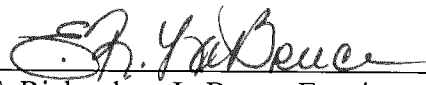


STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) AFFIDAVIT TO RECORD

I, E. Richardson LaBruce, Esquire do hereby state that:

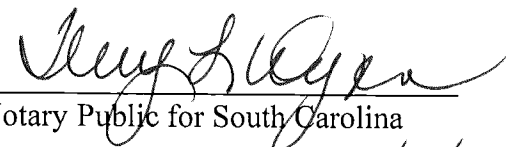
1. I serve as general counsel for Westbury Park Residential Association, Inc.
2. This Affidavit is made to record the attached Design Guidelines & Appearance and Maintenance Standards for Westbury Park Residential Association, Inc. in order to meet the requirements of South Carolina Code §27-30-110, et seq. known as The South Carolina Homeowners Association Act which amended Title 27 of the 1976 Code of Laws of South Carolina.

FURTHER AFFIANT SAYETH NOT.



E. Richardson LaBruce, Esquire

SWORN to before me this
11 day of December 2023.



Notary Public for South Carolina

My Commission Expires: 3/11/32

Updated November 1, 2023



Architectural Review Committee

Design Guidelines

&

Appearance and Maintenance

Standards

Updated November 1, 2023

Preface

The Westbury Park community was developed circa 1997, with the first home sold in December, 1998. By the end of 2006, a vast majority of the community's 350 new homes - including 271 single family homes (77%) and 79 townhomes (23%) - had been sold to their first owners. In addition, the numerous amenity spaces of Westbury Park were substantially complete as part of the plan for a vibrant community in which to live and enjoy the beautiful outdoor spaces.

Westbury Park is located along the US-278 corridor section of Bluffton, SC, with Beaufort County as its municipal authority. Bluffton is located in the picturesque Low Country region of South Carolina. Majestic live oaks, Palmetto trees, numerous rivers, marshes, and beaches all lend to a relaxed, uniquely southern, lifestyle. Historic Bluffton has its own vernacular style that speaks to an eclectic, casual and even funky way of life. Regionally, Bluffton is situated between Savannah to the south and Beaufort and Charleston to the north. Between the three, there is a rich and established, but varied, architectural and urban precedence. Each evolved out of its own unique history, region and population, but all are undeniably of the Low Country.

Westbury Park draws from the parks and squares of Savannah, as well as the row homes of historic Charleston, with a new urbanism mindset toward community. Hints of Beaufort and Bluffton are evident in the homes and environment but set in a more formal plan like Charleston or Savannah. Westbury Park is composed as a lush friendly environment that draws heavily from nearby historical roots, but still meets the needs of modern life. The two main parks provide ideal focal points for all types of outdoor activities and informal neighborly interactions. Walking is encouraged along shady tree-lined sidewalks.

The success of Westbury Park is evidenced by the people who call it home. There is a true slice of American life with residents ranging from single people and couples, to families with children of all ages. The diversity of the residents shows how universally attractive Westbury Park is, and it reminds us how important it is that we maintain the vision.

Updated November 1, 2023

Index:

<i>I. Why Have Design Guidelines?</i>	1
a. Reconstruction Following A Casualty.....	2
b. Construction of Enhancements.....	2
c. Routine Inspections.....	3
d. Enforcement.....	4
<i>II. Application Process</i>	5
a. An application is required in the following situations:.....	5
b. Applications for the following will not be considered:	6
c. Required Application Documents & Submittals	6
d. The Review and Decision Process	6
e. Appeals	7
f. Project Implementation – Guidelines for Work, Deposits & Inspections:	7
<i>III. Guidelines for Construction Work</i>	8
<i>IV. Design Guidelines</i>	9
a. Setback Requirements.....	9
b. Garages	9
c. Driveways:	9
d. Screened Porches, Enclosures, Atriums or Sheds:	10
e. Exterior Lighting.....	10
f. Propane or Other Fuel Storage Tanks.....	10
g. Antenna/Satellite Dish	10
h. Wells	10
i. Fences or Structured Walls.....	10
j. House numbers	11
k. Landscape Accessory Structures or Ornaments	12
l. Solar Panels.....	12
m. Roof Shingles.....	12
<i>V. Approved Architectural Finishes</i>	13
a. Siding.....	13
b. Outside Vertical Corner Posts.....	13

Updated November 1, 2023

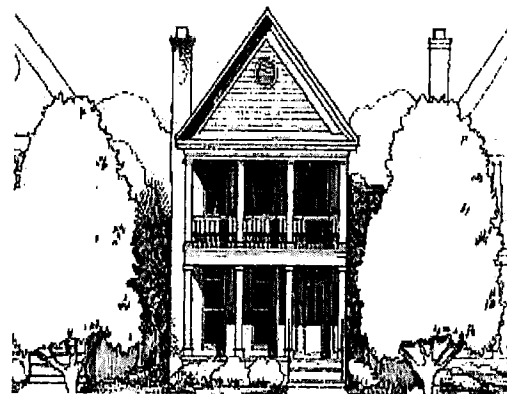
c.	Railings, Columns, Soffits, Fascia and Drip Edges.....	13
d.	Porch Floors & Porch Steps.....	13
e.	Window Trim.....	13
f.	Vents (Gable and Utility).....	13
g.	Windows.....	13
h.	Shutters	14
i.	Front Doors and Surrounds	14
VI.	<i>Approved Colors</i>	15
a.	Shutters:	15
b.	Doors:	15
c.	Porch Decks:.....	15
d.	Porch Ceilings:.....	16
e.	Porch Railings, Porch Stair Risers, Baluster & Newel Porch Posts, Columns:	16
VII.	<i>Appearance and Maintenance Standards</i>	17
a.	Structures	17
b.	Landscape	18
c.	Window Coverings	19
d.	Signs.....	19
e.	Decorations	19
f.	Mailboxes	19
h.	Other.....	20

Updated November 1, 2023

I. Why Have Design Guidelines?

Westbury Park was developed from a professionally created master plan which included a limited, but interesting variety of homes in the historic Charleston style, often referred to as Neoclassical. The carefully coordinated architectural image of this community included a limited and clearly defined set of approved standard architectural finishes and construction details for every home. Different or newer interpretations of the original concepts, finishes, construction details or design elements of these homes are not appropriate as part of any renovation or replacement, as doing so would adversely impact the existing well-balanced and cohesive integrity of the community.

