

**Foxwood Hills Property Owners Association (POA)
Architectural Control Committee (ACC)**

Guidelines for Procedures, Policies and Requirements



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INTRODUCTION

This document conveys the Architectural Control Committee's (ACC) "*Procedures, Policies and Requirements*" that supplement Foxwood Hill's "*Bylaws*" and "*Covenants and Restrictions*." (see Appendix A for the restrictions). The contents supply the necessary detail and guidance material for owners and contractors planning to engage in building a residence, placing a manufactured home or RV, or remodeling or making other miscellaneous exterior changes to existing residences within Foxwood Hills.

The ACC's primary responsibility is ensuring compliance with Foxwood Hill's Bylaws, covenants, and restrictions. At the same time, the goal of the ACC is to be of service to our property owners and to help contractors working on new home construction or exterior changes in Foxwood Hills.

AUTHORITY

The Architectural Control Committee (ACC)

1. The ACC is a committee established by the Foxwood Hills Property Owners Association (POA) Bylaws to help the Board of Directors in enforcing the various covenants of the deed restricted community. Refer to Bylaws Article XIV, Section 2 to review the establishment of the ACC authority.
2. The ACC is made up of knowledgeable volunteer members from the community. The committee includes a chairperson that leads the committee and a Board of Director's Liaison. The Board of Directors annually appoints the committee and chairperson.
3. ACC committee meetings are set by the chairperson as needed.
4. The ACC will notify all local builders/construction companies actively working on Foxwood Hills construction projects of specific changes (amendments to this document) as they occur. Copies of amendments will be made available at the POA Office as adopted. An annual summary, if necessary, of all changes to construction requirements will be supplied either by briefing or by letter. Revisions of this document will be published as called for.

Committee Purpose

1. The ACC is charged by the Foxwood Hills POA Board of Directors to set up and monitor rules of its intent and procedures, thereby, ensuring that improvements placed on any lot in Foxwood Hills as well as the ongoing enforcement of the Bylaws and restrictions are consistent. This process and requirements are summarized in this document.
2. The ACC must review and approve all construction/placement plans prior to the commencement of any construction or modification of any lot, requiring the submission of the proper application for a permit(s).

3. No responsibility or liability is borne by the ACC or the Board of Directors for the contents of plans and specifications or for any defects in those plans or in the construction work even though the committee reviews and approves such plans and specifications and checks the work.

REQUIREMENTS/RESPONSIBILITIES

1. A permit must be issued before any work can be started on any lot within Foxwood Hills. This requirement applies to both new home construction/placement of Manufactured homes, recreational vehicles, prefabricated and modular homes, and any exterior change or modification to an existing structure or residential property. (see Appendix B for definitions).
2. Application for such approval is made by submitting the proper plans, documents and associated fees based on work to be performed.
3. The POA must have the member's property properly recorded and the member must be in good standing. The Bylaws defines a member in "good standing" as "those members who are current in payment of all their fees, dues, assessments and all other financial obligations due the Association and are not in violation of current Bylaws and restrictions." If a request is made by a renter, the member (property owner) must agree to the request in writing to the ACC.
4. All property owners in Foxwood Hills (except for Homestead section) must be connected to Central States Water Resources (CSWR) for water and sewer services.
5. Safe digging is everyone's responsibility. It is a free service to notify SC811 of your planned excavation to help prevent damage that may result in fines, utility service interruption and injury. Before digging, call 811 to request your lines to be marked. Wait the required amount of time. For normal notice tickets, you must wait three full business days, not including the day you requested service.
6. No building, wall, fence, driveway, or other structure or improvement of any kind shall be erected, placed, altered, added to, changed, kept, or reconstructed on any lot until the plans and the proposed location upon the lot have been approved in writing by the ACC. Plans must be legible, to scale, and contain all pertinent dimensions. In addition, approval is needed for any deck, porch, patio, accessory building, or equipment (including storage buildings).
7. ACC review of property pin location/survey markers with the owner will take place prior to permit approval. After clearing and before construction begins, stakes marking the location of any building to be constructed/placed needs to be reviewed to verify setbacks.

8. Permit boxes are needed on each building lot and must be visible from the road.
9. It is the property owner's responsibility to have a certified survey and grade/build accordingly.
10. All material given shall remain the property of the POA. The property owner should make copies of all materials for their personal records.
11. The owner manages any drainage problems existing on said property or resulting from the grading of property for the construction of approved building and driveway. No right is granted to drain run off onto adjacent property. All silt fencing and sediment control measures must be in place.
12. No mobile homes, trailers, shacks, tents, or any other structure of a temporary nature (except adequate sanitary toilet facilities for workers during construction of a permanent residence) will be erected or allowed to remain on any lot prior to the construction of permanent residence. However, builders of improvements on the lot may use a construction trailer.
13. If a lot located on unpaved roads is purchased, the POA cannot guarantee the road will be paved.
14. Before burning anything, contact the South Carolina Oconee County at 1-800-705-8618 to notify intent to burn and check for restrictions. Burning is not allowed from May 1 through September 30 each year.

FEES

There are three (3) types of permit fees: administrative fee; impact fee; and owner's compliance deposit (performance bond). Permit fees will be collected at the time the permit is approved, and paperwork is signed. The property owner handles the payment of all fees (not the builder or other contractor).

Administrative Fee

Fee to cover routine administration (filing, copying, etc.) of applications. This fee is non-refundable.

Impact Fee

Fee to cover expected wear and tear on community roads during site preparation, construction and/or placement of manufactured homes. All impact fees will be allocated to maintenance of the community road/drainage infrastructures. This fee is non-refundable.

Owner's Compliance Deposit (Performance Bond)

The owner's compliance deposit or performance bond is a deposit to ensure that all plans needing a permit meet Bylaws, covenants, restrictions, and approved plans and specifications. Any or all the deposit will be used to correct any building or alteration that does not meet covenants or approved plans and specifications and pay any legal fees involved. A deposit larger than the established minimum deposit will only be needed if the contractor has previously violated covenants and has been told by the ACC of its intent to require such a bond in the future. If the owner chooses a builder that the ACC has found to perform unsatisfactorily, a deposit up to \$10,000 may be needed to insure conformance with Foxwood Hills covenants and restrictions. No plan shall be given final approval until the proper owner's compliance deposit has been given to the POA Office. If landscaping is not included in the contract for the construction of the home, \$500 of the deposit will be kept insuring prompt completion of the landscaping. Should there be charges for cause against this deposit and it drops below \$2,000, it must be replenished before construction can continue.

Reimbursement of Owner's Compliance Deposits

To be reimbursed for any fee that is refundable (owner's compliance deposit), you must contact the POA Office informing them that you have completed the project associated with the permit. The ACC will then inspect the project for completion and associated items such as:

- Lots must be cleared of all debris and temporary or final landscaping installed to prevent erosion must be in place.
- All building materials, grading debris (trees, brush) and trash must be removed from the site.
- For remodeling, additions, or renovations, the existing structure's elevations must be in good state of repair.
- All exteriors of home should be completed to include porches and stoops. Concrete or block foundations must be painted or finished with stucco.
- All safety hazards including, but not limited to, exposed wiring or open ditches and holes, as well as any excessive damage to the road must be corrected and approved by ACC and the Chair of the Roads Committee.
- Project must follow Oconee County building codes. Proof of CO (Certificate of Occupancy) report shall be provided for new structures and/or inspection reports for additions or exterior modifications as needed before any refunds are issued.
- Excessive damage to the road could result in the deposit not being refunded. If the repair costs exceed the deposit, the member will be liable for the additional expense.

