



***Eagles Harbor Subdivision  
Construction Process***

**27 November 2024**

# Eagles Harbor Subdivision

## Construction Process

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# Eagles Harbor Subdivision

## Construction Process

- I. **Introduction:** Welcome To Eagles Harbor – where it is lakeside for a lifetime! Congratulations on your desire to make improvements to your property. We are excited that you have chosen to build a new home in our community and we look forward to welcoming new neighbors. If you are already a resident and have decided to make improvements to your existing home, we stand ready to assist you and make the process as straightforward as possible.

**Purpose:** The Architectural Review Committee (ARC) is appointed by the Eagles Harbor Home Owner’s Association Board of Directors to create and maintain the aesthetic standards of our community. These standards have historically reflected the more traditional, conservative character of our neighborhood and guides to preserve that “look and feel”. They help ensure that new construction and other lot improvements will blend with our neighborhood values and maintain a “good neighbor” atmosphere. By requiring that lot owners provide the ARC a set of proposed plans and other information up front for review, the ARC can identify potential issues and consider alternatives before any work has begun. All of this effort is designed to create a neighborhood that people want to live in, as well as to maintain and/or improve property values for our residents.

**Roles and Responsibilities:** The ARC has the responsibility to:

- Maintain the aesthetics of the community
- Maintain standards for any new construction or improvement within Eagles Harbor
- Maintain the value of common assets within Eagles Harbor (roads, gates, etc.)
- Ensure that the spirit of these standards are met
- Ensure that an equitable process is in place for all Members that protects both those that are building and those who are vested Members in the Association

**Requirements and Logistics for seeking ARC Approval:**

1. All Members who wish to perform any improvement on their property of any type, must be current with their account with the Eagles Harbor Homeowners Association, Inc (the “Association”) before any construction plans will even be considered. NO improvement/construction plan may be implemented and/or approved while a Member is in arrears to the Association in any amount whatsoever.
2. All plans, documents and payments related to an improvement/construction project must be received by Town and Country, Inc and acknowledgement of receipt of the completed application for that specific project must be received by the member before a “plan for improvement” application shall be considered to be “received”. The ARC shall have thirty (30) days after documented receipt of ALL required documents and payments to Town and Country Property Management in order to accept or reject this Project in whole or in part. If no response by ARC has been made in writing after said 30 days (that is, 30 days after the member receives notice from Town and Country that a COMPLETE application has been received by Town and Country), the plans shall be deemed to be approved as submitted.

3. Property owners who elect to proceed with alterations requiring ARC approval to their property without obtaining such ARC approval acknowledge that they will have fines imposed upon them per the fine schedule of this document.

## II. **Projects that Require Applications and Approval from the Architectural Review Committee (ARC)**

Owners must have ARC approval for the following projects\*\*:

- Constructing a new house
  - Please Note: Excavation and/or grading of the property (i.e. changing the topography of the property and removing substantial trees (trees which are greater than 6" in diameter)) will only be allowed with ARC approval of new house construction.
- Creating an addition to an existing property (an increase in interior living space)
- Adding a free standing and/or attached structure and/or fixture including but not limited to:
  - Porch
  - Garden Shed
  - Deck
  - Gazebo
  - Swimming Pool
  - Exterior railing
  - Erecting a new fence
  - Garage
- Any project which does not change the exterior appearance of the structure as previously approved does not require ARC approval unless heavy equipment is employed. Examples include but are not limited to:
  - Replacing or installing a new roof with the same color and material
  - Re-siding the house with the same color and material
  - Replacing exterior railing (such as on a deck, porch or similar)
  - Replacing a fence with similar material in similar location
  - Routine landscaping (routine would generally not include "topographical" changes)
  - Repainting the exterior of your house if all the paint colors remain the same (i.e., shutters, doors, trim)
  - Any interior-only, house modification

These can all be done as long as the same material, color, and location are used. If material, color and/or location is changed, an Improvement Project Application is required.

- The following can be done without specific approval from the ARC as long as certain criteria are met:
  - Installation of Solar Panels as long as they are roof mounted
  - Placement of an outdoor hot tub as long as it is not visible from the road
  - Replacement of a sidewalk as long as heavy equipment is not used
- Repaving a driveway as long as same material and footprint are used.

- However, ANY PROJECT, even including those above which are given implicit approval, which require the use of heavy equipment on the property must submit an application, submit a Road bond AND receive approval:
  - Heavy equipment used in Eagles Harbor shall be deemed to be defined as equipment used for construction, excavation, earth-moving, well-drilling, concrete pouring (specifically, concrete trucks, but not small concrete mixers), and the transporting of waste material including dump trucks with a capacity of over 5 tons, and/or transportation of a dumpster. Farm tractors shall not be included. Moreover, because more often than not at least as much damage is actually done by the trailer as the equipment itself, **IF a trailer is being used to bring in ANY and/or ALL such equipment, the appropriate Road Bond shall be applied to the project whether the loading and/or unloading of the trailer is done on the Member's property or not.**

\*\* This list is not a to be construed as a complete list, but serve as examples of common projects. Please contact the Town and Country if there is any question whether the project requires an application and/or road bond.

