

**TUSCAN SANDS at BAREFOOT RESORT AND GOLF**  
**HOMEOWNERS ASSOCIATION, INC.**

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**New Home Construction Requirements**

**The Home must be a minimum of 2500 heated square feet**

Each home is to have:

1. A central tower or vertical element on the front elevation of each home
2. Stucco on four sides of each home elevation
3. Hip or Gable Roof with
  - Concrete tile or approved asphalt shingle as outlined in the ARC Guidelines
4. Brick and stone or brick water table on the front of each elevation, with a one foot return
5. Arched top windows on at least one of the window or door on the front elevation
6. Garage doors which incorporate glass light panels and arched inserts
7. A total of three (3) arched details are required on the front and can include garage windows

**Amendments and Modification**

The Association Committee of Directors reserves the right, in its sole and absolute discretion, to modify and amend these guidelines, from time to time, and to issue variances with regard to these guidelines.

**Before Construction Plan Approval**

No lot clearing or other construction activities may begin until the Architectural Review Committee has approved all plans and has completed the site inspection (with the house site staked by a licensed surveyor). The Committee is to be notified when construction has begun to establish a start date.

**Builder Requirements**

All builders of residences must be licensed. A state builder's license is the minimum licensing requirement.

**Construction Site Maintenance**

The General Contractor is responsible for insuring that the job site is maintained in a neat and clean manner at all times. Materials must be stored within the property lines maintaining a clear street right-of-way. Equipment shall be kept on the site off the street. Vehicles parked on the street right-of-way during construction shall not impede safe traffic flow. Washing of vehicles (concrete trucks, etc.) shall occur on-site and not be dumped on adjacent lots, common areas or street right-of-ways. No vehicle parking, equipment parking, or material storage is allowed on adjacent lots without the expressed, written consent of the property owner. During and upon completion of construction activities, all building debris shall be removed from the site and surrounding areas to final ARC approval. The builder shall repair any and all damage to the neighboring properties during construction.

**Design Duplication**

Applicants should select building sites and home plans so as not to construct repetitious designs within close proximity. Similar designs or design duplications are discouraged and subject to disapproval without sufficient variations in exterior colors, materials, finishes, trim, and detailing.

Elevations that are similar in appearance are prohibited on any four (4) adjacent home sites, any three (3) home sites immediately across the street, or any three (3) home sites on a cul-de-sac, except in unified design phases.

The approval of plans, materials, or colors for a specific site does not imply approval for another building site.

### **Drainage**

Extensive lot grading is discouraged as it destroys vegetation and can be visually disruptive to the natural character of the land. Individual lot drainage should be planned to direct surface runoff to streets, drain inlets or natural drainage channels with minimal grading. Flat areas may require subsurface drainage solutions. In any case, directing runoff to adjacent lots must be avoided.

An approved storm water plan for the drainage of storm water from all of the lots has been established including (a) the establishment of drainage easements along some of the side and rear lot lines of lots, (b) the establishment of various drainage ponds, as well as (c) the use of the streets and roads for drainage purposes. It is the responsibility of the property owner and/or builder to ensure that the integrity of this storm water drainage plan is not compromised by driveway installation, landscaping or by erosion from parking and driving over the swale areas during the construction process. It is the responsibility of the property owner/builder to restore these areas.

We emphasize that it is the owner and his contractor's responsibility to prepare the building pad and on-site drainage in accordance with all of the applicable building codes to ensure that all surface potential runoff is directed away from all portions of the building, including the garage.

### **Driveways and Walks**

Enlarging walk areas at the base of steps and at driveway connection points allows for more pedestrian movement and terminates each end of the walk with a visual "anchor." Guest parking areas should be integrated into the driveway/walk design.

Where driveways cross shallow street swales, the drive should conform to the parabolic swale section and centerline grade to maintain unimpeded flow. Flared end or headwalls are recommended if culverts are required.

### **Enforcement**

The Architectural Review Committee and the Committee of Directors realize changes from the original approved plans are often desired and even sometimes necessary in the building of the house. All such changes that can be seen from the exterior of the home MUST be submitted to and approved by the Architectural Review Committee. A fine of up to \$500 will be assessed to the owner of the lot for each failure to submit a change whether or not the change would be approved or denied. The fact that the change was already made will in no way effect the decision of the Architectural Review Committee, and the owner may be required to change the element back to the originally approved plan. The Architectural Review Committee does not need to approve any interior changes that cannot be seen from the exterior.

### **Exterior Elevations**

In keeping with the neighborhood image of compatible architectural styles the exterior materials and colors should also complement the surroundings. Obtrusive inappropriate colors and materials which would draw undue attention to specific buildings are not allowed. Owners are required to include color samples with the Request for Approval of Residential Construction form. Samples are to be placed on a Committee (Committee size is not to exceed 11 x 17).

Approved window, trim, fascia and overhand materials are; wood (painted or stained) aluminum (painted) vinyl, glass block.

Other materials may be considered by the Architectural Review Committee on a case by case basis. The Architectural Review Committee shall determine the appropriateness of the exterior materials and colors for all construction.