Neoclassical Style Examples



The community has a well-designed, classic, and generally naturally occurring Low Country landscape aesthetic which is the result of careful preservation mixed with well thought out enhancements, including eight lakes. The mature elements of the landscape provide the feeling of a well-established and very much cared-for community.

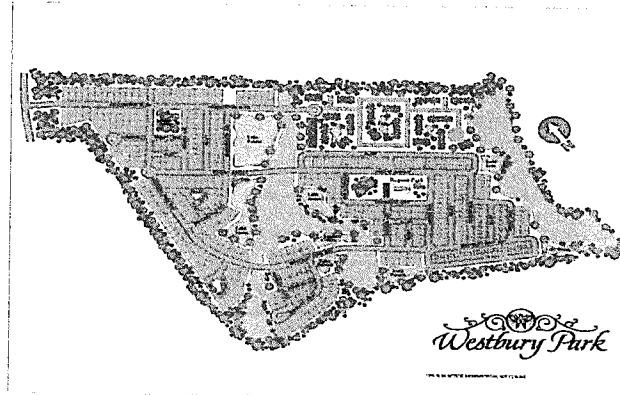
The *Design Guidelines* will be used by the Architectural Review Committee (ARC) of Westbury Park to review applications, property upgrades, enhancements, repairs and rebuilds. These *Design Guidelines* and the application process, described further in this document, recognize and anticipate that there will be requests from homeowners for review, consideration and approval for a variety of potential enhancements to their existing homes in the coming years. While it is important to note that ‘one size does not fit all’; the underlying factor that requires a community like Westbury Park to have *Design Guidelines* as well as *Appearance and Maintenance Standards* is to ensure that we protect and preserve the property values within the community. The aesthetic that each homeowner ‘bought into’ must be maintained as the important part of the investment value of each property.

A catastrophic event that destroys a home(s) must also be considered. In addition to requirements included in the Governing Documents which govern that homeowners maintain insurance coverage for their property, these *Design Guidelines* provide specific requirements for any reconstruction work.

With wide streets, multiple open parcels of land and the eight lakes scattered throughout the community, the primary need is to strictly enforce and protect the aesthetics of all visible

Updated November 1, 2023

elevations of the homes and their landscaping, including specifically those elements which are visible from the street, sidewalk and/or lakes. **In no instance will any modification to any building façade or landscape be allowed without the approval of the Westbury Park Architectural Review Committee.**



a. Reconstruction Following A Casualty

In the instance of a casualty involving the partial or complete destruction of an existing residential structure (e.g. home, garage), the exact model, finishes and all details of the original model or structure that existed, must be replicated. Any changes to the original design elements and construction details will not be allowed. Requests for consideration of exceptions must follow the process detailed further in this document.

b. Construction of Enhancements

Construction of new structures and/or major landscaping modifications are reviewed and evaluated by the ARC for appropriateness **prior** to any work being commenced by the homeowner or their contractor. These types of projects include both construction of any type of structures (i.e. garage, carport, sunroom, decks attached to an existing structure, sheds, gazebos, pavilions, staircases including rebuilds, etc.), as well as major landscaping projects visible from the street, sidewalk, or lake. In addition, ARC approval is required for tree removal, and in some cases, a permit from Beaufort County is also required.

Any project work that require permits issued by Beaufort County *are the sole responsibility of the owner* to obtain and a copy of the permit must be submitted as part of the ARC Application process (See Section II. Application Process). Additionally, copies of the approval via a final inspection and/or the Certificate of Occupancy issued by the County must be provided as well.

For the DIY-ers (“Do It Yourself-ers”), be aware that the ARC will require a timeframe for commencement-to-completion which may not be sufficient for an owner to self-perform, especially for more complex projects. The need for limiting any construction timeframe is to avoid having extended periods of “under construction disruption” for the community at large.

Updated November 1, 2023

c. Routine Inspections

Routine inspections are periodically completed for all properties in Westbury Park and any deviations to the *Appearance and Maintenance Standards* will be noted. A notice of violation will be sent to the homeowner.

Violation notices include:

- The specific item(s) requiring corrective action
- Potential fees if the violation is not resolved to the satisfaction of the property manager of Westbury Park
- A stipulated time frame for completion

Fines for most* violations of Westbury Park Covenants, *Design Guidelines*, and/or *Appearance and Maintenance Standard or the Association's rules and policies*, unless specifically noted otherwise, are as follows:

- 1st Notice: Warning*
- 2nd Notice: \$50
- 3rd Notice: \$250
- 4th Notice: \$500
- 5th Notice: \$1000 and possible legal actions

****Some violations will result in an automatic and immediate monetary fine including, but not limited to, violations where a remedy is not reasonably feasible. Note: some of these fines may be waived if an ARC Application is provided no more than seven (7) days after notification and the application is determined to be "approvable" by the committee. Immediate fines in the amounts listed will be imposed for the following:***

- Any work that requires ARC approval prior to any work commencing (roof replacements are included) without filing and receiving approval via an ARC Application: **\$500** (emergency repairs may be considered for exception)
- Tree removal without filing an ARC application and receiving approval: **\$300 + cost to replace** (emergency removal due to structure damage may be considered for exception)
- Adding or removing anything from a common (community owned) area (e.g. verges parks, etc.): **\$300 + cost to repair or restore affected area(s)**. *Possible exception for consideration: if an owner wants to add/replace sod on their private property and wants to include the adjacent verge area(s) to their property and no damage is done to the common area irrigations systems and equipment.*

The following are prohibited:

- Landscape debris dumping in community common area.
- Dumping of Christmas trees in the lagoons or any community common area.
- Landscape modifications to any community common area, including ***(unless approved via use of the application process)*** the landscaped verge area between the roadway and sideways adjacent to an owner's property (see section above).
- Delivery or placement of a **mobile storage unit** (aka a POD) anywhere on an owner's property or on the community's property (including on a roadway, sidewalk, etc.), is strictly prohibited without approval granted via an ARC application which will require the maximum allowed duration of no longer than seven (7) days. Note: exceptions to the

Updated November 1, 2023

stated duration *may* be considered and are based on an appropriate reason with an equally reasonable alternative timeframe; all exceptions granted will be within the sole discretion of the ARC.