SECTION 2

APPLICATION FOR PERMITS

There are three (3) types of permits: 1) Site Preparation/Home Construction; 2) Site Preparation/Placement of Manufactured Homes; and 3) Addition/Changes to Existing Structures and/or Property and RV Placement.

All applications for proposed construction/placement or modifications must be given in writing using the form authorized by the ACC. Applications must be complete to commence the review process. Incomplete applications will be returned to the applicant with a statement of deficiencies to be remedied to be considered for review.

ACC approval is needed before any work may be performed on any lot within Foxwood Hills. This requirement applies to both placement of a home and any exterior change or modification to an existing structure or residential property. This includes buildings, walls, fences, driveways, parking areas, or other structures or improvements of any kind that may be erected, placed, altered, added to, changed, kept, or reconstructed on any lot until the plans and the proposed location upon the lot have been approved in writing by the ACC. In addition, approval is needed for any deck, porch, patio, accessory building, or equipment (including storage buildings including enclosing porches or adding rooms. (Completely replacing a structure, such as a deck, is not considered a repair, and would be subject to any applicable Foxwood and County permitting requirements.) There will be a penalty fee of \$250 if any work begins before a permit is issued.

Obtain a proper application from the POA Office or website.

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Addition/Changes to Property and RV Placement..... Page 16

Site Preparation - Grading/Clearing/Drainage

Allows a member to perform grading and clearing of land to include plans for adequate drainage.

1. A grading/clearing permit is needed if truckloads of material weighing more than 3-tons is needed.
2. Heavy equipment is defined as any equipment that travels on tracks or tires e.g., back-hoes, graders, loaders, skid steers, track loaders.
3. A preliminary drainage plan is needed and includes control of all run off from down spouts, drives, roadside culverts, and protection for adjacent property, as appropriate. Analyze the drainage needs of the site. Drainage needs differ based on specific site location, the type of construction project, if any, obstacles in the way and the needs of the construction project or building. Visit the site when it is raining to get an idea of how the water currently flows on the site. Make note of this on a rough drawing to incorporate into the sample drainage plan. (See Appendix C for a sample drainage plan).
4. Drainage plans are as simple as drawn arrows showing where the drainage will be installed and the direction that drainage flows.
5. One copy of the drainage plan, specifically including corrugated metal, concrete or approved double wall culverts – **size should not be less than 15" in diameter**. The pipe should be either 16-gauge corrugated steel, reinforced concrete or smooth lined high density polyethylene pipe. Pipe shall **extend a minimum of 3 feet on each side of the areas serviced**.
6. **Non-paved driveways**: gravel or crusher-run must be used and perpetually kept preventing mud and dirt from getting on the road. If mud does run into the road, it must be removed at once, or it will be removed at the property owner's expense.

Home Construction - New Homes/Major Renovations

Allows for the construction of new homes and/or major renovations of existing structures.

The application must include a complete and correct description of the proposed construction or modification(s). To allow evaluation by the ACC, supporting exhibits will be required. Plans should include:

Builder Information

The general company, contact information, primary project manager's direct contact information, etc.

Licensure

Include a copy of the contractor's South Carolina builder's license or contractor's registration. South Carolina laws require a South Carolina residential builder's license for the construction of any residential building, addition or modification that exceeds \$5,000.

When construction exceeds \$200, South Carolina laws require a South Carolina contractor's registration for the specialized construction tradesmen (carpenters, electricians, painters, plumbers, etc.) when the builder is not a licensed residential builder.

None of the above prevents any person from working on his or her own residence; however, a building permit is still needed. Oconee County requires that the owner/builder must be on the job site working/supervising during all phases of construction and must be present for inspection or licensed contractor must be hired. It would be prudent for the owner who chooses to be the "builder of record" to be fully informed of the responsibilities and liabilities of that decision.

Survey Plat

A copy of the plat or current survey signed by a registered South Carolina surveyor. Plats may be obtained from Oconee County Deeds and Records. These drawings will show the location of pins on the property.

Site Plan

A copy prepared in an acceptable architectural manner that includes lot dimensions and associated setbacks, all easements, new structure, location of heat, ventilation and air conditioner, any existing structures, fences, and driveway. It should also show a clearing and grading scheme with proposed and existing land contours; grades and flow of the site drainage system; landscaping features to include location of existing trees and location and size of trees proposed for removal.

Architectural Drawings

Show decks, patios, retaining walls related to the dwelling, interior spacing of rooms, elevations, and connections to driveways and walkways. (see Appendix D for sample architectural drawing).

Foundation Walls

Walls on homes, either concrete blocks or concrete, must be painted or finished with stucco.

Oconee County Building Permit

A copy of the Oconee County Building permit must be given to the ACC before the start of construction of all new homes and any additions/exterior modifications that require a building permit.

Non-paved driveways

Four inches (4") of gravel or crusher-run must be used and perpetually kept preventing mud and dirt from getting on the road. If mud does run into the road, it must be removed at once, or it will be removed at the property owner's expense. Geofabric placed below the gravel crusher is recommended.

Driveways shall be always covered with a minimum of 2" or more of gravel during construction, sufficient to prevent the tracking of mud from the building site to the roadway. It shall be the responsibility of the owner/contractor's responsibility to keep mud-free pavement next to the building site for the duration of construction.

Mailboxes: before installing, contact the Post Office for specifications.

Permit Fees SITE PREPARATION/NEW HOME CONSTRUCTION/REMODEL

Administrative Fee	\$50 (non-refundable)
Impact Fee	\$1,000 (non-refundable)
Owner's Compliance Fee	\$1,000 (refundable after inspection)

SITE PREPARATION/NEW HOME CONSTRUCTION/REMODEL

Print the requested information in the space below:

Purposed Setbacks: Front:	Right Side:	Left Side:	Rear:
Name of Owner(s):			
Property Street Address:			
Property Section & Lot Number:			
Owner's Mailing Address:			
Owner's Phone Number:			
Owner's Email Addresses:			
Contractor's Name:			
Contractor's Email Address & Phone #:			
EXTERIOR: Brick ___ Wood ___ Vinyl ___ Other ___	Slab ___ Raised Slab ___ Basement ___ Crawl Space ___ Other ___	Type of Driveway	
STRUCTURE TOTAL SQ FOOTAGE _____ Width _____ Length _____ Height _____	# of stories ___ # bedrooms ___ # bathrooms ___	Are pins marked? Yes: ___ No: ___	
SCOPE OF PERMIT: Check boxes that apply to this permit. ___ Grading/Clearing/Drainage ___ New Construction/Dwelling ___ Addition Additional information:			
REQUIRED DOCUMENTS TO SUBMIT WITH APPLICATION		FEES (Due at time of permit issuance)	
___ 1 copy of plat or current survey		___ \$50 Administrative Fee (Non-refundable)	
___ 1 copy Site Plan with Drainage Plan		___ \$1,000 Impact Fee (Non-refundable)	
___ Architectural Drawings or Floorplan		___ \$1,000 Owner's Compliance Deposit (Refundable)*	
___ SC Builder's License or Contractor's Registration		<i>*Excessive damage to the road could result in deposit not being refunded.</i>	
CERTIFICATION: I/We hereby certify that all statements contained here are correct and that all construction will abide by following the rules and regulations of the Oconee County building codes, Foxwood Hills ACC Guidelines, and the Foxwood Hills restrictions & covenants and Bylaws.			
OWNER'S SIGNATURE		DATE:	
CONTRACTOR'S SIGNATURE:		DATE:	
FOR COMMITTEE USE ONLY			
DATE APPLICATION RECEIVED		REVIEW DATES	
		FINAL APPROVAL DATE	
		ACC Chair's Signature	
Issue Date: _____ Amount Received: _____ Payment Type: _____ Completion Date: _____ Comments:			

Placement of Manufactured Homes

Allows for the placement of new or used manufactured homes (any home with a VIN, vehicle identification number). The home must have underpinning (skirting).

