not require an AR/LC Application as the only approved ground cover is pine straw. Ground covers are to stay within the shrub bed or berm.

**Gutters and Downspouts:**

- Written AR/LC approval is not required for the installation of gutters and downspouts which are white in color or match the color of the house trim.
- Outflow may not be directed onto a neighboring property.

**Hot Tubs/Spas/Outdoor Showers: This change will require an AR/LC Application.**

- Exterior hot tubs, spas, and outdoor showers are to be located in the rear yard adjacent to the dwelling unit. Consideration will be given to and dependent upon the location.
- The exterior finish of these features must blend with the exterior finish of the home, deck, or patio to which it is attached or most closely related.
- Screening material which will screen the hot tubs, spas, and outdoor showers from neighbors view, will be required.
- Note: Drainage of the hot tub, spa, or outdoor shower must not flow into wetlands, ponds, or neighboring property.

**House Numbers: This change does not require an AR/LC Application.**

Four inch high black numbers only. The City of North Myrtle Beach Fire Department requires the house number be clearly visible.

**Inspections:** If a letter is received, please consult with the AR/LC Guidelines for a better understanding of why the letter was sent.

**Landscaping: This change requires an AR/LC Application.**

- a. **Lawn and Garden Implements:** must be stored in the garage or off-site when not in use. Garden hoses should be properly stored indoors or outdoors on suitable mounts or neatly coiled up in an inconspicuous area.
- b. **Plant bed landscape curbing:** Are to blend with the décor of the neighborhood. The owner is responsible for ensuring the installation does not cause drainage problems for adjacent properties. A minimum of 3 feet is required from the property line. The maximum height for the landscape curbing is 12 inches.
- c. **Modifications of Landscaping:** removal/replacement of existing shrubbery, trees and/or ground cover, including new installations, require an AR/LC Application. A drawing to scale identifying the placement of and specific plant species must accompany the application. Consult with AR/LC members or refer to the Barefoot Retreat website to obtain a list of suggested shrubs, trees and ground cover. The list is not all inclusive, but designed to assist homeowners in making choices that are suitable for growing conditions within the community, and to avoid plants that can be invasive.

**Mailbox and Mail Post: This change will require an AR/LC Application.**

Each owner is responsible for the maintenance and upkeep of their mailbox. This includes rust removal, repair of excessively leaning posts and peeling/fading paint.

All mailboxes require numbers as required by the US Postal Service.

The mailbox and post are to be painted-black and firmly fixed in place in a manner that avoids excessive leaning/shifting. Please consult our Managing Agent who can provide additional information on the approved model and vendor if replacing or adding a new mailbox.

Mailbox seasonal decorations/skins, hanging flowerpots, and small ornamental plants at the base of the mailbox do not require an AR/LC Application provided:

- They create no impediment to mailbox access or obscure the visibility of house numbers (e.g., overly large pots/plantings or climbing vines).
- Artificial plants/flowers of any kind are prohibited.
- The homeowner assumes complete responsibility for all care and maintenance.

**Maintenance of Property:** The appearance of each and every unit in Barefoot Retreat affects not only the overall look of the community but the individual property values within it. Property ownership in Barefoot Retreat includes the responsibility for continued maintenance of all structures and grounds, which are part of each homeowner's lot. This includes, but is not limited to, keeping buildings and structures in good condition and repair.

- a. All owners are responsible for inspecting their own property periodically to ensure there is no faded or peeling paint, rotting wood, loose mortar, or spalled masonry. Homes, fences, and driveways should be power washed as necessary (it is prudent to power wash as often as twice per year. If the driveway is severely marred, it could be subject to a violation letter).
- b. It is necessary that all wood surfaces such as door and window trim, bay windows, dormers, and garage doors be caulked, sanded, and painted periodically to keep them in good condition.
- c. All decks, fences, and other exterior structures such as children's recreation/play equipment are to be maintained as to appearance and working order. The homeowner must replace rotting or warped wood. It is strongly suggested all

wood (decks, fences, and other structures) be treated periodically with transparent wood preservative (further described in the section of this manual regarding decks and fences) to maintain and enhance their condition.

**Maintenance of Grounds:** The owner must keep grass free of pet excrements and other debris.

**Maintenance Summary:** It is impossible to list and describe each and every component of an owner's lot that is to be maintained and how it should be maintained.