Violators of the above noted prohibited acts will be assessed a fine of \$300, in addition to, when appropriate and applicable, all costs associated with coordination of removal of the mobile storage unit, as well as be subject to other costs of restitution including administrative coordination of such work.

d. Enforcement

Per Article 5.7 of the Covenants, failure to comply with the *Design Guidelines*, the *Appearance and Maintenance Standards* or the documented approval process, the homeowner shall at their own cost and expense, remove any non-conforming structure or improvement and restore the property to substantially the same condition as existed prior to the non-conforming work or to a condition that has been approved by the ARC via the ARC Application process.

If the homeowner fails to remove and restore as required, the Board or their designees may perform the necessary work and the homeowner will be required to reimburse all costs. There is also the possibility of additional fines for violating the Governing Documents which govern the community in such matters.

IMPORTANT CLARIFICATION:

There are no such concepts nor conditions whereby certain non-compliant conditions based on these guidelines may be rationalized, argued nor claimed as having been “grandfathered” by any prior entity **except as follows**, in accordance with Section 4.3 of the Declaration of Covenants, Conditions & Restrictions:

A currently non-compliant modification or condition does not need to be removed or modified if the owner can provide documentation of it *previously being approved in writing by the ARC and it complied with the legacy version of the ARC Design Guidelines in force at that time.*

Otherwise, owners with any currently existing non-compliant element(s) – including those that were put in place by a previous owner of the property and/or prior to the formation of the ARC - have the responsibility to correct non-compliant issues on their property as soon as they ascertain this condition for themselves or are duly notified by the ARC of the existence of said non-compliant condition(s).

It is the policy of the ARC to allow some discretion with regard to the deadline established for bringing a property into compliance, including consideration with regard to the monetary cost or complexity related to achieving compliance. However, under no circumstances will a non-compliant element be considered to be allowed to remain in any form of perpetuity.

Additionally, if a detail or specification is not provided nor spoken to in this document, it does not imply that it is “allowed” or that it will be approved. *When in doubt – ALWAYS submit an ARC Application prior to making any improvements.*

Updated November 1, 2023

II. Application Process

The application can be found at www.westburyparksc.com/design-guidelines and is mailed or emailed directly to the property management company. It is then sent to the ARC for review.

Note: There may be additional fees for applications that require the ARC to engage the services of a professional or licensed provider to review and provide guidance (i.e. architect, engineer, etc.) and those generally include most projects that also require a building permit from Beaufort County. One notable exception of projects which ***do require a County building permit, but which are not subject to additional fees by the ARC include any routine roof replacement projects.***

Note: project work that require permits issued by Beaufort County *are the sole responsibility of the owner* to obtain and a copy of the permit must be submitted as part of the ARC Application process. Additionally, copies of the County Inspector's approval via a final inspection and/or the Certificate of Occupancy issued by the County must be provided via the ARC Application process as well.

Owners who are delinquent with any assessment or other charges owed to the Association must bring their account current prior to submitting any application for review by the ARC.

An ARC Application is required in the following situations:

- Replacing any existing element of the home, including but not limited to: siding, roofs, windows, doors, railing, stairs, driveway, etc. Even minor repairs or replacement of any element must be approved in order for any potential non-compliant conditions to be corrected at that time.
- Installation, *replacement* or *repair* of any fence, enclosure, or structured wall
- Construction of any structure (i.e. Carolina room, deck, stairs to a 2nd story space, patio, garage, shed, gazebo, pavilion, carport, etc.)
- Exterior color changes or repainting of exterior elements (i.e. doors, porches, shutters, siding, etc.). Repainting requires confirmation by the ARC that the color remains and/or continues to conform with the approved set of colors.
- Exterior building material changes
- Playground equipment
- Landscaping structures or structural materials including pavers, edging materials, stepping stones, walls, arbors, trellises, statues, statuary, etc.
- Landscaping changes that **remove or modify** existing areas of grass or planted beds, shrubs or other plants, and any/all tree removal. Note: this includes any front or side yard landscape projects that an owner seeks to include a coordinated change for or involves the community common area (landscaped area between roads and sidewalks).
- Any projects that involve any modification to any aspect of the common area verges including planting, installation of paver transitions, etc.

Updated November 1, 2023

b. Applications for the following will not be considered:

- Satellite dish or receiver or solar panels which are visible from the front of the house or any area of the property visible from a community roadway (exception is an alleyway) or common area (e.g. park, open space, etc.)
- Digging or installation of any type of well
- Changes to mailbox location, design, or color
- Swimming pools
- Any project which will infringe on required minimum setback from adjacent properties

c. Required Application Documents & Submittals

In addition to completing the appropriate application as noted above, the homeowner may also be required to provide the following as appropriate:

1. Site Plan – may be GIS or architectural site plan with proposed location of project area, including legal description, lot number, street address of property.
2. Plan View – to scale including dimensions of all critical aspects of project area.
3. Elevation Plan – may be a photograph or architectural drawing of the project.
4. Construction Material, Color and Finish Specification Package – including samples of all materials which will be visible when construction is complete.
5. Name and all contact information for contractors who will perform work on the project
6. Additional documentation, as required, to ensure a complete understanding of the project and the final aesthetic impact to the property.
7. Project schedule (commencement and completion dates) not to exceed two (2) years (per Bylaws). Exceptions may be considered on a case-by-case basis.

d. The Review and Decision Process

Per Article 4.3 of the Covenants, homeowners acknowledge that determinations are purely subjective and opinions may vary as to the desirability and/or attractiveness of improvements. The ARC will meet regularly to review applications. Homeowners maybe be asked to submit additional information or make changes to their applications. While any such changes may not require a reapplication, the standard approval process will ‘reset’ to allow a maximum of up to 20 days for review and notification. The ARC will issue a written decision within 30 days of receiving the application. If the applicant does not receive a written decision within the allowed timeframe, the homeowner may give the ARC a written reminder to respond within ten (10) days. If the ARC fails to respond in writing within ten (10) days of receipt of such notice, approval shall be deemed granted. However, no approval will be granted if inconsistent with the *Design Guidelines*.