New Manufactured Homes

1. Manufactured housing must be installed by a licensed installer per the South Carolina Manufactured Housing Board guidelines.
2. Manufactured Housing Permits - Every Manufactured home to be set-up in the county must have a bill of sale if new, or a moving permit from the Assessor's Office if used; a set-up permit and decal issued by the Building Codes Division; and completion of required set-up inspections to be approved for electrical service. Before connecting electricity to any Manufactured home in this state, the electric supplier shall obtain from the owner, rental agent, or person in possession of the Manufactured home, a copy of the certified license application form indicating that the license fee has been paid, and the electric supplier shall retain a copy of the form in its records. A copy of the permit should be given to the ACC prior to final approval and placement of all new manufactured homes and any additions/exterior modifications that require a building permit.
3. S.C. Code Regs. 79-42 - Manufactured Home Installation Requirements
All new manufactured homes in the state of South Carolina must be installed per the manufacturer's installation instructions or in the event the manufacturers installation instructions are not available for a new home, the home must be installed per the requirements of 24 CFR Part 3285. All used manufactured homes, without the manufacturer's installation instructions, shall be installed per the requirements of this section. For more information or to check a license please call (803) 896-4682 or go to www.llr.state.sc.us/POL/ManufacturedHousing.

Used Manufactured Homes – 3 Years old or less

Manufactured Housing Permits – Every used Manufactured home to be set-up in the county must have: a bill of sale and/or a moving permit from the Assessor's Office if used; a set-up permit and decal issued by the Building Codes Division; and completion of required set-up inspections to be approved for electrical service. (see Appendix E for Minimum Habitability Requirements)

Per Title 40 of the South Carolina Code of Laws, International Residential (IRC), Plumbing, and Fuel Gas Codes, National Electrical Code (NEC), and Ordinance 99-8 of Oconee County, the used manufactured homes must the minimum habitability requirements outlined in the appendices.

Permit Fees for New/Used Manufactured Homes

Administrative Fee	\$50 (non-refundable)
Impact Fee	\$1,000 (non-refundable)
Owner's Compliance Deposit	\$1,000(refundable after inspection)

SITE PREPARATION AND PLACEMENT OF NEW/USED MANUFACTURED HOMES

Print the requested information in the space below:

Purposed Setbacks: Front:	Right Side:	Left Side:	Rear:
Name of Owner(s):			
Property Street Address:			
Property Section & Lot Number:			
Owner's Mailing Address:			
Owner's Phone Number:			
Owner's Email Addresses:			
Licensed Installer Name:			
Licensed Installers Email Address & Phone #:			
Year, Make, Model & Serial Number			
Type of Skirting/Foundation: Brick ___ Vinyl ___ Other ___	Are pins marked? Yes: ___ No: ___	Type of Driveway	
STRUCTURE TOTAL SQ FOOTAGE _____ Width _____ Length _____ Height _____	# bedrooms _____ # bathrooms _____	VIN:	
SCOPE OF PERMIT: Check boxes that apply to this permit. _____ Grading/Clearing/Drainage _____ Manufactured Home Placement Additional information:			
REQUIRED DOCUMENTS TO SUBMIT WITH APPLICATION		FEES (Due at time of permit issuance)	
___ 1 copy of plat or current survey		___ \$50 Administrative fee	
___ 1 copy Site Plan with Drainage Plan		___ \$1,000 Impact Fee (Non-refundable)	
___ Architectural Drawings or Floorplan		___ \$1,000 Owner's Compliance Deposit (Refundable)*	
___ Photos of all 4 sides		*Excessive damage to the road could result in deposit not being refunded.	
___ Installers License or Registration			
CERTIFICATION: I/We hereby certify that all statements contained here are correct and that all construction will abide by following the rules and regulations of the Oconee County building codes, Foxwood Hills ACC Guidelines, and the Foxwood Hills restrictions & covenants and Bylaws.			
OWNER'S SIGNATURE		DATE:	
CONTRACTOR'S SIGNATURE:		DATE:	
FOR COMMITTEE USE ONLY			
DATE APPLICATION RECEIVED		REVIEW DATES	
		FINAL APPROVAL DATE	
		ACC Chair's Signature	
Issue Date: _____ Amount Received: _____ Payment Type: _____ Completion Date: _____ Comments:			

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Addition/Changes/RV Placement (and Tiny Home Placement).

Allows for the construction or placement of decks, fences, roof overs, carports, walkways, retaining walls, sheds as well as placement of recreational vehicles, (tiny homes, park models and shed conversions (must meet same habitability requirements as a Manufactured home). All project applications must be accompanied by detailed plans (drawings) including dimensions or additions, or structures and a site plan with the location of existing structures as well as proposed structures).

ACC approval is needed before any work may be performed on any lot within Foxwood Hills. This requirement applies to both placement of a home and any exterior change or modification to an existing structure or residential property. This includes buildings, walls, fences, decks, driveways, parking areas, or other structures or improvements of any kind shall be erected, placed, altered, added to, changed, or reconstructed on any lot until the plans and the proposed location upon the lot have been approved in writing by the ACC. In addition, approval is needed for any deck, porch, patio, accessory building, or equipment (including storage buildings including enclosing porches or carports or adding rooms). There will be a penalty fee of \$250 if any work begins before a permit is issued.

Exception to permit requirements:

1. Deliveries of mulch or gravel for the sole purpose of replacing existing materials (this cannot involve any grading using heavy equipment.
2. Cutting and removing trees using light equipment (i.e., chainsaws, pickup trucks, and light trailers).
3. Renovations inside an existing enclosed dwelling).

Permit Fees for Additions/Changes to Structure/Property (fences, sheds, decks, retaining walls, carports and any modifications or additions, using heavy equipment/truck loads less than 3 tons

Permit Fee\$50 (non-refundable)

Impact Fee \$25 (non-refundable)

Owner's Compliance Deposit \$0 (refundable)

Concrete Driveways and Patios (and any other project requiring concrete trucks) as well as any project requiring heavy equipment (ex. Equipment and materials to build large retaining walls) and or materials weighing over 3 tons. Heavy equipment is defined as any equipment that travels on tracks or tires, e.g., back-hoes, graders, loaders, skid steer, track loader.

Permit Fee..... \$50 (non-refundable)

Impact Fee..... \$500 (non-refundable)

Owner's Compliance Deposit.....\$1000 (refundable)

RV Placement

RV owners must provide information regarding the make, model, and VIN #; photos of all 4 sides; drawing that includes lot dimensions and associated setbacks, placement of RV, threshold, porch or deck, any existing structures and driveway.