**Property owners who elect to proceed with alterations to their property without ARC approval will have fines assessed by the ARC per the fine schedule of this document.**

### III. Costs

- A. New Construction Review and Inspection fee - Non-Refundable: \$250.00
- B. Road Impact Fee – Non-Refundable: This fee is only for New Home Construction. It is equal to One Year of Assessments on One Lot (\$440 in 2024, increasing to \$460 January 1, 2025, and will be adjusted as Yearly Assessments are changed by the Board on a periodic basis.)  
Rationale: New house construction projects result in wear and tear from construction vehicles on Eagles Harbor roadways beyond immediately in front of the property being constructed.
- C. For New Home Construction only: A \$180.00 fee will be collected to purchase the standard mailbox post and mailbox of the Association. The member will receive their mailbox when they request it, but not later than when the Certificate of Occupancy is received. The member is responsible for the placement of the post and mailbox. The member may choose to purchase a larger mailbox which meets the criteria of Section IV, paragraph 25. In this case the member will receive a \$45 refund (if they choose), but must return the standard mailbox to the ARC. This fee may be altered from time to time by the Board of Directors to reflect the current costs of the standard mailbox and posts.
- D. Construction Performance Deposit – Refundable  
Rationale: The Construction Performance Deposits are used to guarantee that any damages to Eagles Harbor property caused by construction activities are fully repaired. These funds are used to repair the roads and right of ways to ensure that they are returned to similar original condition. In addition, they assure that all ARC standards are adhered to. Upon completion of the construction, if road pavement and road shoulders/right of ways near and

in front of the construction project are in substantially the same condition that they were when the construction began, AND no other violations of the ARC standards have occurred during construction, then the deposit or a portion thereof, can be refunded.

1. New Single-Family Residence - \$2,500.00
  2. Substantial Property Improvement project that requires heavy equipment: \$1,000.00. This would include: additions to living space, garages, pool placement, new decks (etc) and any project requiring a dumpster. These projects in general are likely to last more than 7 days from start to finish.
  3. Minor Property improvement project requiring heavy equipment, but expected to last fewer than 7 days from start to finish: \$250.00
- E. If damage/violations exceed the Construction Performance Deposit, the homeowner will still be responsible for the remaining balance and will be charged the amount required to make the Association whole.

#### IV. **Eagles Harbor Construction Requirements:**

1. No dwelling unit shall have less than 2,000 square feet of heated living space. No garages, decks, porches, unfinished basements, or other attached structures may be included to achieve this minimum square footage requirement. (Amended 1/2009 from 1600 sq. ft.). This requirement applies to all plans submitted to the ARC on property purchased after March 3, 2009.
2. No trailers, modular homes, prefabricated homes, or off-site stick-built homes will be permitted. All homes will be stick built on-site. Construction of all structures larger than 160 sq ft shall be on-site, stick-built construction unless there is specific permission granted by the ARC.
3. For new residence construction, lots are required to be surveyed with visible lot lines identified.
4. Lot Clearing is permitted prior to new house construction approval, but not Lot grading, excavation and/or changing topography and/or drainage patterns. Lot clearing shall be defined as clearing underbrush, removing dead trees and any tree less than 6" in diameter. Trees larger than 6" in diameter must be left in place until an approved house construction plan is obtained.
5. Written approval of residence construction plans is required prior to commencement of any excavation, grading, changing the topography of the property in any way, and/or construction. NOTE: After written approval is received from the ARC review; no clearing, earth moving or construction of any nature should be done that could damage the approved septic and repair area. Check with the County Health Department prior to any construction.
6. Lots that have been intentionally changed from their natural look must have all debris removed from the lot within 90 days of the action.
7. Storing building materials on a lot prior to approval of home construction is prohibited.

8. No dwelling unit shall exceed 2 ½ STORIES above the ground on the side facing the street. Definition of a 2 ½ story house is a home that has dormers or gable ends that include windows creating living space between the ceiling of the second story and the roofline. Such excessive height will not be permitted.
9. All homes must meet setback requirements, as set forth in the recorded subdivision plats, all recorded deed restrictions, all Governmental setback regulations, and other regulations as set forth by the Eagles Harbor Homeowner's Association. Upon combination of lots at the County level, the building line requirements prescribed herein shall apply and the easement reserved herein shall be applicable to the rear, side, and front lot lines of the combined lot. The building site and structures erected on this combined lot shall comply with these restrictions and the new property line of the resulting building site shall be used to compute the set-back lines and construction requirements.
10. Foundations and concrete retaining walls are to be covered by solid brick, stone, or appropriately colored stucco.
11. A roof over the heated living space of the house or detached garage must be at least an 8/12 pitch with a 12" overhang. Dormers, porches and covered decks are excluded from the 8/12 pitch with a 12" overhang requirement. Architectural shingles are required unless otherwise approved.
12. The house must be completed within one year of the date of commencement or an agreed-upon, granted 6-month extension from the ARC. Landscaping must be completed within one year from receiving a certificate of occupancy or within an agreed-upon, 6-month granted extension from the ARC. Commencement is when the actual foundation is started. Any delays in construction must be reported to ARC at the time of the delay to be able to request a time extension past the one- year rule.
13. Driveway(s) must be finished in concrete, asphalt, or pavers. They are to be constructed and maintained in accordance with the rules, regulations, and specifications approved by the ARC and all requirements of the South Carolina Department of Transportation. The property owner is responsible for placing rip rap on both sides of the culvert prior to driveway completion if required by the ARC. The easements must be returned to similar original condition.
14. EXTERIOR MATERIALS PROHIBITED include the following: aluminum siding, imitation brick or stone roll siding, tar paper, exposed concrete, or exposed concrete block.
15. All gas and oil tanks placed on the property must be buried according to county regulations or screened from view. They must be out of sight from both the roads and lake.
16. No freestanding towers, antennas, or freestanding solar panels or wind turbines are permitted. Satellite dish(es) must comply with the Restrictive Covenants.
17. Outdoor hot tubs must not be seen from the Road.
18. No signs may be displayed on a lot except for a general contractor's sign. This sign must be removed within 7 days from when the Certificate of Occupancy is issued.