Once an application is approved, the homeowner will receive a written letter of approval (with or without noted conditions or stipulations) from the Property Management Company. If a Beaufort County Building or other permit is required, the owner must obtain that and provide a copy of it to the Property Management Company. Both the approval letter and County permit must be posted so as to be visible from the front of the house. Work cannot commence until said written approval by the ARC and the County permit are posted. Upon project completion, a copy of the County Inspector’s final inspection report and/or Certificate of Occupancy must be provided to the Property Management Company. At this time, all approval letters and permits may be removed by the homeowner.

Updated November 1, 2023

e. Appeals

Homeowners may be granted an opportunity to appeal to the Board of Directors if an application is denied by the ARC, as long as an appeal is requested in writing within 30 days of the application's denial. The Board requires that the following be provided by the homeowner at least 10 days prior to the appeal hearing date which the Board will establish based upon a reasonably and mutually acceptable date & time:

1. Copy of original application and all supporting documents including the denial notice
2. Written explanation from homeowner listing the reasons for the appeal

Note: Per the *Declaration of Covenants, Conditions & Restrictions For Westbury Park Residential Properties*, “*the Design Guidelines shall not guarantee approval of an application. Any such Design Guidelines may contain general provisions applicable to all of the Properties, as well as specific provisions which may vary from one portion of the Properties to another depending upon the location, type of construction or use, and the unique characteristics of the property.*” Reasons for **denial of an appeal** carry the same criteria and caveats as noted above.

f. Project Implementation – Guidelines for Work, Deposits & Inspections:

Following notification that the application has been approved by the ARC, and any required permits issued by the County have been applied for, received and provided to the Property Management Company, the homeowner must post the approval and permit and may commence implementation of the project work.

Refer to the *Guidelines for Work* section below for more details. The property manager may conduct inspections during the implementation of project work to confirm general compliance with *Guidelines for Work* and adherence to the project design. Fines for failure to adhere to any stated requirements will be assessed to the homeowner. Homeowners are solely responsible for providing their contractors with a copy of the *Guidelines for Work* and it is recommended that a copy of these guidelines be attached to the contract entered into between the homeowner and the contractor.

Updated November 1, 2023

III. Guidelines for Construction Work

- Any construction by a vendor which occurs outside, either in part (e.g. sawing, cutting, excavating, etc.) or in whole, may only occur during the hours of 8AM-7PM, Monday through Saturday. Construction workers and their vehicles should not arrive more than 15 minutes prior to the start of work, or remain 15 minutes past when work is required to cease. This does not pertain to homeowners or residents doing work themselves.
- Contractors must be granted access to Westbury Park by the owner and coordinated with the property management company.
- Inappropriate language, volume of voices, music, etc. must be controlled to avoid impact to neighbors.
- Refer to Beaufort County and South Carolina rules about erosion control (i.e. silt fencing to protect lakes, streets, and/or sidewalks). All work must be in compliance with current laws.
- Dumpsters will only be allowed in certain instances, and generally must be placed in the homeowners' driveway, not block any sidewalk, and may only be on-site for a limited period of time. All information related to a dumpster (placement and timing) is required to be listed on the application for approval.
- Portable toilets are not allowed.
- Delivery and staging of construction materials must be orchestrated to avoid having materials staged in any landscaped or visible area of the home, and will generally be limited to the driveway or back yard areas of a home.
- Display of building permits is necessary as required by Beaufort County and ARC.
- Equipment or vehicles related to construction activity are allowed to utilize street-side parking during hours of construction, but equipment is not allowed to be parked on any street overnight unless an exception is granted.
- Vehicles, equipment, and materials may not block sidewalks, streets, or other driveways, without written permission from ARC Committee.
- Water for use by the construction work must be provided from the homeowners' utility, not the community's common infrastructure.
- Signs are not permitted at any time (exception: posting of building permits).
- No construction burning or construction trash burying is allowed at any time; no exceptions. All trash must be cleaned up and removed daily.

Updated November 1, 2023

IV. Design Guidelines

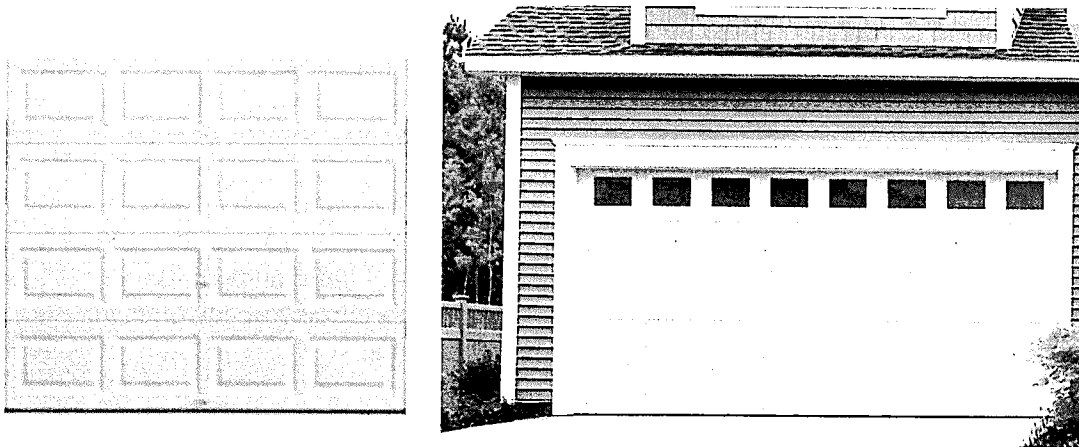
a. Setback Requirements

Setback is defined as the minimum distance from a property line that any enclosed structure may be placed, measured to the first vertical wall or structural element. Compliance with setback requirements will be determined by measurement of the distance from the property lines to the closest portion of the proposed construction element. Setback variances will be considered by the ARC on a case-by-case basis.

b. Garages

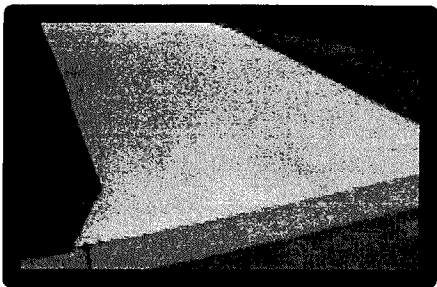
Garages may only be constructed or positioned in line with existing driveway paths on a homeowner's property. These structures must be identical to the home in terms of architectural style, color, and all materials. Detached garages may be connected to a home via a covered, or fully enclosed passageway, and the architectural elements of the passageway must be identical to and in keeping style-wise with both the home and the garage to which it relates. In no instance will a garage or other structure be permitted which exceeds the height of the exterior roof line of, or is wider or larger than, the home to which it relates. Only standard one or two car garage styles, or a standard one car with an attached carport will be considered for approval. All trim and garage doors must be white, and garage doors must classic panel style (with or without clerestory panels along the upper edge). No decorative hardware allowed on doors without ARC approval.