This applies to vehicles that can be either driven or towed into an RV lot easily. (i.e., motor homes and camper trailers, popups, etc. in road worthy condition).

This is an approval process to maintain the appearance of the community. RVs cannot be placed on an RV lot until they are approved by the ACC through the permitting process. If an RV is on an RV lot, it will be considered placed, regardless of whether sewer or water are attached.

Only one RV can be permitted to be placed on an RV lot at a time. Multiple RVs cannot be placed on the same lot. (One RV per lot)

Permit Fee \$50 (non-refundable)

Impact Fee \$0 (non-refundable)

Owner's Compliance Deposit\$500 (refundable)

Tiny Homes, Park Models and Shed Conversions (under 400 sq. ft) RV Sections Only

This applies to prefabricated dwellings that will be placed on an RV lot permanently.

Permit Fee \$50 (non-refundable)

Impact Fee \$0 (non-refundable)

Owner's Compliance Deposit\$500 (refundable)

ADDITION/CHANGES TO PROPERTY

Print the requested information in the space below:

Proposed Setbacks: Front:	Right Side:	Left Side:	Rear:
Name of Owner(s):			
Property Street Address:			
Property Section & Lot Number:			
Owner's Mailing Address:			
Owner's Phone Number:			
Owner's Email Addresses:			
Contractor's Name:			
Contractor's Email Address & Phone #:			
SCOPE OF PERMIT: Check boxes that apply to this permit. <input type="checkbox"/> Fence <input type="checkbox"/> RV Placement (Year, Make, Model and VIN #) <input type="checkbox"/> Shed <input type="checkbox"/> Deck <input type="checkbox"/> Retaining Wall <input type="checkbox"/> Carport <input type="checkbox"/> Other _____			
REQUIRED DOCUMENTS TO SUBMIT WITH APPLICATION`		FEES (Due at time of permit issuance) see attached fee schedule for scope of permit	
<input type="checkbox"/> 1 copy of plat or current survey		<input type="checkbox"/> \$50 Administrative Fee	
<input type="checkbox"/> 1 copy Site Plan with Drainage Plan		<input type="checkbox"/> \$_____ Impact Fee (Non-refundable)	
<input type="checkbox"/> Photos of RV		<input type="checkbox"/> \$_____ Owner's Compliance Deposit (Refundable)*	
<input type="checkbox"/> SC Builder's License or Contractor's Registration		*Excessive damage to the road could result in deposit not being refunded.	
CERTIFICATION: I/We hereby certify that all statements contained here are correct and that all construction will abide by following the rules and regulations of the Oconee County building codes, Foxwood Hills ACC Guidelines, and the Foxwood Hills restrictions & covenants and Bylaws.			
OWNER'S SIGNATURE		DATE:	
CONTRACTOR'S SIGNATURE:		DATE:	
FOR COMMITTEE USE ONLY			
DATE APPLICATION RECEIVED		REVIEW DATES	
		FINAL APPROVAL DATE	
		ACC Chair's Signature	
Issue Date: _____ Amount Received: _____ Payment Type: _____ Completion Date: _____ Comments: _____			

SECTION 3

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Application Review

Application review, including on-site assessment, must take place before a permit is approved. The permit must be approved before payment is accepted or work can begin.

Review Period and Decisions of ACC

The ACC will respond, in writing, no more than thirty (30) days after submission of a fully completed application, including all required plans and specifications and other information noted. In the event the ACC does not approve or disapprove such construction or modification within the thirty (30) days after said plans and specifications have been given, the ACC application will be considered to have been denied.

The ACC's decision will be made in one of the following ways:

1. Approved as Submitted

The entire application is approved. The member will be contacted by the POA Office with the ACC's decision. The applicable fees will need to be paid by the member and paperwork signed. The permit will then be issued and must be displayed until the project is completed. If a county permit is required, a copy must be delivered to ACC Foxwood Hills prior to construction starting.

2. Approved with Conditions

The application is approved if and only if the applicant adheres to the conditions stipulated by the ACC. The applicant must counter sign the conditions to show applicant's understanding of, and willingness to follow, the stipulations noted.

3. Denied

When a request is disapproved, the ACC will issue a written decision disapproving the plan. ACC will also cite reasons for disapproval. If possible, suggestions will be supplied to guide the member toward a request more likely to be approved.

The member whose request is disapproved may appeal by succinctly and in written form setting forth the basis for their appeal and giving such appeal to the Board within thirty (30) days of their receipt of disapproval. Failure to do so shall bar any disapproved party from a belated appeal to the ACC, from pursuit of any action in court, or any other legal remedy they might otherwise have.

The Board shall schedule this hearing for a date of no less than seven (7) days, but not more than twenty-one (21) days from the date of receipt of the notice of hearing by the person requesting the hearing.

Note: *If application is denied and uncontested or revised, any paid fees will be refunded.*

Implementation of Approved Plans

The **POA Office must be notified 24 hours prior to the pouring of footings** so that the ACC can check setbacks. All lot stakes must be clear and available, and all sidelines shall be strung to help check the setback distances. This check by the ACC does not relieve the Builder of responsibility in placing the footings. Stakes should be placed where the driveway will be located.

All work must conform to approved plans. If it is determined by the ACC that work completed or in progress on any lot or property is not in compliance with these guidelines and the covenants and restrictions or any approval issued by the ACC, the ACC shall, directly or through the Board, notify the homeowners and builder, if any, in writing of such noncompliance, and shall require the homeowners and/or builder to remedy the same. If the homeowner and/or builder does not remedy such noncompliance or does not begin and continue diligently toward achieving compliance within the time-period stated in the notice, then such noncompliance shall be in violation of the covenants and restrictions and these guidelines, and the Association may act against the homeowner.

Owners will manage any drainage problems existing on said property or resulting from the grading of property for the construction of approved building and driveway. No right is granted to drain run off onto adjacent property. Due to the nature of the terrain with Foxwood Hills, particular attention must be paid to house location and foundation and elevation plans. Drainage has been and can be a significant problem; do not neglect this consideration. Owners should work with the natural contours and seek solutions that minimize the impact of grading with respect to major alterations or existing grades. No lot should be increased in size by filling-in the waters, drainage easements.

If the work described in the approved plan is not started **within six (6) months** from the date the permit is issued, the permit will become invalid unless an extension is approved by the ACC Committee. The extension, if granted, will require an administrative fee.

Changes after Approval

All proposed changes to plans, including changes that affect the exterior of any building, grading, paving, landscaping, made after the approval of plans must be given to and approved in writing by the ACC, prior to implementation. Close cooperation and coordination between the applicant and the ACC will ensure that changes are approved on time.

Time to Complete

The approval for construction of a building or any additions to an existing building is good for **twelve (12) months from date of approval** and only for the purpose of working on the specific lot for which approval is granted. If construction is not completed within the approved timeline, an extension request must be made and will require an administrative fee.

Once placement of manufactured homes starts, it will be completed within six months. If is not completed, the incomplete construction shall be deemed to be in violation of these rules and guidelines. If placement is not completed within the approved timeline, an extension request must be made and will require an administrative fee.

Variances

Any deviation from these guidelines, the current Bylaws of the Foxwood Hills Property Owners Association, and the applicable section restrictions, rules and regulations requires an approved variance from the Architectural Control Committee and the ACC Board Liaison.