- Suffice it to say all exterior finishes whether brick, metal, wood, or any other material, should be maintained in a state of good repair. A state of good repair consists of ensuring the unit and its entire component parts look as good as it did when it was new.
- Siding must be clean and free of significant warping or bubbling.
- Peeling paint and rotting wood evidenced by cracks and black mold or soft areas are to be sanded, caulked, and repainted.
- Owners must replace or, if possible, repair any rotted wood components. Windows, doors, garage doors, exterior roof, and gable trim all need to be caulked and repainted on an average every 2 years.
- Paint on doors and shutters fade with time and even if it is not peeling, these areas and others described above need to be repainted on average every 2 years.
- Mailboxes and post present a unique problem. Lawn care companies commonly use trimmers. These trimmers may do damage to the mailbox post. We recommend painting the bottom of the post twice a year, once in the mid spring and again in late fall. Mailbox posts are susceptible to being hit by cars backing out of the driveway or lawn tractors. If a tilt becomes noticeable, please shore it up as close as centered as possible.

**New Home Construction (Rebuild): This change will require an AR/LC Application.**

- Plans prepared and sealed by a SC licensed Architect and Landscape Architect.
- \$1,000.00 AR/LC Bond.
- The City of North Myrtle Beach permits. Builders are required to obtain all required building permits and paying the associated fees prior to beginning any construction activities.
- Construction plans to include all exterior elevations, colors, materials, heated and cooled square footage, roof material, grading and drainage, outdoor amenities, mailbox, garage and parking area, fence, walkways, accessory structure, landscape plantings, and lighting.
- Proof of City of North Myrtle Beach inspection/approval is to be submitted with the Compliance Form.

**Outdoor Fireplaces: This change will require an AR/LC Application.**

Fireplaces are to be placed in the rear yard of the house and as far as practical from the adjacent property lines and in accordance with The City of North Myrtle Beach Fire Codes.

**Outdoor Kitchens: This change will require an AR/LC Application.**

Outdoor Kitchens are to be placed in the rear yard of the house and as far as practical from the adjacent property lines and in accordance with The City of North Myrtle Beach Fire Codes.

**Patios: This change will require an AR/LC Application.**

- a. **Location:** Patios should generally be to the rear of the home unless the site plan, topography, and/or elevation would appear to favor a side or wrap-around placement as more useful and aesthetically suitable, and the house and landscaping is designed with potential in mind. Any slope of the walking surface of the patio must be downwards and away from the rear of the house;
- b. **Colors and Materials:** Visible portions of patios are to be constructed only of brick, slate, stone, concrete, or concrete interlocking pavers. Colors should coordinate with the existing materials and colors of the home. Where installation of a patio material dictates the use of joints or seams, the joint or seam must be entirely filled with sand, compacted stone dust, pea gravel, or mortar. Wooden borders or trim; as well as, seating, planters, plant hangers, or other similar fixed accessories may be added if their material and finish matches allowed for lower level deck construction. Decorative tiling or stone work over an existing patio requires an AR/LC Application.
- c. **Foundations:** If this material is proposed, it should be integrally colored and include some form of surface texture treatment to replicate stone, brick, or pavers. There are limits to the area of concrete than can be poured without including control joints to prevent cracking. Seek professional advice if uncertain about these limits based on the particular installation;

- d. **Drainage:** Any impact to existing drainage requirements, which might result from the construction of the patio must be considered, addressed in the application, and architecturally and environmentally sound mitigation proposed. At least 1 foot of pervious ground surface should remain between the sides and rear of the patio and any adjacent properties or common area. Construction of the patio must not adversely affect the existing drainage scheme for surrounding properties or common areas. All discharge must be addressed on the homeowner's property. No portion of existing drainage systems shall be removed nor their functioning impede. Any French drains or similar runoff management systems constructed may not intrude into common areas (For example: direct venting through piping extending beyond the owner's property line)

**Patio Enclosures/Screening: This will require an AR/LC Application and is to include all necessary building permits from the City of NMB.** Proof of City of North Myrtle Beach inspection/approval is to be submitted with the Compliance Form to Ponderosa.