19. If fencing is to be used on the property, it must be black, spaced-picket, metal fencing, no more than 6 feet high and in compliance with local and state laws and codes. The fencing must be approved by the ARC on a case by case basis. All fencing must be behind the front plane of the house. Exceptions will be considered in order to comply with the Fair Housing Act.
20. A dumpster and port-a-potty are required during construction and must be located on the lot.
21. MATERIALS AND COLORS USED for the exterior of the house must be approved.  
Note: The ARC has particular concerns that the community has a consistent streetscape and quality of design (façade, material, etc.). In order to maintain a “planned look” for the community and preserve the aesthetic integrity of the community, the Association may at times place a temporary moratorium on any particular style of design until the community is brought back into balance. The ARC reserves the right to reject any house plans not acceptable to this code.
22. The property owner is responsible for placing and maintaining a stone driveway and culvert to facilitate the delivery and distribution of building materials at a centralized staging area on the subject lot. It is recommended that crushed rock be placed at the intersection of the driveway and the road to prevent damage to the shoulder of the road. No materials of any nature are to be stored in the road or road right of way. Unloading should be done on the property if possible. This driveway is to be used before and during construction to minimize damage to the roads and shoulders of the roads caused by the repeated parking of vehicles, heavy equipment, and trucks. The owner is responsible for keeping the road clean of rocks and debris during construction. During construction and after completion of construction, an ARC representative will inspect the roads and road shoulders near and in front of the subject property. The owner will be responsible for the cost of any necessary repairs. The HOA will be responsible for making the repairs.
23. Heavy equipment is defined in Section II. These vehicles are required to use the North Gate. Exceptions must be approved by the ARC.
24. Construction vehicles may not be parked overnight on the road or the road easement. Construction vehicles may be parked overnight on the property. Exceptions for parking in the right of way must be approved by the ARC.
25. The front elevation of the house must be facing the street. On corner lots, the front elevation must face the street of your legal address.
26. Only mailboxes approved by the ARC may be used and it must be installed according to the US Postal regulations. Mailbox Post must be Gibraltar Mailbox Post (Landover, Black, Number: LP000B00). Mailbox must be Gibraltar Mailbox Large Capacity (Arlington, Black, Number: AR15B00). If a member wishes to use an oversized mailbox, the approved style is Gibraltar Extra Large Capacity (Stanley, Black, Number: ST200B00). The standard mailbox and post will be purchased from the ARC. If the member wishes the larger mailbox, they may purchase it at their own expense. They may be refunded \$45.00 for the standard mailbox provided it has not been mounted on the post and is in re-



sellable condition. Package drop boxes of dark color must also be approved. If these models of mailboxes are no longer available, the ARC must approve a new design and will create an appropriate sale price for the new model of mailbox and/or post.

27. Lots with an A-Lot or B-Lot designation shall be used exclusively for septic purposes only.
28. One garden shed is allowed per lot. Plans, including proposed location on the lot, must be submitted to the ARC for approval. Requirements included:
  - i. No larger than 160 square feet
  - ii. Siding colors must coordinate with the house
  - iii. The roof must coordinate with the color scheme of the house and the shed.
  - iv. Any variance from these requirements must be approved by the ARC.
29. Any other exterior accessory building must be reviewed by ARC on a case by case basis.
30. Burning Notice –
  - i. In order to prevent property damage, all burning must be attended to until totally extinguished. Property owners will be held responsible for damage from burning.
  - ii. Burn Permit Phone Number – 1-800-986-5327 should be called for burn conditions and to register the burn with the Forestry Commission for Greenwood County.
31. No trailer, truck, van, mobile home, tent, camper, barn, garage, or other outbuilding or temporary structure parked or erected on lots in this Subdivision shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence.
32. DISCLAIMER - The approval of the building by the Eagles Harbor ARC will in no way warranty the security or integrity of the home being approved, nor does it warrant the approval for county and state regulations.

## **V. Eagles Harbor Construction Procedure**

### **A. Documentation to submit to Town and Country Property Management:**

#### **a. New Single Family House Construction:**

- i. ONE (1) Copy and one (1) PDF file of a completed “Eagles Harbor Architectural Review Committee Application for New House Construction Plan Review” – See Appendix 1
- ii. ONE (1) full set and one (1) PDF file emailed to the management company (currently Town and Country Property Management, Inc) of proposed house plans (including elevations, floor plans, and roof pitch)
- iii. ONE (1) Copy and one (1) PDF file emailed to the management company of a site plan showing house placement including distances from property lines, driveways, walkways, and septic and well placement.
- iv. If any re-routing of water and/or drainage is proposed, two copies of a Drainage Plan must be included.