## **Fees**

The Association Committee of Directors shall have the right to establish such reasonable fees as it may deem necessary, from time to time. In addition, at the time of submission of the plans and specifications to the Architectural Review Committee, owner shall deposit the sum of \$2,000 with the Architectural Review Committee to insure that no damage occurs to the curbs which runs in the front of the Lot and that no other violations of these guidelines occur. If, after completion of construction and final inspection by the Architectural Review Committee, no damage has occurred (or has been corrected) to the common area or neighboring properties and that no other violations of these guidelines has occurred, the \$2,000 deposit shall be refunded to owner.

## **Fences**

Fences can be used to visually define property lines, provide security, and as an architectural feature intended to enhance the physical appearance of the house or property. Invisible fences are permitted but will require ARC approval.

The subject of fences is more difficult to treat than many other items since fences can serve a number of different purposes and can have a very significant visual impact. The following are considered before fence approval:

- a. Wooden and chain link fences are prohibited;
- b. Only permanently installed wrought iron and aluminum fences will be permitted;
- c. The only approved color is Black.
- d. All fences bordering a pond must be setback 10' from the end of the property.
- e. Golf course lots must have prior written approval from the golf course;
- f. Fences must be placed a minimum of 2 feet inside the property line;
- g. Perimeter fences will not exceed more than 54 inches in height;
- h. Patio privacy fences are permitted but will not exceed 6 feet or visually impact your neighbor's outward view.

## **Final Inspection by Architectural Review Committee**

Upon completion of all construction activities, clean up, removal of temporary facilities and completion of landscaping, a final inspection by the Architectural Review Committee shall be requested by the owner. An "As built" survey must accompany this request.

## **Garages Doors**

Garage doors should be wood or metal and can include arched windows, panels, trim, etc. to enhance their appearance from the street. The color of the garage should match the color scheme of the house. Detached garages are not permitted.

## **General Regulations Completion Schedule**

All construction must be completed within twelve (12) months of the actual initiation of construction. Landscaping in accordance with the approved landscape plan must be completed prior to the final Architectural Review Committee inspection. However, the Architectural Review Committee at its own discretion may extend the completion of the landscaping to within 90 days of receiving a certificate of occupancy depending on weather conditions.

Note: The construction bond will not be released until the landscaping is completed as per the approved landscape plans.

## **Grading**

No bulldozing or clearing of trees shall begin until site plans and specifications showing the nature, type, shape, and location of work have been submitted and approved by the Architectural Review Committee and permitted by an applicable governing authority. The final stakeout on-site must be approved by a designated Architectural Review Committee representative.

To protect trees that are to remain on the site, safety fencing shall be used to mark the perimeter of the building

envelope and tree fencing built out to the drip line of the tree shall be used to protect any other individual specimens.

Cuts and fills should be kept to a minimum and designed to complement the natural topography of the site. Fill shall not be deposited at any location without prior Architectural Review Committee approval. Cut or fill shall be replanted with plant materials, which shall blend with native vegetation.

### **House Numbers**

House numbers within Tuscan Sands are regulated for reasons of security and public safety; as well as, for aesthetic appearance and community standards. Written approval is not required for replacement with like kind. House numbers should be placed on the front of the house in 4 inch high reflective material and must contrast with the background, i.e., white or black. The City of North Myrtle Beach Fire Department requires that the house number be clearly visible.

Sec. 23-36. - Sign regulations.

(7) Required signs: (a) So as to provide efficient emergency vehicle operations as well as to aid in the location of homes, businesses, and other properties with addresses, this chapter requires each detached building to display its street address number in a prominent fashion so as to allow said number to be clearly readable from the street on which the building has primary frontage. Sign size shall not exceed two (2) square feet.

### **Landscape Plantings**

Landscape plans should be designed to integrate the house with the natural characteristics of the lot in a pleasing visual composition. Plantings are not permitted on the pond bank. Plantings on the pond side of a home must be 10 feet from the water's edge. Additionally, the use of landscape materials to define outdoor spaces that are varied in size, materials, color, light levels, fragrances and textures can be a satisfying experience as one moves through them.

All turf areas in front yards and side yards on corner lots shall be installed as sod.

Irrigation systems are required. Irrigation systems may not draw water from lakes or ponds. Furthermore, no wells may be installed. Lawns require more water than trees and shrubs and therefore should be zoned separately. Irrigation heads should be located to direct spray patterns away from fences, drives, walks and streets to reduce the potential for surface staining and spraying people and cars. One solution to over spray problems around fences and walks is drip irrigation tubing. The drip system functions like a leaky pipe that winds through planting beds delivering water to the root zone areas through emitters in the tubing. It is the responsibility of each homeowner to maintain their landscape in a healthy and attractive manner.

HOA common areas should not be modified in any way without prior approval from the Tuscan Sands Board of Directors.

### **Mailboxes**

Mailboxes must be purchased from Frontgate. The approved mailbox is the Balmoral mailbox in the color of French Bronze or Black.

### **Outdoor Living Area, Swimming Pools, Spas, and Hot Tubs**

Outdoor living is comfortable through most of the year. Generously positioned porches will encourage frequent use. The shade and shadows created by the porches and roof overhangs soften the rigid lines of a structure. The Architectural Review Committee prefers that other outdoor living areas be compatible with that used on the home.

