

*Rose Hill Plantation  
Property Owners' Association, Inc.*

**ARCHITECTURAL GUIDELINES  
AND REVIEW PROCEDURES**

Effective: January 30, 2017

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# 1 INTRODUCTION

This document describes the Architectural Review Board (ARB) process including when and how it applies to property in Rose Hill Plantation (RHP). It is the responsibility of every property owner to understand and follow this process. If there are any questions, please contact the ARB Administrator.

Most property owners will eventually require ARB approval for something that they wish to do to their property. This may be as simple as removing a tree or changing the color of their house or as complex as building a new house. A familiarization with these tables will avoid misunderstandings and facilitate a satisfactory construction process.

This document is divided into nine sections. These sections and a brief description of their contents are delineated below:

Section 2, Philosophy – Describes the philosophy by which the ARB is governed.

Section 3, When Approvals Are Required – Discusses when you need to get ARB approval.

Section 4, Composition of the ARB – Sets down the general rules for who is on the ARB, what constitutes a quorum, and voting procedures.

Section 5, Special Conditions – There are several areas within Rose Hill Plantation that have special requirements which are over and above the general rules contained elsewhere in this document. These special requirements are discussed in this document.

Section 6, Planning Your House – This section gives general information about planning your house.

Section 7, General Criteria – This is a large section which delineates the specific rules that governs those items which the ARB oversees.

Section 8, Architectural Review Process – Describes the ARB process.

Section 9, Construction – This section pertains to construction activities.

Section 10, Violations of the Rules and Regulations – This section describes the typical violations of the ARB that occur and the fines that may be imposed as a result of those violations.

## 2 PHILOSOPHY

Rose Hill Plantation is fortunate to be located in an area of great natural beauty. The rolling terrain, water features, and beautiful trees combine to create an aura of tranquility unmatched in the Carolina Low Country.

Simply stated, our philosophy is to protect this unique setting; to ensure that all structures built at Rose Hill Plantation add to the beauty and quality of the community rather than detract from it.

With that philosophy in mind, Rose Hill Plantation's ARB will be guided by these general concepts:

- A. Rose Hill Plantation will encourage a variety of compatible architectural styles. Even so, English Tudor, Spanish and Mediterranean styles are viewed as inappropriate for a southern low country setting, as may be some of the more modern designs.
- B. The ARB will continually evaluate the building styles and techniques at Rose Hill Plantation to determine those that have fulfilled development objectives. **A feature, color, or an entire home presently existing will not be construed as a precedent for repetition.**
- C. It is not necessary for every home at Rose Hill Plantation to be unique; however, frequent repetition of designs within a neighborhood will not be acceptable. Although building costs may continue to escalate, it is not in the interest of Rose Hill Plantation to permit lesser quality development in response to cost considerations.
- D. Speculative builders provide an important service within the community by providing homes for people who do not wish to build a custom home. The same guidelines will be applied in reviewing designs submitted by speculative builders as for all other applicants.

### **3 WHEN APPROVALS ARE REQUIRED**

Part I of the Class "A" Covenants provides for the establishment of an Architectural Review Board, sets forth the ARB's areas of responsibility and authority, and mandates that no trees may be removed, no excavations or filling may be started, and no building, fence, arbor, gazebo or other structure may be constructed or altered on any lot without written approval by the ARB. While the ultimate responsibility rests with Rose Hill Plantation Property Owners' Association (POA), the ARB acts as the POA's agent for all matters covered by Part I of the Covenants that pertain to these guidelines.

Table 1(page 41) shows a list of the typical activities that require ARB approval. This table also shows what forms and additional information are required and how long you can expect the process to take.

#### **4 COMPOSITION OF THE ARB**

The ARB may consist of property owners and/or outside professionals with diverse backgrounds appointed by the Chairman. The ARB Chairman shall be appointed by the Property Owners' Association Board of Director's President. The ARB will be assisted by Registered Professional Architect(s), licensed in the State of South Carolina, who reviews plans and make comments as necessary in accordance with the ARB Guidelines, etc. The ARB Administrator will interface and provide administrative assistance for and between the Architects, members, contractors and the ARB review board. Additionally, administrative assistance may be provided by the POA office staff of Rose Hill Plantation.

The ARB Administrator will attend and conduct meetings of the ARB.