- v. ONE (1) Copy and one (1) PDF file emailed to the management company of Landscaping Plan showing plants, shrubs, decks, fencing, etc.
  - vi. ONE (1) Copy and one (1) PDF file emailed to the management company of the signed “Eagles Harbor Subdivision Construction Process Signature Page”. This form is on page 18 of this document.
- b. For all other Improvement Projects:
- i. ONE (1) Copy and one (1) PDF emailed to the management company of a completed “Eagles Harbor Architectural Review Committee (ARC) Application for Property Improvement” – See Appendix 2
  - ii. ONE (1) set and one (1) PDF emailed to the management company of Proposed Property Improvement – This can be a description of the project, photos of the project, or a sketch of the project.
  - iii. ONE (1) Copy and one (1) PDF emailed to the management company of a plat showing location of the project on the lot.
  - iv. ONE (1) Copy and one (1) PDF emailed to the management company of the signed “Eagles Harbor Subdivision Construction Process Signature Page”. This form is on page 18 of this document.
  - v. FOR ANY PROJECT ADDING SQUARE FOOTAGE TO AN EXISTING RESIDENCE OR A NEW ADDITION TO THE RESIDENCE (I.E. GARAGE) – ONE (1) Copy and one (1) PDF emailed to the management company of Architectural and Construction Plan Blueprints which include elevations, floor plans, and roof pitch.
  - vi. ONE (1) Copy and one (1) PDF emailed to the management company of a Project Sketch (if necessary)
- c. For All Projects: Road photos will be taken by the ARC representative at time of approval of project to show the condition of the road, road shoulders, and ditches. Property owners are encouraged to participate so any existing damage can be identified.
- B. Checks or Electronic fund transfers to Town and Country must be submitted. Checks shall be made out to: Eagles Harbor HOA, Inc. ARC.
- a. New Construction Review and Inspection Fee – Non-Refundable:
    - Single Family Residence - \$250.00
  - b. Road Impact Fee – Non-Refundable (New Construction Only)
    - Single Family Residence - \$440 in 2024, then \$460 as of January 1, 2025 (and equal to one Lot’s yearly assessment thereafter, if/when assessments shall increase in the future)
  - c. Mailbox Fee: \$180.00 (New Construction Only) (May change periodically if prices increase).
  - d. Construction Performance Deposit – Refundable:
    - i. New Single Family Residence - \$2,500.00
    - ii. Property Improvement Project w/ heavy equipment- \$1,000.00

- iii. Small, short-term property improvement project w/heavy equipment - \$250.00
  - e. All funds will be deposited in Eagles Harbor account at the time of approval of the project.
  
- C. All Fees shall be paid through Town and Country Property Management. The address for Town and Country is: Town and Country Property Management 132 West Cambridges Ave, Greenwood, SC 29646. Please make certain you specify that this is for Eagles Harbor HOA, Architectural Review Committee. The email address for any questions is: [rburks@tcgrd.com](mailto:rburks@tcgrd.com) and the phone number is 864-377-8609
  
- D. Once Plans have been received by Town and Country, they will be evaluated by our ARC and after approval by the ARC:
  - a. The member will receive correspondence with the decision from the ARC via Town and Country. If approval is granted, then
  - b. The foundation of the home must be staked out and an inspection requested and approval of the location by the ARC prior to construction beginning. Please contact Town and Country to arrange for this inspection. The fine for not having this inspection is \$1,000 and the risk of removing the construction all ready completed. All changes made to the foundation or building layout must be approved by the ARC.
  - c. The homeowner is required to notify Town and Country when the Certificate of Occupancy is issued.
  - d. The approval of this building will in no way warrant the security or integrity of the home being approved nor does it warrant the approval for the county or state regulations.
  
- E. Upon final completion of:
  - House Construction
  - Landscaping
  - Proper Installation of an appropriate diameter size (waterflow) driveway culvert
  - Installation of driveway as approved by ARC
  - Installation of an approved mailbox

The homeowner shall contact Town and Country and **request an inspection by the ARC**. If there is no damage to the roads and/or shoulders of the roads AND no violations of the ARC requirements (standards), the Construction Performance Deposit will be refunded. Any damage and/or violations will be deducted from the Construction Performance Deposit and the remainder will be refunded. If the damage and violations exceed the amount of the deposit, the ARC and the Association shall have all legal rights available to it in order to recover those costs.

## VI. Construction Process Violation Schedule

### A. Actual Cost

- a. Road Damage – The owner is responsible for the cost of any necessary repairs to the road. Road damage will be repaired by the HOA. Road damage shall meet the following criteria:

Any scarring, cracking or abrasion of the road greater than 3mm (.125”) in depth or width at any part of the scar, crack, or abrasion

### B. Major Construction Process Violations - \$1,000.00 per incident and/or go back to the approved design per the decision of the ARC.