A variance request will be considered on these grounds:

1. Strict application of ACC Guidelines, would be impossible, unduly harsh, or unnecessary considering either:
2. Present physical conditions such as topography, natural obstructions or aesthetic or environmental considerations that are on the property; or the presence of an extreme or unjustified economic hardship to the applicant; or the applicant's proposal, although not meeting the requirements of the ACC Guidelines, the current Bylaws of the Foxwood Hills Property Owners Association, and the applicable section restrictions can be proven to directly and substantially advance the stated intent of the ACC Guidelines, the current Bylaws of the Foxwood Hills Property Owners Association and the applicable section restrictions.
3. The variance must not unreasonably burden other property owners within the community.
4. The variance must show the minimum impact possible to alleviate the physical condition or relieve the hardship.
5. The variance must not be in response to a violation by the applicant of the ACC Guidelines, The current Bylaws of the Foxwood Hills Property Owners Association, and the applicable section restrictions.

To make a variance request, you must do the following:

1. Submit your request along with any supporting documentation, photographs, design plans, etc. to the ACC Committee who will send and/or deliver a letter to all adjacent and affected property owners. The letter must include a notice of the time, date and location of the meeting where the variance will be considered, a description of the requested variance and the street address of the property requesting the variance.
2. Variance applicants must attend their hearing at the meeting, where the ACC committee chair must provide evidence that adjacent and affected property owners were notified (i.e., USPS Return Receipts, property owner signatures).

The committee will review the variance request and recommend approval or disapproval of the request to the Board of Directors. The board decision is final. Applicants may revise their variance request based on feedback from the board and resubmit a new variance request.

Previously Approved Variances

Requests which would otherwise be subject to the variance review process but have previously received variance request approvals or initial design approvals from the ACC Committee for the subject matter(s), may be approved by the ACC Committee without a formal variance review process at their sole discretion. However, a previous variance approval shall not constitute automatic future approvals, which may be withheld at ACC's sole discretion, at which point, the variance process application shall be required.

APPLICATION FOR VARIANCE
Print the requested information in the space below.

Proposed Setbacks: Front:		Right Side:	Left Side:	Rear:
Name of Owner(s):				
Property Street Address:				
Section/Property Lot Number:				
Owner's Mailing Address:				
Owner's Phone Number:				
Owner's Email Addresses & Phone #:		REASON FOR VARIANCE:		
DOCUMENTS TO SUBMIT WITH APPLICATION				
___ Copy of all previous variances issued.				
___ 1 Copy of Plat map or current survey				
___ Site Plan with Drainage Plan showing all structures and proposed changes to property				
CERTIFICATION: I/We hereby certify that all statements contained here are correct and that all the rules and regulations of the Oconee County building codes, Foxwood Hills ACC Guidelines, and the Foxwood Hills, restrictions & covenants and bylaws will be followed.				
OWNER'S SIGNATURE				DATE:
OWNER'S SIGNATURE				DATE:
CONTRACTOR'S SIGNATURE				
FOR COMMITTEE USE ONLY				
REVIEW DATES:				
DATE APPLICATION RECEIVED:		FINAL APPROVAL DATE:		
ACC Chair's Signature:				
Board Liaison's Signature:				

Issue Date: _____ **Completion date:** _____

Key Resources

The ACC urges all lot owners who intend to build residences or place manufactured homes in Foxwood Hills, and those homeowners who want to build additions or make changes in an existing home, to contact the Home Builders Association of Oconee County or the SC Manufactured Housing Board Oconee County, respectively. They are experts and can help you in meeting all legal, county, and state regulations.

Construction of Homes

Home Builders Association of Oconee County
P.O. Box 337
Seneca, SC 29679

Manufactured Homes

SC Manufactured Housing Board
(803) 896-4682

Oconee County Building Code Department
415 South Pine Street
Walhalla, SC 29691

(864) 718-1005

The Oconee County Building Code Department handles inspection of construction for compliance with State and Local Building Codes in the county. They can supply procedural requirements and code interpretations that may be helpful to you.

Other Resources

Blue Ridge Electric Co-operative (provider of electrical service)
(800) 240-3400

Central States Water Resources (CSWR) (provider of water/sewer services)
(866) 747-0493

SECTION 4

ENFORCEMENT

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Inspections

Members of the ACC are allowed to enter the owner's property at any reasonable, pre-arranged time, for the purpose of inspecting the proposed project site(s), even if the project is in progress, and upon completion of the project, as necessary. Such an entry will not be considered "trespassing".

The inspections are to ensure that work is being performed in conformance with approved plans and specifications and these guidelines. All inspections are observations only and will not relieve the obligation to obtain inspection approvals from Oconee County. Job sites not in compliance with the restrictions, these guidelines or approved plans, will be issued a **Notice of Violation** with a list of items needed to bring the construction and/or job site into compliance. A **STOP WORK ORDER** will be posted on the job site and remain in effect until such items have been corrected.

Non-Compliance Penalties

Penalties for violations of the covenants, this document, and/or other requirements of the ACC, after proper notice of the violation, may consist of charges against the property owner's refundable fee, fines, limitations to access to Foxwood Hills amenities or other penalties as decided by the ACC. Violations can include:

1. Starting work before approval, or continuing work, (except to secure the work site) after being instructed to stop by the ACC Chair or Security, shall result in a charge to the property owner's refundable fee of up to \$1,000 for new construction/home placement or a fine of up to \$250 for exterior modification and/or other action as the ACC may determine to be appropriate.
2. Failure to complete **new home construction** within twelve (12) months or **placement of manufactured or modular home** within six (06) months will result in the owner's compliance deposit refundable fee being charged. An extension must be requested prior to permit expiration to avoid penalties. The ACC can extend the project timeline for reasons cited in the covenants and restrictions and for other causes at their discretion. If an extension is not requested prior to expiration, an additional fee of \$100 plus the administration fee that applies to the extension will be assessed.
3. Excessive damage to roads resulting from use of heavy equipment or other causes by the contractor, employees or subcontractor shall result in added charges for the cost of repairs. Road repair costs for excessive damage resulting from blatant abuse or disregard for the roadway not covered by the permit fee will be the fiscal responsibility of the property owners.

Conduct of Contractors

The property owner must ensure that all contractors and subcontractors control the conduct of their employees while working in Foxwood Hills. Loud music, speeding, profanity, criminal actions, and other behavior that is unbecoming of a quality operation will not be tolerated.

Contractors and employees violating this policy may be asked to leave the premises and may be denied access to Foxwood Hills. During construction, every effort will be made to keep the job site clean and orderly. Use of a port-a-potty, dumpster or panel trailer is required. The contractor/owner will maintain a trash free site. Litter, particularly food and beverage containers and other "personal" trash, must be policed and containerized or removed daily.

Lumber cannot be placed on the road; rather, it should be placed at least six (6) feet off the road.

If there is burning lumber, a **burn permit** is required. Burn permits are required. Before burning anything, contact Oconee County to obtain a permit by calling 1-800-705-8618. Burning is not allowed from May 1 through September 30 each year.

There is no burying of building materials. All solid waste haulers must be county licensed.

Hours of work at construction sites for new construction or repairs, i.e., exterior changes, must be between **8:00 AM and 7:00 PM**.

Property owners should make their contractors and customers (i.e., construction vehicles, delivery vehicles, buses) aware of acceptable routes for commercial and construction vehicle traffic.