All replacement garage doors and hardware must be approved using the ARC Application process.



c. Driveways:

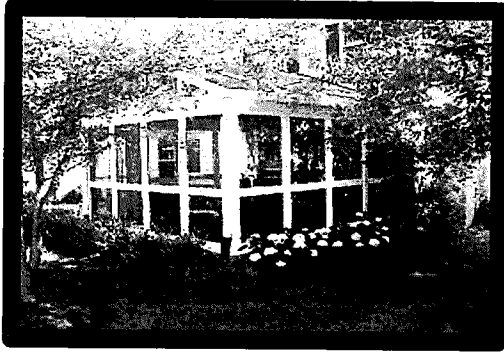
Driveways must be constructed of light-colored concrete, with either grass insets & borders and small/crushed stone material in a natural or light gray color. Non-grass insets/borders, when used, must have a rigid edging material to separate it from surrounding grass or otherwise landscaped areas of the property. Asphalt paved driveways are not allowed. *Any changes to the driveway finishes including the center strip must be approved by the ARC.*



Updated November 1, 2023

d. Screened Porches, Enclosures, Atriums or Sheds:

Any screened enclosure or 'Carolina Room' will only be considered for the rear or non-visible elevation or side of a home or garage. These structures must be identical to the home in terms of architectural style, color, and all materials. Screening of existing porches must be approved by the ARC. Sheds are not allowed in any visible area of the property and may only be placed



behind a privacy fence, and only after an ARC Application has been submitted and approval. Construction of an extension of a garage will be allowed provided all required setbacks are maintained, and exterior finishes and all architectural details match the home and garage. Shed or extensions over a specified square footage required additional approval by the County.

e. Exterior Lighting

Any exterior or security lighting must be installed so that neighboring properties and street traffic are unaffected by any potential glare and the direct source of light must not be visible beyond the home site property. All proposed fixture or equipment designs and locations for installation must be appropriate to the style and proportion for the home or structure for which it is proposed. *Colored lights or light bulbs are not allowed to be installed in any light fixture on the property. For clarification: The requirement that prohibits colored lights does not apply to small, decorative, temporary lighting on railings, plants, etc. during holidays.*

f. Propane or Other Fuel Storage Tanks

Propane or other fuel tanks (only those permitted by law) must be buried and located in a non-visible area of the property. All installations must comply with the current NFPA requirements as determined by the appropriate governing official (e.g. State Fire Marshal, Beaufort County, etc.).

g. Antenna/Satellite Dish

No antenna or satellite dish (or similar receiver or transmitter) shall be allowed on the front roof of any home or structure. Satellite dishes should be one meter in diameter or less and can be submitted for review and considered for approval.

h. Wells

No private wells of any type are allowed to be installed or maintained on a home property, regardless of the purpose or consumable nature of the water.

i. Fences or Structured Walls

All proposed fence or structured wall installations must be submitted for review and approval by the ARC. All visible fencing must be white, and cannot exceed 3'0" above grade (in front) or 6'0" above grade for non-visible areas of the property. In the rear of the home, black aluminum fences of the same height restrictions may be considered for approval. NO lattice will be permitted to make fences higher than 3' (in front) or 6' in back.

Updated November 1, 2023

Only picket or picket style fencing (not privacy fencing) is allowed for front yard or visible areas of a property. However, no fences of any kind are allowed for the front yard areas of a townhome. Additionally, NO stockade type or chain link fences are permitted. Vinyl is suggested, but wood is permitted as long as it is painted white.

Per Beaufort County Article 5.4.30, fences are permitted on the property line between two or more parcels of land held in private ownership.* An application for a fence must include a site plan that clearly delineates the locations of the proposed installation, and a field site visit by the ARC will be required as part of the review and consideration process. Wherever a fence or wall is installed, if one side of the fence or wall appears more “finished” than the other (e.g., one side has visible support framing and the other does not), then the more “finished” side of the fence shall face the perimeter of the lot rather than the interior of the lot.

*For more information regarding Beaufort County’s fence regulations, see page 5-77 of the Community Development Code.

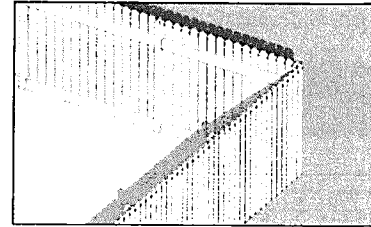
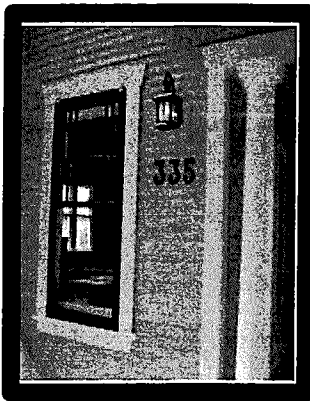


Figure 5.4.60.B: Privacy Fence with Finished Side to Outside



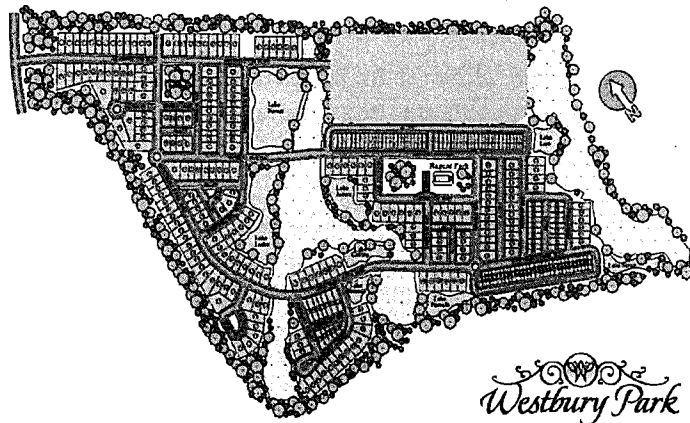
j. House numbers

House numbers are to be displayed on the front exterior of every home where they are clearly visible from the street. Numbers should be in silver, pewter, nickel or black and be 4-5.5” high. Typically, the most highly visible locations include:

- Top riser of front porch steps, centered
- Front door -midway up, centered
- Face of column, approx. 50”-60” high
- Either side of front door, approx. 50”-60” high
- Under outdoor lights on either side of front door

Additionally, *all homes which have backs or sides that face alleys* must also display their house number using the same size and finishes as noted above. And, again, the numbers should be placed in the most highly visible location as viewed from the alley.