- a. Movement of House without ARC approval
- b. Replacement of exterior materials that are different from what was originally approved. For example: roofing, exterior colors, siding, etc.
- c. Failure to notify Town and Country for the Foundation Inspection
- d. Construction initiated without ARC approval of project. The fine will be imposed, and the Member must still obtain ARC approval before construction can continue.
- e. Change in square footage from proposed design that drops conditioned space below 2000 square feet except per the exception of section IV paragraph 1.
- f. Failure to finish house construction within one year or within an agreed upon, 6-month extension:
  - i. If the member does not complete the new house construction and does not obtain a 6-month extension within 30 days after one year is complete, a \$1,000 fine is imposed. If the project is not complete, the member can request a one-time, 6-month extension to delay (or prevent) the fine. If the project is still not complete after this one-time, 6-month extension; the \$1,000 fine will be imposed.
  - ii. If the house build is still not complete for 2 years without an extension (or 2 years and 6 months with an extension), the fine shall be a total of \$2,000 and the HOA may take further remedial action as necessary. No reimbursement of the remainder of the Construction Performance Deposit will be made until the project is complete.
- g. Failure to finish landscaping within 1 year from receiving a certificate of occupancy or within an agreed upon 6-month extension:
  - i. If the member does not complete the landscaping plan within one year after certificate of occupancy is obtained, and does not request a one-time, 6-month extension within 30 days of this year’s expiration, a \$1,000 fine is imposed. If the project is not complete, the member can request a one-time, 6-month extension to delay (or prevent) the fine. If the landscaping is still not complete after this one-time, 6-month extension, the \$1,000 fine will be imposed.
  - ii. If the landscaping is still not complete for 2 years after the Certificate of Occupancy without an extension (or 2 years and 6 months with an extension), the fine shall be a total of \$2,000 and the HOA may take further remedial action as necessary. No reimbursement of the remainder of the

Construction Performance Deposit will be made until the project is complete

- C. Minor Construction Process Violations - \$250.00 per incident and remediation of the violation.
- a. Violating Construction Hours
  - b. No Porta-Potty on site during construction
  - c. No dumpster or similar equipment on site during construction
  - d. Improper Burning
  - e. Not cleaning the road during construction
  - f. Living inside the house or on the lot prior to certificate of occupancy/permission of county inspector
  - g. Unsightly debris not removed as per section IV paragraph 6; this would also include debris and/or damage to Common Areas/ Right of ways.
  - h. Failure to use North Entrance (Construction gate) for Heavy Equipment vehicles (as defined in Section II) without permission of the ARC.
  - i. Overnight parking of construction equipment/trucks on road or road easement without permission of ARC.
  - j. Storing materials on-site prior to receiving approval to perform Construction project and/or at any time within the right of way of the road (and/or actually on the road). Storing shall be defined as having materials situated at a location beyond the end of the work day upon which those materials were received at and/or for the Lot at hand.
  - k. Any other violation of the construction process that is not specifically delineated in the major and/or minor violation fee list aforementioned.
- D. Fines related to Improvement Project violations: (these shall all be \$250 fines)
- a. Performing an Improvement Project that requires an application and approval without receiving such approval from the ARC.
  - b. Not completing the Improvement Project within one year of approval. Projects can have a one-time, 6-month extension, but if not complete either within the one year or the granted extension, the \$250 fine will apply. In addition, any improvement project not completed within this timeframe, will require a new application to be submitted stating what portion(s) of the project will subsequently be completed. Whatever has been completed will be considered under the initial improvement application with any additional project(s) being performed under the authority of the subsequently filed application. The Association will retain the right to remedy the project and charge all costs to the member including costs of collections, depending on the state of the project and its appearance/effect on the Association. Partially completed exteriors of buildings, landscaping, driveways, etc. will not be tolerated by the Association. If an improvement project is approved, and then the Member decides to not complete any portion of the project, the member shall inform the ARC via communication with Town and Country that they will not be performing the project. The project will be terminated. Communication by the member to Town and Country must be done within one year of receiving approval

of the improvement project informing T&C of their decision not to move forward with their Improvement Project. The member will be potentially subject to penalties and remedies as noted in this paragraph above for incomplete projects.

- c. Any other violation of the Construction Process, particularly as noted in paragraph C above within this section.
- E. The fines in no way void, limit, or replace the ARC's right to further enforce the Eagles Harbor covenants, restrictions, construction process and/or rules, or to impose additional fines.
- F. In the event those costs exceed the balance of the Performance Deposit, the ARC shall have all legal rights available to it in order to recover those costs.

## **VII. Violations and Appeals Prodecures**

The Eagles Harbor Homeowners Association has the right and obligation to set Rules and Regulations and may impose monetary fines to achieve compliance. Violations and fines may apply to any breach of any Governing Document of the Association.

Payment of fines does not necessarily grant a variance for the violation; remediation of the violation will be determined by the Board of Directors based on the specifics of each violation.

