



STATE OF SOUTH CAROLINA  
COUNTY OF HORRY

RESOLUTION OF THE BOARD OF  
DIRECTORS OF SOUTHGATE AT CAROLINA  
FOREST HOMEOWNERS ASSOCIATION

**SOLAR EQUIPMENT POLICY**

The undersigned, being the Board of Directors of Southgate at Carolina Forest Homeowners Association (hereinafter referred to as the “Board” and the “Association,” respectively), **DO HEREBY CONSENT, AGREE, AUTHORIZE AND RESOLVE AS FOLLOWS:**

**WHEREAS**, the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SOUTHGATE AT CAROLINA FOREST, as amended and supplemented thereafter (collectively the “CCRs”) governs the use of the property within the Southgate at Carolina Forest community; and

**WHEREAS**, Article V (*Architectural Control*), Section 5.1 (*Improvement*) of the CCRs states that “[n]o building, fence, wall or other structure or planting or landscaping shall be commenced, erected or maintained upon any Lot, nor shall any exterior addition to or change or alteration therein including without limitation any plantings or landscape be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association or by [the Architectural Review Board (“ARB”) . . .]; and

**WHEREAS**, the Association has an obligation to maintain the harmony of external design throughout the community but also wants to accommodate the laudable goal of saving energy and incorporating equipment and systems into and on to dwellings or Lots; and

**WHEREAS**, the Association desires to establish the following Solar Equipment Policy to reasonably control and maintain consistent standards in placement and use of solar devices and equipment.

**NOW THEREFORE, THE BOARD** adopts the following SOLAR EQUIPMENT POLICY:

**I. SCOPE:** These rules, regulations and guidelines apply to all solar energy collecting devices, including but not limited to solar panels, solar shingles, or other forms of flat plate collectors, dish collectors, solar tubes, solar skylights, solar towers or cells, or other types of solar collectors (collectively referred to as “Solar Equipment”) which will be located or installed on any exterior portion of a Lot, including those attached to any exterior portion of a dwelling or other structure located on the Lot.

**II. ARCHITECTURAL REVIEW OF SOLAR EQUIPMENT:**

**a. SUBMISSION FOR REVIEW:**

- i. Detailed plans for installation and placement of any Solar Equipment must be submitted to the ARB for review and receive written approval from the ARB or Board prior to such installation.
- ii. An illustrated brochure of the proposed Solar Equipment system, which depicts the materials to be used, drawings showing the location, number of collectors,

and manner of installation or attachment must be submitted with any request for Solar Equipment installation.

- b. **PERMITTING:** Depending on the Solar Equipment system, a Horry County Permit may be required for the installation. **Owners are solely responsible for determining whether a permit is required and obtaining any required permits before installation begins.** The ARB and/or Board reserves the right to require a copy of any necessary permits prior to approval of installation. The Association strongly suggests that Owners employ professional contractors, licensed to install Solar Equipment systems.
- c. **ASSUMPTION OF RISK/NO-WARRANTY:** Owners assume and bear all risks regarding installation and use of Solar Equipment on their Lot. Owners are urged to check with their home builder, roofing contractor, and insurance company prior to installation of any Solar Equipment to determine how installation may impact their structure, roof warranty, or insurance. The Association's review of the installation of Solar Equipment is limited to review of the aesthetic impact of the Solar Equipment on the harmony of the community's structures and design. Neither the ARB, nor the Board has special knowledge or expertise regarding Solar Equipment systems or installation; and therefore the approval of the installation of Solar Equipment by the ARB and/or Board is not a representation that the Solar Equipment or installation is safe or that it will not damage the Owner's property or negatively impact any warranties or insurance policy requirements.

### III. SOLAR EQUIPMENT STANDARDS:

- a. **EQUIPMENT TYPE:** Only commercial grade or professionally made/designed devices are allowed. "Homemade" devices will not be permitted due to both a safety and aesthetic concerns. Use of low-lying and/or low-profile Solar Equipment is preferred to reduce visibility.
- b. **GROUND-MOUNTED SOLAR EQUIPMENT:** Ground-mounted or installed Solar Equipment is permitted and preferred. The following standards shall apply to ground-mounted Solar-Equipment.
  - i. **Type of Ground-Mounted Solar Equipment:**
    - (1) Solar Equipment, including the mounting fixture should not exceed (6) feet in height (measured from the ground to the top of the Solar Equipment system)
    - (2) Solar towers or stacked cells or similar types of Solar Equipment will not be approved.
  - ii. **Location & Placement for Ground-Mounted Solar Equipment:**
    - (1) Ground-mounted Solar Equipment must be located and/or placed in the rear yard with no portion of the Solar Equipment or system exceeding six (6) feet in height (measured from the ground to the top of the Solar Equipment system)
    - (2) Ground-mounted Solar Equipment should be concealed from view of any neighboring Lot as much as possible. Owners may be required to further screen the Solar Equipment system from view in a manner approved by the ARB and/or Board.