## 5 SPECIAL CONDITIONS

### 5.1 PLANTATION HOUSE

DUE TO THE HISTORICAL NATURE OF THE PLANTATION HOUSE AND ITS UNIQUE RELATIONSHIP TO ROSE HILL PLANTATION, THE PLANTATION HOUSE IS COVERED BY VERY STRICT GUIDELINES WHICH GO BEYOND THE GUIDELINES CONTAINED IN THIS DOCUMENT.

### 5.2 POLO ESTATES

BECAUSE OF THEIR PROXIMITY TO THE POLO FIELD, SPECIAL ADDITIONAL RULES APPLY TO ANY CONSTRUCTION ON THESE LOTS. PLEASE CONTACT THE ARB ADMINISTRATOR FOR ADDITIONAL INFORMATION. THESE ARB GUIDELINES APPLY TO ALL POLO ESTATE LOTS IN ADDITION TO THE POLO ESTATES SUPPLEMENTAL DESIGN GUIDELINES.

## **6 PLANNING YOUR HOUSE**

A home is a significant investment, and construction practices may vary in different parts of the country. It is required that you consult an architect or approved designer familiar with the overall design concept of Rose Hill Plantation to help you plan your home. Each house must be designed for a specific site and for the particular needs of the owner.

## **7 GENERAL CRITERIA**

Most of the designs for single family houses constructed in Rose Hill Plantation have been submitted by property owners building for their own use. Each house must be designed so that it does not adversely affect the neighboring homes. This shall include (but not be limited to) the style, the size of the house, the location of the house on the lot, the landscaping and where applicable, fencing, barns, pools, or other features which are not directly connected to the house. It is important to realize that the overall impact of a house design involves issues of taste and judgment, many of which cannot be reduced to measurable guidelines such as square footage, setbacks, roof pitch or similar items. A house which meets all of the statistical criteria may be unacceptable for purely aesthetic reasons, and the ARB has the authority to make subjective judgments of this nature.

Following are some specific guidelines to be considered in planning any construction in RHP.

### **7.1 REQUIRED FLOOD PLAIN ELEVATION**

As is common to all coastal areas, the federal government requires that the elevation of the first heated and air conditioned living space be above the level of possible flood waters expected at statistically-predicted 100-year intervals. This elevation is 14 feet above mean sea level (as of this printing) and you will need to verify your property's minimum elevation requirements. At Rose Hill Plantation, most lots are well above this level. However, those areas near the river or marsh are affected, and such lots are designated in the HUD Property Report.

### **7.2 EXTERIOR DESIGN**

In evaluating the exterior appearance of a home, the ARB takes into consideration all elements of design which contribute to a successful design resolution. These include, but are not limited to the following:

#### **7.2.1 Site Utilization**

Site Utilization is the relationship of proposed construction to existing natural and man-made features; views to and from the home and adjacent structures; effect upon the streetscape, common open space, neighbors, drives, parking, and landscape treatment. At Rose Hill Plantation, special site restrictions exist for marsh front, waterfront and golf fairway lots. The objective of these site restrictions is to protect the natural environment and/or ensure site and landscaping compatibility with adjacent property.

#### **7.2.2 Scale**

Scale is the relationship of proposed structure to surrounding structures and site size in terms of lot coverage, height, width, and overall visual impact. The house shall not be too large or too small for the lot. The size of the house shall be consistent with neighboring houses. The location of the house with respect to the front setback line shall be consistent with the locations of neighboring houses.

### **7.2.3 Massing**

Massing is the relationship of the elements of the structure to one another.

### **7.2.4 Fenestration**

Fenestration is the relationship of exterior openings (doors, windows, etc.) to the solid portions of the design and to one another, compatibility with the design of the home, materials used and the manner in which fenestration is detailed.

### **7.2.5 Roofscape**

Roofscape is the relationship of roof shapes and treatment to the overall design concept of the home to ensure that the design will represent a comprehensive design solution.

### **7.2.6 Aesthetics**

Aesthetics refers to the overall design quality based on the judgment of the ARB.

### **7.2.7 Above-Garage Rooms**

A room over a garage shall blend with the main portions of the house in style, massing, proportion and roof line. Poor proportions shall be avoided. The garage element shall not be a predominant feature of the overall design. An increased setback for the two-story garage may be required in order to reduce the impact on the street and/or adjacent structures.