Process for Imposing Fines: The following is the process for imposing fines for violations to the Declaration of Covenants, Conditions, and Restrictions, and/or Declaration of Restrictive Covenants and/or By-Laws and/or Construction Process and/or Rules and Regulations:

1. Notice: Notice of a Violation will be emailed or mailed to the Owner's last known address with the details of the specific violation. (This may be construed as an Official Warning and/or First Letter). If the Violation is not corrected within a reasonable amount of time, as determined by the sole discretion of the Board and provided to the Owner at the time of this initial notification, a second notice (This will be known as a Second Letter) will be sent to the Owner by First Class Mail with the imposed fine if the Violation is not corrected by a stated Deadline Date.
2. Fine amount: The Board of Directors will maintain a Violation Fee Schedule, which may be altered from time to time by consent of the Board and which shall be provided to the Membership. Violations will be fined based on this Violation Fee Schedule. However, if actual damage is done to Common Property of the Association, the fine will be in addition to any actual costs and Costs of Collections for remediating the repairs.
3. Appeals Process: The following is the process for appealing imposed fines for Violations:
  - a. The Owner will submit an Appeal in writing either by email or mail to the Eagles Harbor HOA Board of Directors which must be received within ten (10) days after the Deadline Date specified on the second written notice of Violation and fine. Failure to appeal within ten (10) days thereof shall be deemed acceptance of the fine and acknowledgement of the Violation.
  - b. An Appeals Committee consisting of three (3) members will be established by the appointment of the Board. There will be One Member on the Appeals Committee who is currently serving on the Board of Directors and this person will serve as the Chair of the Appeals Committee and Two Members from the Association at large. The Members of the Appeals Committee must assert that they are impartial towards the Owner who is assessed with the Violation. If it is a Director who is being assessed the violation and fine, he/she may neither serve on the Appeals Committee nor play any role in the establishment of that Appeals Committee for his/her specific appeal.
  - c. An Appeals Meeting will be scheduled within fourteen (14) days of the receipt of the appeal by the Board of Directors wherein the Owner will be allotted a reasonable amount of time to present their appeal to the Appeals Committee against the cited violation.
  - d. After the Appeals Meeting, the Appeals Committee, being chaired by the Board of Director's Member, will reach a decision with each member of the Appeals Committee casting one vote either in favor or opposed to the Violation. The majority will rule.

- e. The Appeals Committee will make their decision known to the Board of Directors within seven (7) days of the Appeals Meeting in writing.
  - f. The Board of Directors will provide written notice by First Class Mail to the Owner of the Decision on the Violation (but not the specific vote) within fourteen (14) days of receiving the written report from the Appeals Committee. The determination of the exact fine will be predicated on the Violation Fee Schedule and will be made by the Board of Directors and will be considered final.
  - g. If a Violation and fine is not appealed, the fine shall commence on the Deadline Date of the Second Letter. If an Appeal is made, the fine shall commence on the Date the Board sends the Owner the Decision of the Appeals Committee.
  - h. The fine shall be paid within 30 days of the Deadline Date (or Decision of the Appeals Committee, if an appeal had been filed and it is determined that the Violation did in fact occur). If it is not paid within 30 days it shall be considered to be delinquent and handled as any other delinquent assessment.
4. The HOA, after all warning and appeals have been exhausted, has all the rights to begin remediation of the violation.



VIII. Construction Hours:

Eagles Harbor Architectural Review Committee (ARC)

Construction Hours

*Applies to all construction up to the point of a Certificate of Occupancy*

**Notice to Builders/Contractors/Homeowners**

The construction hours are as follows:

**DAYLIGHT SAVING TIME (Starts at 2:00am on 2<sup>nd</sup> Sunday in March)**

Monday – Friday	7:00 AM to 7:00 PM
Saturday	8:00 AM to 6:00 PM
Sunday	NO CONSTRUCTION *

**WINTER HOURS (Starts at 2:00am on the 1<sup>st</sup> Sunday in November)**

Monday – Friday	7:00 AM to 6:00 PM
Saturday	8:00 AM to 5:00 PM
Sunday	NO CONSTRUCTION *

**VIOLATION OF CONSTRUCTION HOURS WILL HAVE A \$250.00 FINE IMPOSED FOR EACH DAY OF VIOLATIONS.**

***\*HOMEOWNERS ARE WELCOMED TO COME ON THE BUILDING SITE ON SUNDAYS TO DO LIGHT CLEAN UP OF THE AREA BUT HOMEOWNERS ARE REQUESTED TO KEEP NOISE TO A MINIMUM***

**IX. Eagles Harbor Subdivision Construction Process Signature Page**

I have read and understand all the rules and regulations of Eagle Harbor Subdivision as outlined in the Construction Process Document Dated 27 October, 2024. I have also been made aware of the documents on the Eagles Harbor Website under the "About Us" tab, specifically the Covenants, CC&R, and Bylaws.

Signed this date \_\_\_\_\_

By \_\_\_\_\_

Land Owner

Lot # \_\_\_\_\_

ARC Witness \_\_\_\_\_

**X. Appendices**

1. Application for New House Construction
2. Application for Home/Lot Improvements
3. Lake Management Letter
4. Solar Panel Letter

**APPENDIX 1**

**EAGLES HARBOR ARCHITECTURAL REVIEW COMMITTEE (ARC)**

**APPLICATION FOR NEW HOUSE CONSTRUCTION**

**PLAN APPROVAL CHECKLIST:** THIS SECTION TO BE COMPLETED BY THE HOMEOWNER. ALL ITEMS BELOW ARE REQUIRED FOR PLAN APPROVAL AND MUST BE COMPLETED BY THE HOMEOWNER BEFORE ANY PLANS WILL BE REVIEWED.