- (3) Ground-mounted Solar Equipment must be within the setback lines in accordance with the CCRS and with Horry County building code, whichever is more restrictive.

**ii. Manner of Installation/Attachment of Ground-Mounted Solar Equipment:**

- (1) No ground-mounted Solar Equipment or system shall be attached, affixed, or installed on a block wall or wooden fence.
- (2) Low-lying Solar Equipment is generally preferred to reduce visibility from neighboring Lots and property.

- c. **ROOF & WALL-MOUNTED SOLAR EQUIPMENT:** Roof-mounted and/or wall-mounted Solar Equipment may be permitted so long as the installation does not detract from the aesthetics of the Lot and the dwelling or structure to which the Solar Equipment is attached. The following standards shall apply to roof-mounted and wall-mounted Solar Equipment:

**i. Color & Type of Roof/Wall-Mounted Solar Equipment:**

- (1) Low-profile solar panels, shingles, or plate collectors are preferred for roof/wall-mounted attachment.
- (2) Roof-mounted Solar Equipment must match the color and finish of the roof shingles as much as possible.

**ii. Location/Placement of Roof/Wall-Mounted Solar Equipment:**

- (1) Generally, roof-mounted and/or wall-mounted Solar Equipment must be installed in a location that is not visible from the street fronting the dwelling/structure. The Association realizes that the back of dwellings/structures located on corner Lots is visible from side streets; and therefore an exception may be made for installation of Solar Equipment on the backside of the roof or on a back wall of a dwelling/structure located on a corner Lot.
- (2) Generally, roof-mounted Solar Equipment will not be permitted on the front slope (facing the street) of any dwelling or structure located on the Lot. An exception may be made for *solar shingles* which match the color and finish of dwelling shingles, as determined in the sole discretion of the ARB and/or Board.
- (3) Owners may be required to further screen the Solar Equipment system from view in a manner approved by the ARB and/or Board.
- (4) Installation of roof-mounted Solar Equipment on the patio roof is generally preferred.

**ii. Manner of Installation/Attachment of Roof /Wall-Mounted Solar Equipment:**

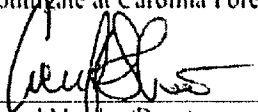
- (1) Roof-mounted and wall-mounted Solar Equipment must be installed so that the panels are as flush as possible with the roof and/or wall of the structure.
- (2) Roof-mounted Solar Equipment should be an integrated part of the roof design and mounted directly to the roof deck; or if mounted on or over the existing roof shingles, Solar Equipment should be mounted flush with the slope of the roof.
- (3) Roof-mounted Solar Equipment or any part of the Solar Equipment system may not be installed in such a manner that breaks the roof ridgeline or in manner that hangs over any roof edge.

(4) Roof-mounted Solar Equipment should be centered as much as possible on the surface of the roof

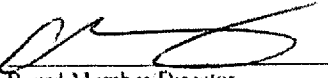
IV. **SOLAR EQUIPMENT MAINTENANCE:** Owners are obligated to maintain and keep all Solar Equipment in good condition and repairs. Such maintenance obligations include Owners' responsibility to routinely clean and inspect the equipment, and repair and replace peeling or cracking components. In the event the Solar Equipment becomes inoperable or deteriorated to a point that the Solar Equipment is unsightly or incompatible with the aesthetic standards of the community, as determined by the Board, the Owner shall be obligated to remove all Solar Equipment upon demand of the Association, and restore all portions of their property to the condition prior to the Solar Equipment installation. In the event the Association demands removal of any Solar Equipment for any of the foregoing reasons, the Association may revoke approval and deny requests for replacement or re-installation of any Solar Equipment on that Owner's Lot.

V. **APPROVED SOLAR EQUIPMENT:** Solar Equipment that was previously installed and existed on any Lot on or before November 14, 2019 (date of adoption of first solar device policy) and Solar Equipment installed following November 14, 2019 which has been approved in writing by the ARB or Board is considered approved as currently installed. However, in the event an Owner desires to replace or change any existing and approved Solar Equipment, such Owner is obligated to submit a request for review to the ARB and comply with the terms of this Solar Panel Policy prior to replacement or modification to any Solar Equipment


ADOPTED this 1 day of June, 2023 by the vote of the then current Board of Directors for Southgate at Carolina Forest Homeowners Association

  
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Board Member/Director

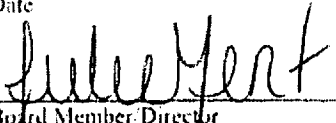
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