## **7.3 BUILDING DEVELOPMENT GUIDELINES**

Specific development guidelines relating to land use, building type, building height, building quality, minimum living area and location of dwellings and structures on lots are contained in Rose Hill Plantation's Covenants and Restrictions and its various addenda. All design efforts must be preceded by careful investigation of the restrictions pertaining to the specific lot on which construction is planned.

For reference, the most commonly applied guidelines and rules-of-thumb follow. Where any of these guidelines conflict with the Covenants and Restrictions, the latter will govern.

### **7.3.1 Minimum and Maximum Square Footage (Heated/Air Conditioned Space)**

Except as noted below, there are no maximum limitations. However, the ARB may reject a particular design if it feels that the house is too large for the lot or the house is not consistent with the surrounding houses.

#### **7.3.1.1 Lots of One (1) Acre or More in Size**

1. Minimum 1,800 square feet plus an attached or detached two-car garage
2. Minimum ground floor enclosed dwelling area of 1,100 square feet for multi-story construction.

### 7.3.1.2 Lots of Less Than One (1) Acre in Size

1. Minimum 1,600 square feet when the required two-car garage is attached.
2. Minimum 1,700 square feet when the required two-car garage is detached.
3. Minimum ground floor enclosed dwelling area of 1,000 square feet for multi-story construction.

### 7.3.1.3 Lots in Block "O", Wood Eden

1. Minimum 1,425 square feet on one or more stories plus an attached two-car garage.

### 7.3.1.4 Patio Lots

1. Minimum 1,100 square feet plus an attached or detached two-car garage.
2. Maximum square footage of 1,900 square feet for a single story dwelling and 2,400 square feet for a multi-story dwelling with the first floor not exceeding 1,600 square feet, plus an attached or detached two-car garage.
3. Maximum width of house is 50 feet at roof overhang.
4. Require a privacy wall on the 3ft privacy side.
5. **No variance shall be granted for the setback on the zero lot line side.**
6. **House must fit entirely within the "footprint" provided by the ARB.**

### 7.3.2 Setbacks

To allow for flexibility in design and to accommodate specimen trees, topography and other design criteria, specific setback dimensions have not been established. However, the following minimum setbacks for all man-made structures (including decks, patios, porches, etc.) will be enforced by the ARB unless the ARB concludes, at its sole discretion, that lesser setbacks are justified by circumstances unique to a specific lot configuration or house design. Additionally, siting must be consistent with location of neighboring structures.

Example:

	Full Size Lots	Patio Lots
Front Yard Setback	30 feet	20 feet
Side Yard Setback	20 feet	Privacy lot side 3 ft – Non-zero lot side 7 ft
Rear Yard Setback	25 feet	10 feet 20 feet (Club Gate)
From OCRM Line	50 feet from Critical Line	

Any proposed encroachment into setback must be clearly identified by the applicant on a variance request form, and approved by the ARB during Concept or Preliminary reviews. Although not recommended, encroachments will be considered on a case by case basis.

### **7.3.3 Building Height**

All houses must be limited to two stories above grade or the minimum height established by the Federal flood zone regulations, if applicable.

### **7.3.4 Materials and Colors**

The materials and colors selected for the exterior of your house are very important to its appearance and are expected to be in harmony with the character and natural surroundings of the community. Rough-sawn woods, brick, stucco, cementitious lap siding (e.g., hardi-plank) and other materials as approved by the ARB, in combination with subdued earth-tone colors are appropriate on any lot. Minimize use of non-indigenous materials such as stone.

Exterior finish materials shall be of the highest quality. Exterior materials of plastic, vinyl, metal (except for roofs) or other reflective materials will not be approved. Woods used for siding or trim shall be durable by type and/or treatment. Wood, brick, stucco and other materials proposed for exterior use must be submitted to the ARB and approved before installation. Outside vents and chimneys (unless masonry or stucco) shall be painted to match the surface they are mounted on.

The roof of a building is a major feature of its design, and the roofing material selected is very important. The proposed roofing material, color and application will be critical parts of the ARB's design evaluation. Roof shingles must be of material with a minimum weight of 240 lbs. or above with 30yr to 50yr guarantee per square (100 sq. ft). Roof vents shall be painted to blend in with the roof.