Map of Homes on Alleys – Required to Display Street #'s on front & back



Updated November 1, 2023

k. Landscape Accessory Structures or Ornaments

All landscape accessory structures or décor elements, including, but not limited to birdhouses, statuary, flagpoles, lampposts, potted plants, etc. must be within the applicable setbacks for building, must be compatible with the design of other structures, and must not generate nuisance sounds or light effects. Additionally, any décor items must be limited to no more than four-six per household, visible from any area of the road or sidewalk. Exceptions to the quantity noted will be considered on a case-by-case basis. See **Section VII. Appearance & Maintenance Standards** for important conditions and requirements for landscaped areas of a property.

No artificial plants or artificial plant-like material may be used in any ground level landscaping, and are only allowed in limited use on porches.

l. Solar Panels

Applications for placement of solar panels on roofs will be considered on a case-by-case basis. Rules for placement will be similar to that of those for roof antennas or satellite dishes.

m. Roof Shingles

Shingles on single family homes must be replaced with similar color as original: Owens Corning Oakridge Shingles in Driftwood, Estate Gray, Onyx Black, or Teak. Both CertainTeed and Timberline shingles have suitable color matches to the original shingle brand. All roof shingles must be architectural shingles (single tab shingles are not allowed under any circumstance).

Additionally, to preserve uniformity in color and appearance of all townhomes, all townhome roof shingles are to be the color: Weathered Wood, and must be also be architectural shingles.

The ARC may consider and permit applications which seek to substitute the specification or color, provided the substitution does not impact the requirement for uniformity (i.e. color, appearance).

The ARC will consider approval of, for single family stand-alone homes only, steel/aluminum roofs. These roofs will be similar to the style of the pavilion roof, color will be black or green only, and would require approval by ARC.

Updated November 1, 2023

V. Approved Architectural Finishes

When replacing any material, it is required to use a near identical replacement for the original. 'Near identical' refers to materials or finishes which are noted as accepted replicates to the design, quality or actual specifications of the original or existing. The intent is that these replicates will be developed and may evolve over time as manufacturers or manufacturing standards and products change in terms of availability, regulation or practical application. No exceptions will be considered or approved. It should be noted that all homeowners (including owners of townhouses) are responsible for the cost of all exterior maintenance.

a. Siding

4.5" Dutch-flap or ship-lap wood grain horizontal vinyl siding, in a variety of colors. Note: reconstruction or siding replacement projects are required to use the same color as original home construction; exceptions will be considered, but approval for use of an alternative color is not guaranteed and is largely dependent on maintaining an appropriate mix of siding colors among adjacent, nearby homes.

b. Outside Vertical Corner Posts

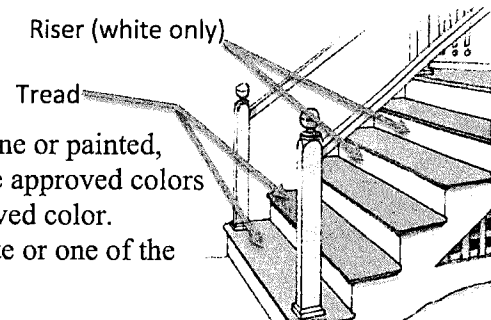
4" wide (each side) and white only.

c. Railings, Columns, Soffits, Fascia and Drip Edges

White only

d. Porch Floors, Porch Steps & Porch Ceilings

Porch floors that are wood, should be stained in a wood tone or painted, and floors that are concrete should be painted in one of the approved colors. Treads may be stained in a wood tone or painted an approved color. Risers must be white only, and porch ceilings may be white or one of the other two approved colors.



e. Window Trim

3.5" lineal (top, bottom, left, right sides) and white only.

f. Vents (Gable and Utility)

Round preferred, but rectangular or octagonal acceptable. White only.

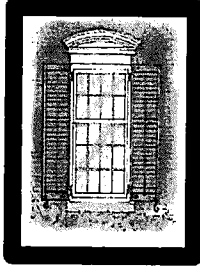
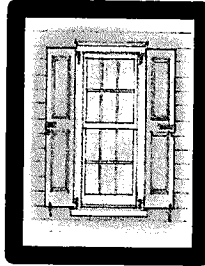
g. Windows

Double hung, required to have snap-in divided light trims in white, 4 over 4 and 6 over 6 are the most common standard.

Updated November 1, 2023

h. Shutters

14.5" wide vinyl louvered-style or raised panel-style, in a variety of approved colors.

LouveredRaised Panel**i. Front Doors and Surrounds**

Premium six panel door, premium four panel door with fanlight window, sidelight windows and transom windows are acceptable. Front door paint should be limited to a single color, including the door and fanlight trim (if applicable). Door surrounds including sidelight and transom windows should remain white (See example.). *Doors with any designs or patterns etched into glass or fancy filigree are not allowed and as a reminder, all front door replacements must be approved by the ARC application process.* Doors finished in a wood stain may be considered and require a stain sample be submitted for review and special consideration by the ARC.

To ensure proper application of paint colors for all areas surrounding the front doors since styles vary, all ARC Applications must include a photo or drawing of the entire door area with the color(s) to be used noted for all parts of the door assembly.

A number of additional neo-classic door styles are available and may be considered for approval, including those that have partially divided glass panel. Please submit a photo of cut sheet of any proposed replacement door.

PROPERLY PAINTED

Updated November 1, 2023

VI. Approved Colors

All approved colors are historically accurate and were originally derived from the extensive Benjamin Moore Historic Collection. These historic paint colors can be mixed by any paint store with the computer aided tertiary color mixing system. Be sure to tell the paint store that you are looking for a direct match to whatever Benjamin Moore Historic Collection (all colors begin with HC + number) color you have chosen. Note that most paint companies frequently change the numbers for their various paint colors, however, this historical collection of color names and numbers are protected by an Agreement reached by the USA and Benjamin Moore at the time the collection was authorized in 1976, as part of our country's 200th anniversary celebration.