**Privacy Screening (Patos and Decks): This change will require an AR/LC Application.**

- It shall originate from the house and may not extend into the side yard.
- The maximum height is 6 feet from either ground level or deck floor level if appropriate.
- It shall be no more than 30 linear feet and may not extend more than 20 feet across the back of the residence.
- All posts are to be set in concrete to avoid excessive leaning/shifting.

**Propane Tanks: This change will require an AR/LC Application.**

- All propane tanks must be buried and are to follow The City of North Myrtle Beach "buried tank requirements", which requires a city permit. A tank that is 125 gallons or less can be buried at the structure. A tank that is 126 gallons or larger must be 10 feet from the structure and 10 feet from the property line
- Securing all necessary permits required by the City of North Myrtle Beach are the responsibility of the applicant and are to be included in the AR/LC Application
- Proof of City of North Myrtle Beach inspection/approval is to be submitted with the Compliance Form.

**Recreational Equipment: These change will require an AR/LC Application. (Bungalows are prohibited)**

The following factors will govern approval of such equipment:

- a. **Location:** Generally, such equipment must be placed in rear yards. All elements of the equipment must be within the homeowner's lot boundaries. Equipment should not be placed within 10 feet of the nearest structure, fence, or wall and reasonably distanced from any public property such as greenways and streets. Equipment shall be maintained and positioned in accordance with manufacturer suggestions.
- b. **Scale and Design:** The equipment must be compatible with the lot size. The design and any individual screening are additional considerations in evaluating whether or not there will be an adverse visual impact. Natural colors are encouraged.
- c. **Height:** The equipment must not be readily visible from adjacent roadways and common elements.
- d. **Basketball Backboards:** Basketball goals are to be away from curb areas of the street and must be located on the owner's property in such a manner so as to not be placed on the common landscape and so the playing area is not in the street. Backboards may be attached to garages of single family homes. The backboards may be clear, white, or painted to match the trim color of the structure to which secured. No basketball hoop or backboard shall be erected next to the curb on any road right of way nor should any portable hoop be placed in the street.
- e. **Swing Sets:** Wood sets may be left natural, stained, painted white, or painted to match the exterior color of the house. The maximum height of a swing set structure is 15 feet.
- f. **Tree Houses:** Tree houses are prohibited.
- g. **Play Areas:** Play areas may include sandboxes around swing sets. Play areas must conform to the same side setbacks but may extend to no longer than 3 feet from the rear property line. The areas may be edged with timbers or other suitable edging material. To avoid the use of sandboxes by animals, the owner is encouraged to cover them when not in use.
- h. **Trampolines:** Trampolines are to be placed at least 3 feet from the property line. They must be kept rust-free with no torn canvas or missing springs.
- i. **Condition:** All equipment must be maintained as to appearance and working order.



**Retaining Walls: This change will require an AR/LC Application.**

Purpose: A pile of materials such as, dirt, soil, and/or sand will flatten and spread out over time due to a water assisted, gravitational process known as 'caving'. Retaining walls are used to prevent the losses associated with caving by containing this mass of material, thus preventing it from caving. Retaining walls may be used within the community to prevent erosion and loss of soil into the wet lands, retaining ponds, and from landscaping beds. The materials used in a retaining wall's construction must suffice in providing structural and aesthetic integrity. Those materials that might be used are concrete or stone block, free standing or cemented stone, timbers or railroad ties, wood plank and where a serious problem exists, reinforced concrete.

Design Considerations: The forces acting behind a retaining wall may cause a poorly built wall to lean, separate, bulge, or topple. These forces are due to the size of the soil caving wedge that the wall must resist. A caving wedge of soil or fill generally weighs 100 plus lbs. per cubic feet and combines its force with water pressure that can build up due to moisture that seeps in behind the wall. In order to counter-act these natural forces the following should be considered:

- At least 1/10 of the wall's overall height should be buried to prevent slippage along the wall's bottom surface.
- The wall should lean back toward the retained soil between one quarter to three quarters of an inch for each foot of its height. This allows the wall's weight to counter some of the natural forces distributed on its internal surface.
- Water build-up behind the wall will significantly increase the pressure against the wall. When the wall is built the soil/material directly behind it should be compacted to remove any air holes that could collect water. Also, the wall should be built on top of a 6 to 12 inch thick layer of level crushed stone. In addition, a drainage pipe or drain holes should be incorporated in the wall. A wall that does not have a reliable means for water captured behind it to escape is in danger.
- The ground surface behind the wall should slope toward the wall sufficiently to allow run off to flow over the wall and thus eliminate pooling behind it. Also, all run off water must be directed such that it does not flow on to a neighbor's property.
- A retaining wall that is directly visible to a neighbor must be approved by that neighbor.