<b>Lot #:</b>	
<b>Property Address:</b>	
<b>Plan Name &amp; Number</b>	

<b>Owner's Name:</b>		<b>Builder's Name:</b>	
<b>Full Mailing Address:</b>		<b>Full Mailing Address:</b>	
<b>Home Phone:</b>			
<b>Work Phone:</b>		<b>Work Phone:</b>	
<b>Cell Phone:</b>		<b>Cell Phone:</b>	
<b>Email Address:</b>		<b>Email Address:</b>	

Y/N	REQUIRED DOCUMENTATION	See "Eagles Harbor Subdivision Construction Process" & "Declaration of Restrictive Covenants of Eagles Harbor Subdivision". Located at <a href="http://www.eaglesharborhomeowners.com">www.eaglesharborhomeowners.com</a>
	<b>House Plans (1 Hard Copy, 1 PDF file)</b>	Proposed house plans including all side elevations, floor plans, and roof pitch.
	<b>Site Plan Items (1 Hard Copy, 1 PDF)</b>	Proposed site plans showing house placement including distances from property lines, driveways, walkways, and septic and well placement.
	<b>Landscaping Plan Incl. Drainage Plan if applicable (1 Hard Copy, 1 PDF)</b>	Proposed landscaping plan showing plants, shrubs, trees, decks, retaining wall, fences, grading, etc. If a drainage/water diversion plan is going to be used, the proposed plan must be submitted.
	<b>ARC Request for Building Plan Review (1 Hard Copy, 1 PDF)</b>	This is the form you are currently completing. One copy will be returned to the builder/homeowner. <b>Pages 20-22 with signature.</b>
	<b>Signature Page (1 Hard Copy, 1 PDF)</b>	Signed: "Eagles Harbor Subdivision Construction Process Signature Page" from this document. <b>Page 18</b>

All FUNDS are to be made out to **Eagles Harbor HOA, Inc. ARC** . Send funds to Town and Country Property Management. (See page 11 for address)

<b>\$180 Mailbox fee</b>	Date: _____	Paid By: _____
<b>\$250 New Construction and Inspection Fee</b>	Date: _____	Paid By: _____ Non-refundable fee for plan review and approval process.
<b>\$440 in 2024, \$460 beginning Jan. 1, 2025 and may increase in future.</b>	Date: _____	Paid By: _____ Non-refundable fee for impact construction has on Road wear and tear

<b>\$2,500 Construction Performance Deposit</b>	Date: _____ Paid By: _____
	Refundable upon completion of all construction, inspection of the road, road shoulders, or road right of way, and drainage AND all ARC rules followed.

**For All Projects: Road photos will be taken by the ARC representative at time of approval of project to show the condition of the road, road shoulders, and ditches. Property owners are encouraged to participate so any existing damage can be identified.**

<b>County Approvals:</b>	<b>Owner/Builder:</b>	<b>Date:</b>
Setback Requirements met & approved by the county		
Septic & Well location have been approved by the county		

<b>HEATED SQ FT:</b>	<b>1<sup>st</sup> Floor:</b>	<b>2<sup>nd</sup> Floor:</b>	<b>Basement:</b>	<b>Other:</b>	<b>TOTAL:</b>
	_____	_____	_____	_____	_____

EXTERIOR FINISH MATERIAL Indicate Type as Brick, Stone, Stucco, Siding, Other as used	DESCRIPTION	COLOR
Foundation		
Siding		
Roof (Architectural shingles required)		
Exterior Trim		
Doors/Shutters		
Driveway & Walkways		
Windows		
Garage and/or other structures description		

House Attributes:	YES	NO	QTY	EXTERIOR FINISH DESCRIPTION
Open Deck				
Screened in Porch				
Covered Porch or Entrance				

**No grading and/or topographical changes and/or construction may commence before written approval from the ARC is obtained.**

Once plans are approved, the foundation must be staked out and inspection approval of location given by the ARC prior to the start of construction. Contact Town and Country to Arrange this Inspection.

The approval of this building by the Eagles Harbor ARC will in no way warrant the security or integrity of the project being approved, nor does it warrant the approval by the county and state regulations.

**SUBMIT TO: TOWN and COUNTRY Property Management. Attention: Eagles Harbor HOA, Inc ARC. 132 West Cambridge Ave, Greenwood, SC 29646; email: [jbaker@tcgrd.com](mailto:jbaker@tcgrd.com) Phone # 864-377-8609**

**NOTE: A copy of each document submitted will be marked "Approved"; One set will be returned to the homeowner; the other will reside in the Eagles Harbor HOA files at Town and Country.**

OWNER'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**PLAN APPROVAL REVIEW:** THIS SECTION IS TO BE COMPLETED BY THE ARCHITECTURAL REVIEW COMMITTEE (ARC)

<b>Date Received:</b> _____	<b>Date Reviewed:</b> _____	<b>Approved by:</b> _____ <b>Date:</b> _____
<b>VERIFICATION POINTS:</b>	HOA Dues/Fees up to date? YES ____ NO ____	Plan in compliance with approval requirements? YES ____ NO ____

<b>Date Staked Foundation is Inspected:</b>	
<b>ADDITIONAL INFORMATION NEEDED FOR APPROVAL:</b>	

**APPENDIX 2**  
**EAGLES HARBOR ARCHITECTURAL REVIEW COMMITTEE (ARC)**  
**APPLICATION FOR PROPERTY/LOT IMPROVEMENT**

**PLAN APPROVAL CHECKLIST:** THIS SECTION TO BE COMPLETED BY THE HOMEOWINER. ALL ITEMS BELOW ARE REQUIRED FOR PLAN APPROVAL AND MUST BE COMPLETED BY THE HOMEOWNER BEFORE ANY PLANS WILL BE REVIEWED.