As important as the color choice, the type of paint finish or 'sheen' is equally important in order to remain compliant with the guidelines for painted finishes. Please note the paint finish required next to each section below. ***Under no circumstances are any paint finishes for the exterior of your home to be semi-gloss or gloss paint.***

Examples of the full color palette is on display in the glass case at the Pavilion across from the Fitness Center and is also available at the property management office. There are only eight (8) colors that are approved for shutters. These represent the original eight (8) shutter colors allowed for Westbury Park. All fascia, soffit, trim, gutters, porch rails, stair rails, fences, garage doors, and vents must be WHITE. Any other color is strictly prohibited. This is considered one of the most important architectural elements that provides one of the most notable cohesive features which ties together the various models of homes in Westbury Park.

a. Shutters:

Paint finish = flat, flat enamel/matte, satin or eggshell

Benjamin Moore colors:

CW-5	Hardwood Putty		HC-80	Bleeker Beige
HC-161	Templeton Gray		HC-134	Tarrytown Green
HC-157	Narragansett Green		HC-159	Philipsburg Blue
HC-190	Black		HC-50	Georgian Brick

b. Doors:

Paint finish = flat, flat enamel/matte, satin or eggshell

Benjamin Moore colors:

CW-5	Hardwood Putty		HC-80	Bleeker Beige		HC-148	Jamestown Blue
HC-161	Templeton Gray		HC-134	Tarrytown Green		HC-53	Hathaway Peach
HC-157	Narragansett Green		HC-159	Philipsburg Blue		HC-150	Yarmouth Blue
HC-190	Black		HC-50	Georgian Brick		HC-61	New London Burgundy
HC-4	Hawthorne Yellow		HC-6	Windham Cream		OC-65	Chantilly Lace
HC-35	Powell Buff		HC-87	Ashley Gray		HC-137	Mill Springs Blue
HC-125	Cushing Green		HC-113	Louisbury Green		HC-60	Queen Ann Pink
HC-77	Alexandria Beige		HC-100	Gloucester Sage		HC-144	Palladian Blue
HC-128	Clearspring Green		HC-170	Stonington Gray		HC-181	Heritage Red

c. Porch Decks:

Updated November 1, 2023

Paint finish =Paint finish: satin or eggshell (nothing glossier, as it the surface could become slippery; and nothing flat or matte because it will show imperfections and soil). **Behr @ Home Depot or Lowes**

PFC-62	Pacific Fog		PFC-37	Putty Beige
PFC-67	Mossy Gray		PFC-63	Slate Gray
PFC-72	White Cloud		PFC-68	Silver Gray
PFC-27	Light Rattan		PFC-73	Pebbled Path
PFC-32	Spanish Parador			

d. Porch Ceilings:

Paint finish = flat, flat enamel/matte, satin or eggshell.

Benjamin Moore colors:

OC-65	Chantilly Lace
HC-144	Palladian Blue
HC-150	Yarmouth Blue

e. Porch Railings, Porch Stair Risers, Baluster & Newel Porch Posts, Columns:

Paint Finish = flat, flat enamel/matte

Benjamin Moore colors:

OC-65	Chantilly Lace
--------------	----------------

See separate document for actual images of approved colors

OR

visit the Pavilion (76 Regent Ave, between toilet rooms) for a display case with paint chips

Updated November 1, 2023

VII. Appearance and Maintenance Standards

Owning a home which is governed by a community association offers many advantages to the homeowner, particularly in preserving and enhancing property values. At the same time, certain restrictions exist to promote harmony between neighbors and to preserve the value of the community as a whole, and of each property individually. Each owner, tenant and guest must strictly comply with all of the governing documents.

The phrase "Community-Wide Standard" is referred to throughout the Governing Documents of Westbury Park. This encompasses all those rules, regulations and restrictions set forth in the document and which are effective throughout the community. In particular, Article V of the Governing Documents addresses the maintenance and repair of all properties in Westbury Park. This includes all structures, parking areas, landscaping and all other improvements comprising a Unit, unless such responsibility is otherwise assumed by the Association. **If an Owner fails to properly perform his or her maintenance responsibility, the Association may perform such maintenance responsibilities and assess all costs against the Unit and the Owner in accordance with Article 5.4 of the Covenants.**

Maintenance shall include, without limitation, repair and replacement as needed, as well as such other duties, which may include irrigation, as the Board may determine necessary or appropriate. Each Owner shall be responsible for maintaining property insurance on all insurable improvements on his or her Unit. In the event of damage or destruction of structures on or comprising his Unit, the Owner shall pay any costs which are not covered by insurance proceeds.

a. Structures

- All houses, garages, fences, decks, patios, sunrooms, pergolas and any other permanent structures shall be kept clean and in good repair. Pressure wash or soft wash should be performed **at least annually** (or more frequently as required) to remove grime, soil, mildew, algae, mold, stains, insects, cobwebs, and the like.
- Concrete porches, steps, patios, walkways and sidewalks need to be pressure washed **at least annually**. It is also asked that owners voluntarily include power washing of the common sidewalk in front of their homes when doing the annual required cleaning.
- Metal accent roofs should be refinished and painted as needed to prevent peeling and rusting. A color identical to the original must be used.
- Minor repairs to fascia, window trim, screens, gutters, light fixtures, fences, etc. should be made immediately.
- Major repairs such as replacing siding, roof shingles, doors, windows, and decking should be done as soon as possible, weather permitting.
- Painting of shutters, doors, trim, columns, porch railings and other exterior features should be done on an as-needed basis. Any color other than the original on front doors and shutters **MUST** be approved by the Architectural Review Committee.
- Front door colors, other than from the approved list, will be considered on a case-by-case basis by the ARC.
- Porches/decks should be sealed or stained on an as-needed basis. Porches/decks can be stained a natural color or painted with a color from the color palette established by the ARC.
- Porches/decks may be constructed of suitably colored TREX or similar material.
- Railings must be constructed of wood and painted white.