1. Hickory Trail, the main road into and out of Foxwood Hills, should NOT be used by commercial and construction vehicles. They are to go to Dr. Johns, taking a left, and turning left on Loblolly Drive.
2. As a reminder for contractors and trades people working in Foxwood Hills, the roads in Foxwood Hills are private. All speed limits and stop signs are to be obeyed. It is our policy that anyone caught not obeying these rules will be given only one warning. The second complaint will result in your vehicle being denied access to Foxwood Hills. This includes your private vehicle as well as your work vehicle.
3. Contractors partially blocking traffic lanes with vehicles or equipment will place orange traffic cones or similar devices to alert traffic using the road of the hazard. Such blockage must be removed as soon as possible to keep emergency access. There will be no blockage of any traffic lane allowed after 7 pm or before 7 AM.

Occupancy of Residence

No residence may be occupied until it is complete. The Oconee County Code Department issues a report of final inspection, which may serve the purpose of a Certificate of Occupancy (CO). The ACC must be notified of plans to occupy a residence prior to final completion by the builder. A copy of the final inspection by the Building Code Department may be requested by the ACC in any questionable situation.

Construction Damages

Any damage to any common property, including grounds, structures, equipment, trees, plants, and bushes caused by the property owner, its contractors, sub-contractors, agents, or employees during construction or modification of the property owners' lot must be corrected at once to the satisfaction of the Association. If the damage is not fully corrected, and after reasonable notice and opportunity to cure to the homeowner, the Association may undertake to repair such damage and assess the actual costs of that repair to the property owner. Any such expense incurred by the Association shall be part of the assessments to which the property owner's lot is subject and shall be due and payable in the same manner as annual assessments, as provided for in the Bylaws.

ONGOING ENFORCEMENT

Overview

The ACC is a committee set up by The First Revised Bylaws of the Foxwood Hills Property Owners Association dated January 9, 2019, to help the Board in enforcing the various restrictive covenants of the community. Refer to Bylaws Article XIV, Section 2 to review the establishment of the ACC authority.

Definitions

1. "Abandoned" can refer to, but is not limited to, an unfinished home, Manufactured home, recreational vehicle, boat, camper, vehicle, shed or any item so considered by the ACC.
2. "Dangerous" can refer to any situation so considered by the ACC. It may include, but is not limited to, an unfinished home, Manufactured home, recreational vehicle, shed, garage, etc.
3. "Deteriorated" means to the point of appearing dilapidated or unsafe and can refer to any situation so considered by the ACC. It may include, but is not limited to, any of the items mentioned above.

Refer to Article XXII General Provisions Section 2 Self Help of the Bylaws for more details.

POA Management Action

After being notified by the ACC of any property that falls into the definitions above, the POA will at once notify the owner in writing of the property of said violation and will request immediate action on the part of the property owner to remedy the situation.

Additionally, the POA General Manager, in collaboration with the ACC chair, will decide the best course of action. For example, the POA may secure an estimate from a reputable source to complete, remove, renovate, or perform the action considered necessary to bring the property into compliance. In addition, the POA will at once place a lien on the property for the amount determined to protect the POA's interest in the repairs. The lien will be removed as soon as the situation is remedied to the satisfaction of the POA.

If the property owner decides to sell the property, the cost to bring the property up to specification will be paid by the seller at closing. In the case of the sale of an unfinished house where a deposit has been paid to build the house, the deposit will **not** be refunded to the original owner without approval of the new owner and complete satisfaction of any POA placed lien.

Dispute Resolution

If a member wishes to dispute a violation notification, per the Bylaws Article XXII General Provisions, Section 3, the Alternative Dispute Resolution process is as follows:

Any owner or occupant must give written notice to the Board requesting a hearing with the Board and attend such hearing to discuss an amicable resolution of any dispute before that owner or occupant may file any lawsuit against the Association, the Board of Directors, or any agent of the Association. The owner or occupant shall, in such instance and at the hearing, make a good faith effort to explain the grievance to the Board and resolve the dispute in an amicable fashion, and shall give the Board a reasonable opportunity to address the owners' or occupants' grievance before filing suit. Upon receiving a request for a hearing, the Board shall give notice of the date, time, and place of the hearing to the person requesting the hearing.

SECTION 5 APPENDICES

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APPENDIX A -Section Restrictions

Section	Buildings Allowed	Sq. Ft. Min.	Sq. Ft Min. for Lake Lots	Setbacks			
				Front	Rear	Side	Side St.
Aaron	Houses Lots 1 to 85 & 170 to 235	1000	N/A	40	15	15	20
	Manufactured Homes Lots 86 to 169	600	N/A	40	5	5	10
A	House Only	650	1000	40	5	5	10
B	House Only	650	1000	40	5	5	10
C	House Only	650	1000	40	5	5	10
D	House Only	650	1000	40	5	5	10
Edisto	House Only	650	1000	40	15	15	20
F	House Only	650	1000	40	5	5	10
G	House Only	650	1000	40	15	15	20
Homestead	House or Manufactured home	750	N/A	40	15	15	20
* Hatteras I	RV	40' Max		20	5	5	5
	House or Tiny Home	N/A	N/A	20	5	5	5
Hatteras II	House Only Lots 1 to 46	650	1000	40	15	15	20
	House or Manufactured Homes less than 3 yrs old Lots 86 to 169	600		40	5	5	10
I	House Only	650	1000	40	15	15	20
* Kinston	RV	40' Max		10	5	5	5
	House or Tiny Home	N/A	N/A	10	5	5	5
L	House Only	650	1000	40	15	15	20
M	Manufactured Home, or House (Maximum 2,000 Sq. Ft.)	300	1000	40	5	5	10
Millhurst	House Only	650	1000	40	15	15	20
* Newbury	RV	40' Max		20	5	5	5
	House (1,200 Sq. Ft. max)	600	600	20	5	5	5
Orion	House Only	1000	N/A	40	15	15	20
Panola	House Only	1000	N/A	40	15	15	20
Rapidan	House Only	1000	N/A	40	15	15	20
Sherando	House	650	1,000	40	15	15	20
	Manufactured Home Less Than 3 yrs	600		40	5	5	10
Tidewater	House	650	1,000	40	15	15	20
	Manufactured Home Less Than 3 yrs	600		40	5	5	10

*For the RV Sections of Hatteras I, Newbury and Kinston, the front setback is from the nearest corner of the RV or structure to the side of the road. In Aaron, Homestead, Sherando and Hatteras II, the association will allow modular homes.

APPENDIX B - Definitions

Additions to an Existing Building or Structure

Any improvement that increases the square footage of a structure.

House

A home foundation is the load-bearing portion of the structure, typically built below ground. At a minimum, any house foundation must do three things well: support the structure above, keep out groundwater, and act as a barrier to water and soil vapor.

Manufactured Home

The South Carolina Residential Building Code and Commentary defines a manufactured home as: a structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 square feet or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein; except that such term shall include any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development (HUD) and complies with the standards established under this title. For manufactured homes built prior to June 15, 1976, a label certifying compliance to the Standard for Manufactured Homes, NFPA501, in effect at the time of manufacture is required. For these provisions, a Manufactured home shall be considered a manufactured home.