**Acceptance Process and Requirements:**

- A retaining wall that fronts 'The Wet Lands' must go through 3 levels of acceptance: The Army Corp of Engineers, The City of North Myrtle Beach permit process, and the AR/LC. When 'The Wet Lands' are involved, The City of North Myrtle Beach requires that The Army Corp of Engineers be notified and requested to come out and flag 'The Wet Lands' boundary. The Army Corp of Engineers contact number is 843-365-4239. Written proof from The Army Corp of Engineers and The City of North Myrtle Beach permit will be required with the application.
- A retaining wall that does not front the 'The Wet Lands' must go through 2 levels of acceptance: The City of North Myrtle Beach permit process and the AR/LC. The City of North Myrtle Beach permit will be required with the application. The City of North Myrtle Beach permit application form must be submitted for all construction higher than the curbscapes or similar low level boundary techniques used around planting beds. Even though a permit application is filed, the city may determine a permit is not required for work to proceed; however, if the retaining wall is 30 inches or higher above ground level the permit request must be accompanied by detail engineering drawings signed and sealed by a professional engineer.
- The application must be accompanied with written proof, if applicable, the requirements of (a) and (b) above have been complied with and that the design considerations discussed above have been considered and properly administered in the retaining wall's design.

**Roof Replacement: This change will require an AR/LC Application.**

All replacement roofing materials are to be consistent in design and color with the existing roofing materials (e.g., metal roofing and architectural shingles).

**Roof Vents:** This change will require an AR/LC Application.

**Satellite Dishes: This change will need an AR/LC Application.**

- Satellite dishes and mounting equipment no longer in service must be removed.

**Requirements for AR/LC Application are to include:**

- The dish should be located in areas of the lot where it is compatible with the natural setting of the home and the neighborhood.
- Every effort must be made to minimize the visibility from the street/public way and neighboring views.

**Security:** The use of security bars or grates on windows and doors is prohibited. Owners concerned about the security of their homes are advised to consider alternatives, including alarms and sophisticated lock systems. Security camera installation should be mindful of SC Law Section 16-17-470.

**Siding (Re-siding and Restyling Structures): This change will require an AR/LC Application.**

**Signs: This change does not require an AR/LC Application, providing the below are adhered to:**

- Real Estate signs advertising sale, rental, or lease of the premise on which the sign is located and must be removed within 48 hours immediately after sale, rental, or lease.
- Only 1 approved residential “For Sale” or “Rent” sign will be allowed. The sign must be displayed in the center of the lot and 5 feet back from the curb or edge of the sidewalk.
- This sign is available through Sign Studio & Graphics located in Garden City, SC or a vendor of choice.

The sign specifications are as follows:

- 20 inch x 20 inch X 1 inch Sandblasted/Routed Sign Face.
- Green Background.
- Tan Border and “Barefoot Resort”.
- White “For Sale” and Phone Number.
- Gold & Silver Logo.
- Sign Mounted on a 4 foot Tan Treated Post.
- A 4 inch x 4 inch placard with the Real Estate Company Name will be permitted attached to the post, providing it is tan in color to match the post with company name printed in white.
- Signs may only be placed in the yard of available properties.
- House Sold signs are prohibited.
- 1 temporary political sign advertising candidates or issues. The sign may be erected 45 days before the election, run off, primary or referendum, and must be removed within 2 days of the election, run off, primary or referendum.
- Yard and garage sale signs must be removed within 1 day of the event.
- Community Watch signs or 1 small “house is alarmed” sign.
- Sign lighting is prohibited.
- All other signs require approval.
- A sub Association has the right to disallow “For Sale” signs within the community.
- No signs will be prohibited in the common areas.



