

Winding Creek Community Services Association (WCCSA)

Request for Architectural Approval

Office Use — Tracking No.:

Date Submitted:

1. HOMEOWNER INFORMATION

Homeowner Name:

Lot #:

Property Address:

Phone #:

Email Address:

2. TYPE OF IMPROVEMENT / MODIFICATION (check all that apply)

- | | | |
|---------------------------------------|--------------------------------------|--|
| ☐ Addition | ☐ Fence | ☐ Exterior Painting |
| ☐ Deck/Patio | ☐ Outbuilding | ☐ Porch |
| ☐ Tree Removal | ☐ Site Work | ☐ Other |

If "Other," describe:

3. DESCRIPTION OF IMPROVEMENT / MODIFICATION

Attach a detailed description including, as applicable: (1) Location (2) Size (3) Color (4) Material (5) Contractor/Vendor (6) Plat map with proposed changes (7) Plans/Drawings/Photos/Brochure (8) Roof design (9) Exterior finishes (10) Dimensions (11) Utilities (12) Plant types, quantities, and bed/edge treatment.

Estimated Start Date:

Estimated Completion Date:

4. CONTRACTOR / VENDOR

Full contractor/vendor information and the required signature are captured once, on the separate Contractor/Vendor Scope of Work Acknowledgment (page 3 of this packet). Attach it, signed, together with this request — work should not begin until both this request and the signed page 3 are on file with the ACC.

TREE REMOVAL — WITNESS REQUIRED WHEN TREES ARE MARKED AND CUT

This condition applies to tree removal only. If this request includes tree removal, no tree may be marked for removal and no cutting may begin unless the homeowner, a member of the Architectural Control Committee, or a member of the WCCSA Board of Directors is physically present. A witness must be present both at the time the trees are marked and while the trees are being cut.

5. HOMEOWNER ACKNOWLEDGMENT

I understand that no work may begin until I receive the ACC's written approval, that I must read the Important Notice on page 2 of this packet regarding consequences of non-compliance, and that I remain responsible for all municipal approvals and compliance with WCCSA's Covenants and Rules & Regulations. I assume all risk of loss associated with the proposed changes and agree to hold harmless WCCSA, its Board of Directors, the Architectural Control Committee, and their respective agents and representatives from any claim of liability. I am responsible for determining property line locations and any affected drainage areas.

Homeowner Signature:

Date:

HOW TO SUBMIT THIS REQUEST

SUBMIT TO: **southportwindingcreek@gmail.com**

Do not mail or hand-deliver paper copies — email submission is required so the request is timestamped and creates a searchable record. Subject line: ACC Request – Lot [#] – [Last Name]. The WCCSA Secretary will log the request, assign a tracking number, send a confirmation reply, and forward the complete packet to the Architectural Control Committee. The ACC has 15 days from receipt of a complete submission to respond in writing; submit multiple, unrelated changes separately.

Winding Creek Community Services Association (WCCSA)

Important Notice — Read Before Work Begins

This notice summarizes, in plain language, what can happen if architectural work proceeds without approval or outside an approved scope. It does not replace or limit WCCSA's Declaration of Covenants, Bylaws, or Rules & Regulations, which govern in the event of any conflict.

FOR THE HOMEOWNER

- Written ACC approval is required before any covered work begins. Starting work early, or work that does not match what the ACC approved, is a default under the Declaration and Bylaws.
Reference: Declaration, Architectural Control Committee §1 (Submission of Plans and Specifications); Bylaws Art. XIII §1(a) (Default and Remedies)
- The Board may fine the owner up to \$100 per day for each day a violation continues, after the notice-and-hearing process described in the Bylaws.
Reference: Bylaws Art. XIII §4 (Fine)
- If the default is a structure or condition (for example, an unapproved fence, addition, or removed tree), the Board may enter the lot and remove or correct it at the owner's expense, in addition to any fine.
Reference: Bylaws Art. XIII §2 (Remedy of Abatement in Addition to Other Remedies)
- The Association may suspend the owner's voting rights and right to use recreational facilities/common areas for up to 60 days for infractions of the rules.
Reference: Bylaws Art. XIII §1(b); Declaration §7.1, §1(c) (Owner's Easement of Enjoyment)
- Fines, correction costs, and related expenses become a lien against the lot, collectible in the same way as an unpaid assessment — including foreclosure in accordance with the Declaration.
Reference: Bylaws Art. XIII §7 (Costs and Fines Enforced as Assessment Liens); Declaration §5, §7 (Remedies for Non-Payment of Assessments)
- The Association may also seek an injunction or other legal relief, and a defaulting owner may be responsible for the Association's reasonable attorney's fees and costs.
Reference: Bylaws Art. XIII §3 (Injunction) and §5 (Recovery of Attorneys' Fees and Costs); Declaration §8, §2 (Enforcement)
- Any portion of the \$2,500 impact fee tied to damage found by the ACC is not refunded.
Reference: WCCSA Rules & Regulations, Rule 16
- None of the above relieves the owner of the separate duty to obtain all required municipal/government approvals and to comply with them.
Reference: WCCSA Request for Architectural Approval form (Owner Note); Declaration §6, §2(b)