Modular Home

A modular home is simply a home built offsite, in an indoor factory setting to a local state code. In most cases, states have adopted the International Residential Code, or IRC. These homes are often called “factory-built,” “systems-built” or “prefab homes.” A modular home starts out as sections, or modules, which have been built in a climate-controlled area and then transported to the building site and assembled, often with the help of cranes.

A single-family modular home manufactured after January 1, 2005, must meet certain standards to be certified for placement in South Carolina. These standards include roof pitch, eave projections, exterior wall height, and minimum foundation design.

Prefabricated Homes

Off-site built homes are constructed inside a facility and then transported to the home site for final assembly. Types of prefabricated homes include manufactured and modular homes. Visually, manufactured, and modular homes do not look that different from one another, and both can look remarkably like traditional site-built ones. The main differences between

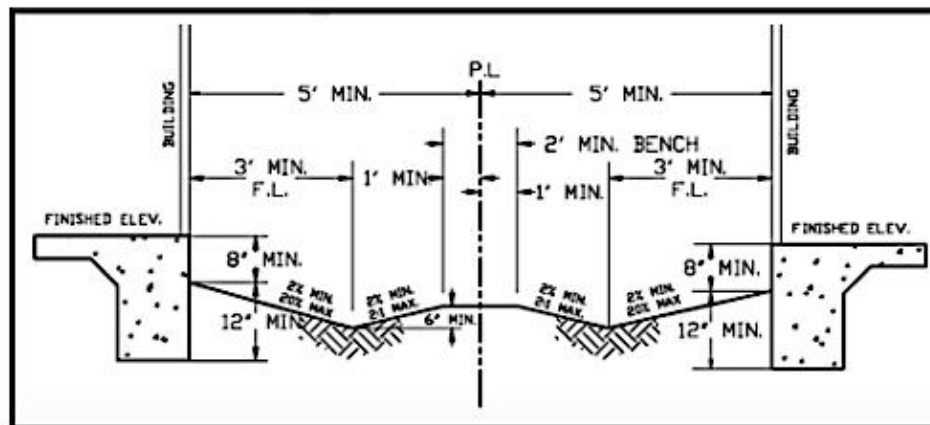
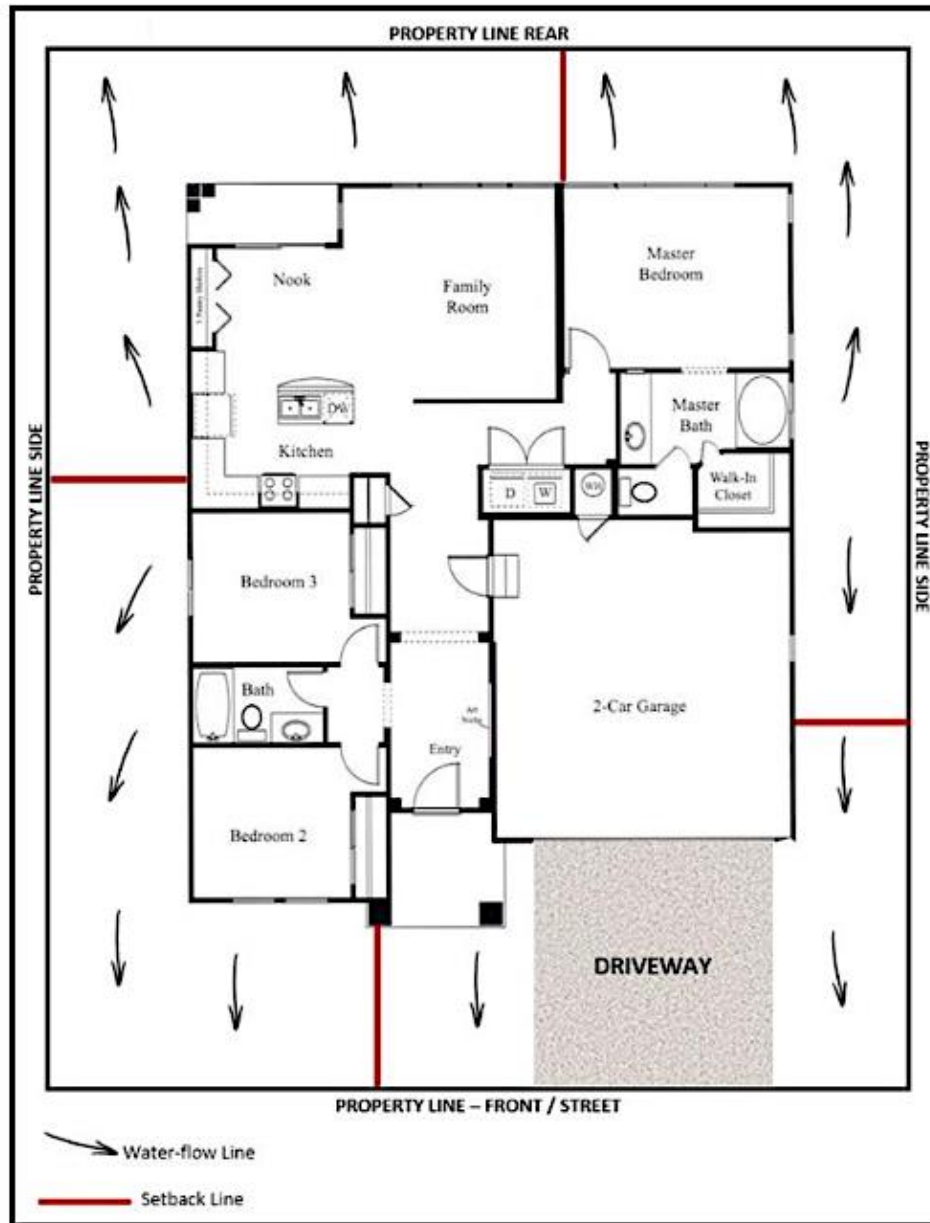
manufactured and modular homes is the codes to which they are built and manufactured home is assigned a VIN (vehicle identification number).