Updated November 1, 2023

- Porch ceilings may only be painted two colors (see the color palette), in keeping with southern tradition.

b. Landscape

- All yards must be maintained in an attractive, neatly trimmed, well-kept appearance.
- Homeowners are responsible for all maintenance of their entire property, including mowing the front, back and side yards, edging, trimming and cleaning.
- All yards should have an attractive bed of shrubs/flowers in the front of the home. This was standard practice by the developer for all homes in Westbury Park when they were originally built. No artificial plants or plant-like materials may be used in the visible area of any yard.
- All yards are required to have a lawn. In areas where tree canopy creates too much shade, or tree roots prohibit grass from growing adequately, an alternative landscape plan must be developed. This may include, for example, a ground cover such as Asian jasmine, ivy, ornamental grasses, etc. **Covering an entire front yard with mulch, stones or pine straw is unacceptable and strictly prohibited.** However, landscaped areas with plantings and mulch may be approved if appropriate for specific sites with problematic conditions for growing and maintaining grass, but the emphasis must be on plants vs. large expanses of mulch.
- Artificial turf may be allowed if an ARC application is submitted and approved, and provided that the proposed areas to receive this finish and the quality of the proposed material (i.e. coloration, fade durability, density, etc.) are considered acceptable. In addition, the ARC may require coordination with a landscape architect or site engineer to ensure that no excessive run off or flooding of adjacent property will occur.
- All beds should be mulched with organic material *only*, ideally in spring and fall. Allowed types include only black, light brown (cedar) or brown organic mulch or pine straw (installed with all bed edges rolled and tucked under). Red dyed mulch, synthetic mulch of any type are not allowed.
- Use of rocks of any color, size or shape are not allowed as a substitute for mulch or as a form of ground cover in any part of a yard that is visible area from the street. Exceptions include certain approved natural colored pea gravel and crushed granite in limited and small areas surrounding a service yard or an HVAC equipment area. Any proposed use of rocks in the aforementioned areas must be submitted for review.
- Only approved natural colored pavers or pavers of stone materials may be used for edging garden beds including, but not limited to grey Belgian blocks, cobblestones, etc. as well as invisible (dark brown/anodized) metal/aluminum edging. No plastic edging, including no white, red or colored edging materials are allowed.
- All beds are to be weeded and edged as needed.
- Reasonable care should be given to see that trees and shrubs are maintained and aesthetically pleasing. This includes seasonal trimming, cutting out dead branches and cutting back overgrown shrubs. Shrubs and other plantings should not encroach on the sidewalk and branches should have a minimum of 10' ground clearance. In no instance may a tree be removed from a property without approval of the ARC and, in some instances, a permit from Beaufort County ([click here](#) for more details about when a county permit is required).
- The trimming or any modification of trees located on community property, including the landscaped area between the roads and sidewalk adjacent to an owner's property, is prohibited. Management employs a professional tree service for the care and maintenance of these trees, as well as other landscaped aspects of these areas. See Section II

Updated November 1, 2023

Application. Process if a landscape renovation project application seeks to include coordination or modification of these areas.

- Blowing or raking leaves and other yard debris into the streets or sidewalks is prohibited. This makes our community unsightly. While we have a street sweeping contract during certain months, Residents are responsible for removal of leaves, branches, and other green waste. All residents of Beaufort County can dispose of this debris at the transfer station free of charge.

c. Window Coverings

Per Section 6 Exhibit C of the Covenants, the only acceptable window coverings that may be affixed to interior of any windows visible from any street or alley, are drapes, blinds, shades, shutters and curtains. All window coverings facing the street must be white or off-white. No window tinting or reflective coating may be applied to the interior of any window that is visible from any street or alley. No mirrored coatings will be permitted.

d. Signs

Per Section 5 Exhibit C of the Covenants, "For Sale" or "For Rent" signs are NOT allowed on a property. An "open house" sign may be posted for a period not to exceed three consecutive days. Political signs (not to exceed 18" by 24") may be posted for 45 days prior to an election and for two days thereafter. No other signs, except those that may be required by law, may be posted on any lot so as to be visible from outside the home.

e. Decorations

All outdoor holiday decorations must be removed ten (10) days after the holiday. This rule applies to common holidays such as Valentine's Day, St. Patrick's Day, Easter, Memorial Day, July 4th, Halloween, Thanksgiving, Hanukkah, Ramadan, and Christmas/New Year's. Decorations for other celebratory occasions such as a new baby or a birthday are included in the 10-day rule.

f. Mailboxes

Mailbox replacement is the responsibility of the homeowner. New mailboxes (must be flat black with 2 inch white number for home number) can be purchased through the property management company. Mailbox posts or supports are the responsibility of the Association. Broken, rotted, or unstable posts should be reported to the property manager for repair or replacement. Owners of single family homes are to maintain (i.e. keep clean) their respective mailboxes and ensure these highly visible elements are in "like new" condition at times including the address number of their home is clearly readable.

g. Trash & Recycle Containers

Except for trash day, trash containers and recycle containers shall remain inside or near the garage or back of each property (i.e., not in front of the home, in order to be as non-visible as practical). The trash receptacles and recycle containers may be placed at the curb the night prior to pick-up and shall be removed by the end of trash pick-up day.

Updated November 1, 2023

h. Other

- Under no circumstances may porches, patios, driveways or yards be used as storage areas. All boats, kayaks, lawn mowers, ladders, tools, etc. must be stored in the garage. If there is no garage on the property, these items will have to be stored off-site.
- No visible area of the home may be used to dry clothing, towels, rugs, etc. and clothesline area only allowed in areas where a privacy fence prevents any visibility from road, sidewalk or adjacent property. No component of a clothesline may be visible above the standard height allowed for a privacy fence.
- Per Exhibit C of the Covenants, only 2 cars per property may be parked on any street. All boats and campers (“RV’s”) must be parked in the garage or stored off-site. Commercial vehicles and utility trailers must be stored in enclosed garage or stored offsite.
- No vehicle parked on a street may have any type of covering on it including a car cover or exterior windshield cover. Vehicles with covers of any type are allowed to be parked only in an owner’s driveway or garage.
- Bicycles, strollers, grills and the like may be kept in the backyard, within reason.
- Tents, gazebos, canopies and other outdoor enclosures must be placed in the backyard, not visible from the street.
- Children’s play equipment may be installed in the side or rear yard of a property in the least conspicuous place possible. Placement behind trees or shrubs is ideal. Play equipment is limited to swings, slides, play forts, trampolines and basketball nets.