FOR THE CONTRACTOR / VENDOR

- Work performed on a WCCSA lot must match the ACC-approved scope exactly. Any change, addition, or expansion beyond that scope requires a new or amended submission and written ACC approval before that portion of the work begins.
Reference: Declaration, Architectural Control Committee §1 (Submission of Plans and Specifications)
- Work performed without approval, or outside the approved scope, may be ordered stopped and may be required to be removed or corrected at the vendor's and/or owner's expense.
Reference: Bylaws Art. XIII §2 (Remedy of Abatement in Addition to Other Remedies)
- The vendor is responsible, while on site, for compliance with applicable WCCSA rules governing construction activity — including setbacks, sanitary facilities, weekly debris removal, tree and vegetation protection, and drainage/wetlands requirements.
Reference: Declaration §3, Sections 3 (Building Location), 3.2 (Construction Debris), 16 (Trees), and 1.2 (Wetlands Regulations)
- The vendor is responsible for any damage caused to WCCSA streets, roadways, access ways, Common Areas, or other owners' property during the work.
Reference: Declaration §3, §3.1 (Construction Time and Activity) — the Declaration assesses this cost to the Owner, who may in turn look to the vendor
- Repeated or serious non-compliance may result in the vendor being barred from future work within the community and may expose the vendor to liability for resulting costs.
Reference: WCCSA Board policy — general enforcement authority (Bylaws Art. VIII §1(d)); not tied to a specific named covenant provision
- The homeowner's hold-harmless acknowledgment to WCCSA does not transfer the vendor's own responsibility for the work performed or for maintaining appropriate insurance.
Reference: See Homeowner Acknowledgment, page 1 §5 (hold-harmless clause)

By signing pages 1 and 3 of this packet, the homeowner and the vendor each confirm they have read this notice and understand these consequences.

Winding Creek Community Services Association (WCCSA)

Contractor / Vendor Scope of Work Acknowledgment

Tracking No. (from page 1):

Lot #:

1. PROJECT REFERENCE

Homeowner Name:

Property Address:

2. CONTRACTOR / VENDOR INFORMATION

Vendor / Contractor Name:

Company Name:

NC License #:

Phone:

Email:

Certificate of insurance provided to homeowner?

☐ Yes☐ No

3. ACKNOWLEDGMENT & SIGNATURE

I have reviewed the Request for Architectural Approval for the lot identified above and, if issued, the Architectural Control Committee's written Response. I agree to perform only the work described and approved in that Response. I understand that any deviation, addition, or expansion beyond the approved scope requires a new or amended submission and written ACC approval before that additional work begins. I have read the Important Notice on page 2 of this packet and understand the consequences of unapproved or out-of-scope work, including stop-work orders, required removal or correction at my expense and/or the owner's expense, liability for damage to WCCSA property, and possible exclusion from future work in the community. I have read and will comply with the applicable WCCSA Rules & Regulations and Declaration of Covenants provisions governing construction activity on the lot, including setbacks, sanitary facilities and debris removal, tree and vegetation protection, and drainage/wetlands requirements.

TREE REMOVAL — WITNESS REQUIRED: Applies to tree removal only. I will not mark any tree for removal, and will not begin cutting, unless the homeowner, an ACC member, or a WCCSA Board member is physically present — both when the trees are marked and while they are cut.

Vendor / Contractor Signature:

Date:

RETURN THIS SIGNED PAGE WITH THE REQUEST

Give this signed page to the homeowner to include with the request on page 1, or email it directly to southportwindingcreek@gmail.com referencing the tracking number above. Work should not begin until the homeowner has received the ACC's written approval for this tracking number.

Winding Creek Community Services Association (WCCSA)

Architectural Control Committee — Response Form

1. INTAKE (completed by Secretary upon receipt)

Tracking No.: Date/Time Received (email):

Received By (Secretary initials): Confirmation Sent to Homeowner:

Date Forwarded to ACC Members: Method:

2. COMPLETENESS CHECK

Completed Information Received? ☐ Yes ☐ No

Date Homeowner Notified of Need for Add'l Info:

Date Complete Info Received:

3. ACC DECISION

Response Date:

☐ Approved ☐ Approved with Revision ☐ Not Approved

ACC Representative (Chairperson) Signature: Date:

Date Homeowner Notified of Decision (email): Vendor Ack. (page 3) on file? ☐ Y ☐ N

4. AUDIT TRAIL & RECORD RETENTION

Scan and save the fully signed packet using the file naming convention ACC-[Tracking No.]-Lot[[Homeowner Last Name]]. Email the complete packet (this Response Form plus the signed homeowner request and, if applicable, the signed vendor acknowledgment) to the WCCSA President and WCCSA Secretary. The Secretary shall log the tracking number, decision, and key dates in the ACC tracking log, then forward the packet to the WCCSA Webmaster for archival record retention.