Recreational Vehicle

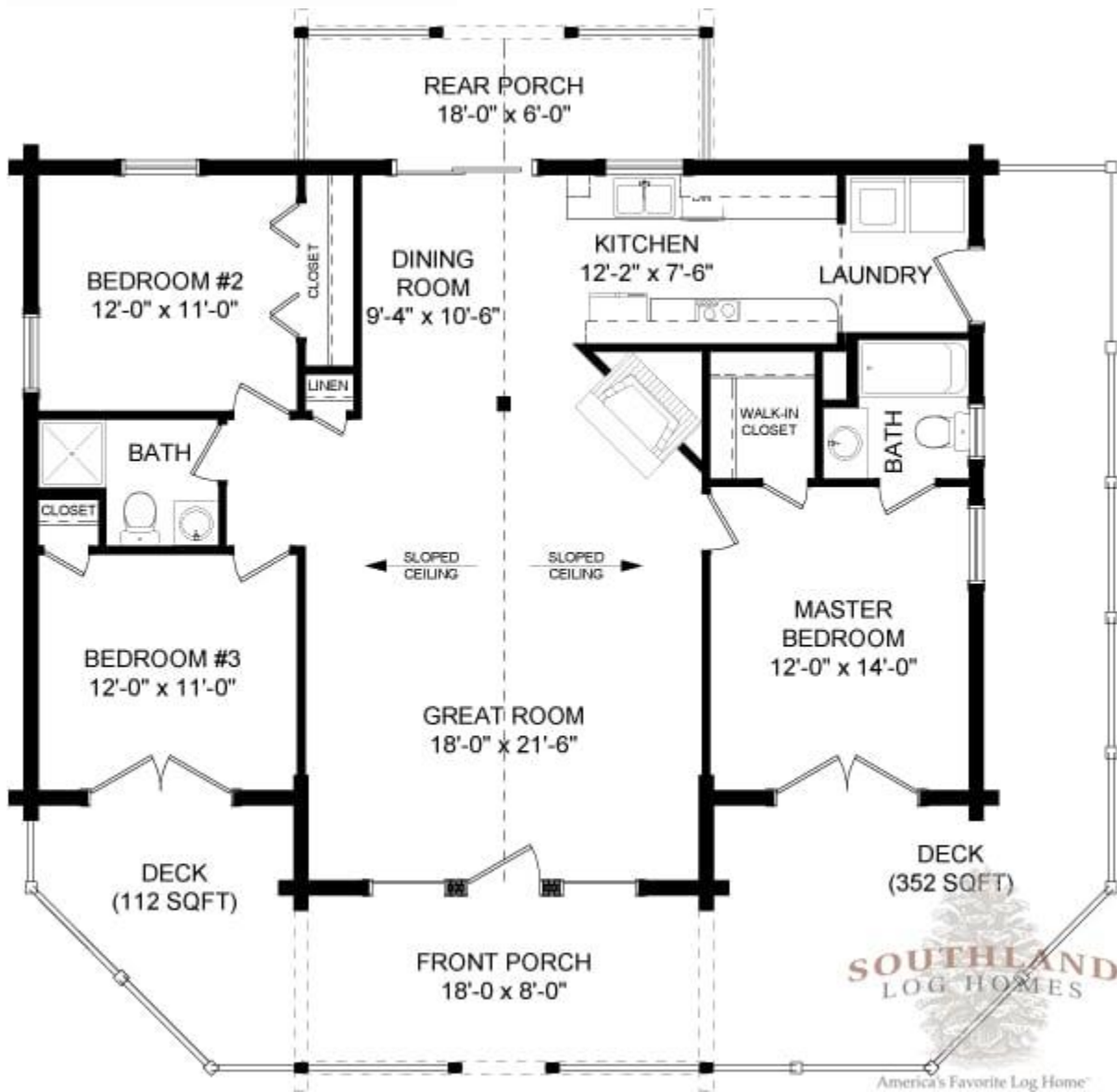
Recreational vehicle means a motorhome, travel trailer, fifth-wheel trailer, or folding camping trailer designed to provide temporary living quarters for recreational, camping, or travel use, as defined here.

Motorhome means a self-propelled vehicle designed to provide living quarters for recreational, camping, or travel use that follows all applicable federal vehicle regulations.

Appendix C – Drainage Plan



Appendix D – Architectural Drawing Samples



Appendix E

Used Manufactured Homes Minimum Habitability Requirements

Per Title 40 of the South Carolina Code of Laws, International Residential (IRC), Plumbing, and Fuel Gas Codes, National Electrical Code (NCE), and Ordinance 99-8 of Oconee County, the used manufactured homes must meet the minimum habitability requirements outlined below.

- 1. Sanitary facilities.** Every manufactured home shall have not less than a kitchen sink, bathroom, tub or shower, and a water closet all in good working condition and properly connected to an approved water system. Every plumbing fixture and water and waste pipe shall be professionally installed and kept in good sanitary working condition free from defects, leaks, and obstructions.
- 2. Hot and cold-water supply.** Every manufactured home shall have connected to the kitchen, sink, bathroom, and tub or shower connected to an adequate supply of both cold and hot water.
- 3. Water heating facilities.** Every manufactured home shall have water heating facilities which are properly installed and maintained in a safe and good working condition and are capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than 120 degrees Fahrenheit.
- 4. Heating facilities.** Every manufactured home shall have heating facilities which are professionally installed and adequately heating all habitable rooms and bathrooms. When a central heating system is not provided, each manufactured home shall be provided with facilities whereby heating appliances may be connected. Unvented fuel burning heaters shall be prohibited except for gas heaters listed for unvented use and the total input rating of the unvented heaters is less than 30 BTU per hour per cubic foot of room content. Unvented fuel burning heaters shall be prohibited in bedrooms.
- 5. Cooking and heating equipment.** All cooking and heating equipment and facilities shall be installed per *Federal Manufactured Home Construction and Safety Standards* and shall be maintained in safe and good working conditions. Portable cooking equipment employing flame is prohibited.
- 6. Windows.** Every habitable room, excluding bathrooms, kitchens, and hallways, shall have at least one window or skylight facing directly to the outdoors.
- 7. Ventilation.** Every habitable room shall have at least one window or skylight which can be easily opened, or such other device as will adequately ventilate the room.

- 8. Electric service.** Every habitable room or space shall have at least two separate and remote convenience outlets and bedrooms shall have, in addition, at least one wall switch controlled ceiling or wall type light fixture. In kitchens, three separate and remote convenience outlets shall be provided, and a wall or ceiling type light fixture-controlled ceiling or wall type light fixture. In bathrooms, the electric light fixture shall be controlled by a wall switch. In addition to the electric light fixture in every bathroom and laundry room there shall be supplied at least one convenience outlet. Any new bathroom outlet shall have ground fault circuit interrupter protection. Every such outlet shall be professionally installed, shall be kept in good and safe working conditions, and shall be connected to the source of electric power in a safe manner.
- 9. Exterior walls.** Every exterior wall shall be free of holes, broken or rotting boards or timbers and any other conditions which might admit rain or dampness to the interior portions of the walls or to the occupied spaces of the manufactured home.
- 10. Roofs.** Roofs shall be structurally sound and kept in a safe manner and have no defects which might permit rain or cause dampness in the walls or interior portion of the home.
- 11. Window sash.** The window sash shall be properly fitted and weather tight within the window frame.
- 12. Interior floors, walls, and ceiling.** Every floor, interior wall and ceiling shall be rodent proof, shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon. Every toilet, bathroom and kitchen floor surface shall be kept to be impervious to water.
- 13. Structural support.** Every structural element of the dwelling shall be kept structurally sound and show no evidence of deterioration which would render it incapable of carrying normal loads.

Dangerous structures. Any manufactured home which shall be found to have any of the following defects shall be considered unfit for human habitation:

1. One which is so damaged, decayed, dilapidated, unsanitary, unsafe, or rodent infested that it creates hazard to the health and safety of the occupants or the public.
2. One which lacks ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or the public.

*Source: Used Manufactured Home Minimum Habitability Requirements

Appendix F – Fee Table

Architectural Control Fees Table

	Permit fee	Non-Refundable	Refundable*
Site Preparation/New Construction/Remodel	\$2050	\$1050	\$1000
Site Preparation/Placement of Manufactured	\$2050	\$1050	\$1000
Property additions (ex. Fence, sheds, decks, carports, retaining wall)	\$75	\$75	\$0
Concrete Driveway or patio	\$1550	\$550	\$1000
RV Placement	\$550	\$50	\$500
Tiny Home, Park model or Shed Conversion	\$550	\$50	\$500

***Excessive damage to the road could result in the refundable amount not being refunded.**

There will be a penalty fee of \$250 if any work begins before a permit is issued.