Any proposed decks must be designed in keeping with the architectural treatment for the home as a whole. The use of masonry or fire retardant material for decks is encouraged. In its review, the Architectural Review Committee will look for careful design and landscaping of decks, including appropriate elevations, materials compatible with those used on the home, and landscaping of sufficient size to screen the perimeter of a masonry foundation. Piers and columns supporting porches and decks and porch/deck fascia are to be substantial masonry type structures (stone or stucco) or exterior pvc trim Committee,

unless a design alternative is specifically approved by the Architectural Review Committee. Deck and rail system, if constructed from treated wood, must be painted to match the home.

Areas beneath decks and elevated terraces, i.e., lattice work, are to be shielded from public view.

The elevation of the top of any swimming pool construction on any home site may not be over two (2) feet above the natural grade unless integrated into terraced construction upon Architectural Review Committee approval. No above ground swimming pools are permitted. Swimming pools, spas, and hot tubs shall not be permitted on the street side of the residence. Safety barriers which meet the standards of Horry County.

All swimming pools, spas, hot tubs, decks, or patio/decks shall be located within the building envelope, and also approved by the Architectural Review Committee.

Satellite Dishes cannot be mounted on the roof (usually not a contractor depiction), and that Solar Panels must be mounted on the roof, and not in the front of the house

Cabanas and accessory buildings are prohibited.

### **Permits and Fees**

Builders are responsible for obtaining required building permits and paying the associated fees prior to beginning any construction activities.

### **Sedimentation and Erosion Control**

Streets shall be kept free of mud, silt and debris from construction traffic. Sedimentation and erosion control facilities on the lot shall be maintained so that they function properly. During construction, silt fence with gravel drives is required on the front of Lot. Silt fence is required along any side lot line when the adjoining Lot(s) has been improved. Silt fences and other erosion control devices must be installed prior to any grading activities and must withstand elements per manufacturing specifications and promptly repaired should any issues arise during construction.

### **Setback Lines**

**Builders must contact the City of North Myrtle Beach for the full setback requirement.**

The rear setback for heated/air conditioned living space shall be 20 feet. Unheated/non-air conditioned patios or porches (lanais, verandas, screened pool enclosures, pergolas, etc.) may be fully or partially enclosed and roofed, and shall have a minimum rear setback of 10 feet provided all of the following conditions are met:

1. Enclosures shall be a minimum of 10 feet from the side property lines.
2. Swimming pool screen enclosures are not permitted.
3. The use of wall or window-mounted heating or air conditioning devices shall be prohibited.
4. Transparency of the walls of the patio or porch shall be accomplished through the use of the transparent polyvinyl, screen material, or open voids.
5. The Architectural Review Committee shall determine adherence to transparency as stated below, and all other esthetics and HOA regulations, taking into consideration the preservation of view corridors from adjoining properties.
6. There will be no solid exterior walls allowed.
7. Knee wall perimeter of any walls can be no taller than 3 feet in height.
8. No wall starter columns or corner columns for roof assemblies can be more than 2 foot in width.
9. The Architectural Review Committee recommends that all open area of any enclosure be as large as possible, however, no less than stated above.

## **State and Local Code Compliance**

All construction must comply with state and local codes.

### **Temporary Facilities**

Each building site is required to provide a job toilet for workers. The door must face away from the street and any existing residences. The remaining three sides must be screened with lattice panels. A commercial dumpster or approved trash pen is required for each job site. Temporary power poles shall be installed and shall not be used for posting signs. Construction office trailers and storage facilities must be approved by the Architectural Review Committee. All temporary facilities shall be removed upon completion of construction activities.

### **Utilities**

All utility services have been installed underground with the exception of transformers and junction boxes. These above ground facilities have been located at lot lines in most cases. Owners are required to incorporate landscape screening around these facilities to reduce their visual impact. However it is important not to block service access doors with landscape materials. In consideration of preserving trees and the street scene, any new utility service lines or structures must be approved by the Architectural Review Committee.

All LP gas tanks must be buried and must be located within the setback requirements. All others must be screened, covered, or stored when not in use.

HVAC compressors and electric meters must be screened from view from the streets, and adjacent lots with plant materials, walls or fencing. Exterior television and radio antennas are not permitted and should be installed in attics. Satellite dishes, solar collectors or other utility structures are required to be screened from view and must be specifically approved by the Architectural Review Committee on a case by case basis. All utilities installed by owners must meet all state and local codes.

### **Working Hours**

Normal construction activities are limited to 7:00 am to 7:00 pm., Monday through Saturday. Construction activities on Sunday and recognized National Holidays, is limited to activities that do not make noise.

2024 Revisions Made to the Below Paragraphs:

- Each Home Is To Have
- Enforcement
- Exterior Accessory Structure
- Fees
- Fences
- Garage Doors
- Landscape Plantings
- Mailboxes
- Outdoor Living Area, Swimming Pools, Spas, and Hot Tubs
- Setback Lines
- Temporary Facilities
- Utilities