<b>Owner's Name:</b>		<b>Home Phone:</b>	
<b>Lot Number:</b>		<b>Cell Phone:</b>	
<b>Property Address:</b>		<b>Email Address:</b>	
<b>Project Description:</b>			
<b>Y/N</b>	<b>REQUIRED DOCUMENTATION</b>	See "Eagles Harbor Subdivision Construction Process" & "Declaration of Restrictive Covenants of Eagles Harbor Subdivision". Located at <a href="http://www.eaglesharborhomeowners.com">www.eaglesharborhomeowners.com</a>	
	<b>Application for Property Improvement (1 Hard Copy and 1 PDF)</b>	One hard copy of this form and one PDF, one to be returned to the homeowner. This is the form you are currently completing. <b>(Pages 23 and 24)</b>	
	<b>Project Sketch (1 Hard Copy and 1 PDF)</b>	Description of project, Photos of project, OR Sketch of project	
	<b>Architectural and Construction Blueprints (1 Hard Copy and 1 PDF)</b>	FOR ANY PROJECT ADDING SQUARE FOOTAGE TO AN EXISTING RESIDENCE OR ADDING A NEW ADDITION TO THE RESIDENCE (I.E. GARAGE) – Include elevations, floor plans, and roof pitch.	
	<b>Project Location (1 Hard Copy and 1 PDF)</b>	Include a copy of the plat showing the location of the project on the lot. The location must be approved by the ARC	
	<b>Signature Page (1 Hard Copy and 1 PDF)</b>	One copy and one PDF of the signed "Eagles Harbor Subdivision Construction Process Signature Page" from this document (Page 18)	

<b>REQUIRED FEES:</b>	Cash or check payable to Eagles Harbor Homeowners Association, Inc. must accompany the project plans submitted for review
<b>\$1000 Road Bond</b> <b>\$250 Road Bond</b>	Paid by: _____ Date Received _____ Amt Received: _____ Only if Heavy equipment is used. \$1000 for Large Projects \$250 for short term projects (Less than 7 days from start to finish)
<b>Date Project must be completed by:</b>	

**For All Projects: Road photos will be taken by the ARC representative at time of approval of project to show the condition of the Road, Road shoulders, and Right of Ways. Property owners are encouraged to participate so any existing damage can be identified.**

**No grading, and/or topographical changes and/or construction may commence before written approval from the ARC is obtained.**

**SUBMIT TO: Town and Country Property Management, Attn: Eagles Harbor HOA, Inc ARC**  
**132 West Cambridge Ave, Greenwood, SC 29646. Email [rburks@tcgrd.com](mailto:rburks@tcgrd.com) Phone # 864-377-8609**

**NOTE: A copy of each document submitted will be marked "Approved". A set will be returned to the homeowner; another set will reside in the Eagles Harbor HOA files at Town and Country.**

**OWNER'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**PLAN APPROVAL REVIEW:** THIS SECTION IS TO BE COMPLETED BY THE ARCHITECTURAL REVIEW COMMITTEE (ARC)

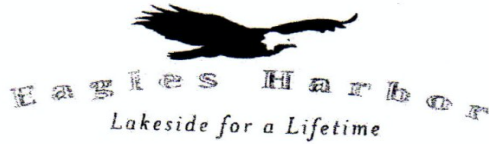
<b>Date Received:</b> _____	<b>Date Reviewed:</b> _____	<b>Approved by:</b> _____ <b>Date:</b> _____
<b>VERIFICATION POINTS:</b>	HOA Dues/Fees up to date? YES ____ NO ____	Plan in compliance with approval requirements? YES ____ NO ____

<b>COMMENTS:</b>	
<b>ADDITIONAL INFORMATION NEEDED FOR APPROVAL:</b>	

The approval of this project by the Eagles Harbor ARC will in no way warrant the security or integrity of the project being approved, nor does it warrant the approval for the county and state regulations.



**Appendix 3 – Lake Management Letter**



**116 Long Point Road, Hodges, South Carolina 29653**

**February 6, 2020**

**Julie Davis**

**Director of Lake Management**

**600 Monument Street Box P-120**

**RE: Eagles Harbor Residents Docks**

**Dear Julie:**

**This letter is to inform Lake Management that residents of Eagles Harbor do not require Board of Directors or Architectural Review Committee approval to install a ramp or dock on their property.**

**Sincerely,**

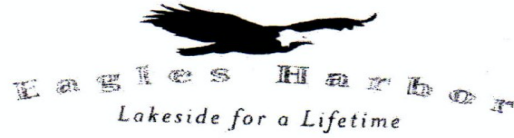


**Christopher Gates, MD**

**President**

**Eagles Harbor Board of Directors**

Appendix 4 – Solar Panel Letter



**116 Long Point Road, Hodges, South Carolina 29653**

**February 6, 2020**

**Greenwood County**

**RE: Eagles Harbor Residents Solar Panels**

**This letter is to inform Greenwood County that Eagles Harbor Home Owner Association's only restriction on Solar Panels is that they be roof mounted (No free standing solar panels will be allowed).**

**Sincerely,**



**Christopher Gates, MD**

**President**

**Eagles Harbor Board of Directors**