**Skylights/Solar Tubes: This change will require an AR/LC Application.**

**Solar Collectors/Panels: This change will require an AR/LC Application.**

**Storm/Screen Doors: This change will require an AR/LC Application.**

- Full-view, store-in-door, security, and thermal pane doors are acceptable.
- Colors are to match existing color schemes or meet exterior color selection guidelines.

**Storm Shutters: This change will require an AR/LC Application.**

Storm shutters can be placed upon windows in the event a storm is forecasted to impact the North Myrtle Beach area. Shutters are to be removed within 10 days of the storm passing and/or the lifting of an evacuation order (if in fact issued). An owner may apply to the AR/LC for an extension. The AR/LC reserves the right to extend the 10 day limit on a case by case basis. A complete application is required for permanent shutters. The AR/LC reserves the right to review and consider each application on a case by case basis.

**Swimming Pools: This change will require an AR/LC Application.**

- Note: Above ground pools are prohibited.
- AR/LC will conduct an on-site visit with the homeowner and pool contractor prior to application approval to review sight lines, pool and pool mechanical equipment placement, fencing, potential effects on the irrigation system and any other items identified in the application. The purpose of this visit is to ensure avoidance or mitigation of any potential adverse visual or auditory impact on adjacent neighbors. The AR/LC retains complete authority on the approval or denial of the application.
- Securing all necessary permits required by the City of North Myrtle Beach are the responsibility of the applicant and are to be included in the AR/LC Application.
- Proof of City of North Myrtle Beach inspection/approval is to be submitted with the Compliance Form.
- Fencing is required per AR/LC Guidelines as stated under “Fencing” Section above and is to be in compliance with City of North Myrtle Beach Ordinances.
- Pool mechanicals are to be placed in the rear yard only and screened properly.

**Trash Containers Shielding: This change will require an AR/LC Application.**

Trash containers located outside residences must be kept in the rear or side yard out of sight from the street. Trash containers must be screened. Appropriate screening/enclosure methods include privacy fencing (posts set in concrete to prevent leaning/shifting), shrubbery and planked walls which match the main house in style, size and color. If shrubbery is chosen it must be of sufficient size to provide immediate and complete screening.

Trash containers can be placed curbside no earlier than sunset the day before regularly scheduled pickup. Trash containers are to be removed from curbside and out of view by the end of the day that the garbage is picked up. Although permitted, owners are encouraged not to put out their trash and recycle containers the night before collection.

**Vehicles: Commercial/Recreational/Boats/Trailers/Campers/Mobile Homes/Inoperable/Motorcycles:**

- Inoperable vehicles may only be parked inside a garage. An inoperable vehicle is defined as any vehicle unable to be driven legally on a public roadway. Bungalow owners are prohibited.
- If a truck has the option of a mounted camper, the camper must be stored in the garage when not in use.
- Any vehicle, such as a camper, motor home, or RV, which is used for vacation purposes, may not be in the neighborhood for more than 2 nights in a row. This allows sufficient time for packing, unpacking, and/or cleaning of said vehicle. The owner is required to get a temporary parking pass from Ponderosa Management, LLC.
- For Sale signs are prohibited on any vehicle parked in the driveway or on the streets.
- No automobile, motorcycle, or other similar vehicles shall be repaired or placed on blocks or stands, except in an enclosed garage. Bungalow owners are prohibited.
- Trailer, boat, ATV, golf cart, motorcycle, Jet Ski, or any other recreational vehicle are prohibited unless garage kept. Bungalow owners are required to keep their recreational vehicles in the driveway.
- Commercial vehicles are prohibited unless garage kept. Bungalow owners are prohibited.
- Street parking is prohibited in the Townhome and Bungalow section. Street parking is strongly discouraged in the single family homes.
- Overflow parking is located in the parking lot near the Marina Bar and Grill.

**Walkways: Requires an AR/LC Application and must include:**

- Plot map with location
- Materials and color to be consistent with color and style of house

**Wells:** Underground wells are prohibited.

**Wetlands and Buffers:** Buffers and wetlands are not to be encroached upon in any way.

**Wind Turbines:** Any and all types of wind turbines are prohibited.

**Windows/Doors/Shutters: This change will require an AR/LC Application.**

**Wires and Cables:** All shall be hidden, buried, or secured flush with the side of each house and painted the same color as the background, so as to minimize their visibility.