Good quality windows and doors are required. Wood frame, wood frame encased by extruded aluminum or covered with a pre-formed rigid vinyl (PVC), or solid vinyl may also be used. Spec sheets are required with the application. Aluminum awnings, jalousie type windows or aluminum single-hung windows are not permitted. Window shutters are appropriate when sized to match window openings and mounted to appear functional.

Samples of all exterior materials, colors and textures must be submitted at the time of application for preliminary review. Color samples must be submitted on 4 inch by 4 inch samples of the actual material to which it will be applied. The samples must be mounted on 10 inch by 14 inch poster board.

### **7.3.5 Off-street Parking and Driveway**

Off-street turnarounds or backup areas must be provided to avoid the danger of backing from a driveway directly into a street. In addition to the garage, a driveway turnaround area at least 16 feet in width (capable of accommodating two cars) is required as off-street parking for each residence.

Every house must have a defined driveway constructed of concrete, asphalt, brick, or other hard and impervious material. Driveways must not be located closer than five (5) feet from a property line to allow for landscape plantings. Where a lot fronts on more than one street, access from the secondary street is preferred. Where possible, driveways should be curved gently for aesthetic purposes. All driveways must be at least 12 feet wide.

A concrete drainage pipe with tapered end pipes may be required where driveways cross drainage swales. The top of the opening of the tapered end pipe section should extend at least three feet beyond the paved edge of the driveway on each side. Drainage pipes under driveways must be set at an elevation that conforms to the master drainage plan to ensure the free flow of water within the street right-of-way, see 9.3 - Driveway Culvert Procedure (page 38). It shall be the builder's responsibility to maintain a swale to ensure free flow of water. The decision concerning a culvert requirement will be made by the ARB at the time of initial string-out.

### **7.3.6 Garages**

Garages must be designed to be compatible with the architecture of the home. Garage doors must be of the overhead type and made of wood, masonite or steel clad, or suitably coated to resemble wood. Spec sheets are required with the application. Electric garage door operators are required. Detached garages should be connected to the house by a covered breezeway. Garage doors should be oriented so as not to face the traffic where possible. Garage door colors must be approved by the ARB. The color of the garage door must match or blend with the color of the house. The use of accent colors for the garage door is not acceptable.

### **7.3.7 Outbuildings**

The types of outbuildings permitted will vary by lot size and Rose Hill Plantation's Covenants and Restrictions must be consulted before the design of any outbuilding is begun. If the lot's size permits an outbuilding (such as a pool house, servants quarters, guest suite, playhouse or stable); the outbuilding must be compatible with the main house. It is recommended that outbuildings be of the same material and colors as the house. Greenhouses and gazebos are permitted if approved by the ARB. Pre-manufactured buildings are not acceptable at any time. Under no circumstances may an outbuilding be constructed prior to construction of the main house.

### **7.3.8 Fences**

Solid Fences are not permitted to enclose or define any portion of the property lines of individual home sites. Property owners shall not install a fence that extends beyond the property lines. Open fencing is permitted around patios, swimming pools, stables and paddocks. If a fence is desired, its plans must be submitted to the ARB for approval prior to construction. Wire or chain link fences are not acceptable.

### **7.3.9 Deer Fences**

The ARB has a deer fence policy which is outlined below. However, before a property owner submits a deer fence plan for ARB approval and then goes to the trouble and expense of

installing it, a few key facts about deer are worth keeping in mind. Whitetail deer are easily capable of jumping fences six or seven feet in height. A deer fence of less than eight to ten feet in height has marginal to no value in protecting your plants.

A simple truth rests in letting Mother Nature take its course: Until the deer herd size adjusts to the dwindling food source of advancing development, deer will remain a part of Rose Hill Plantation. This will undoubtedly be an emotional issue, particularly to those people who have landscaped heavily with plants which the deer like to eat. If you are thinking of erecting a deer fence as part of your ARB submission, please consider the vastly more effective alternatives of deer-resistant plantings and chemical application. If you are determined to fence the deer out of your property, we urge you to review the guidelines for deer fences listed below and adjust your fence or plans accordingly. The ARB tolerates deer fences as a necessary evil until Mother Nature diminishes the size of the herd, and our guidelines are designed to minimize the impact of deer fences as an obtrusive eyesore as well as reduce the likelihood that they will endanger other residents or obstruct crews working in the right-of-way.

In order to minimize the negative aesthetic impact of deer fences, the following guidelines shall apply:

#### **7.3.9.1 Safety**

Electrified and non-electrified deer fencing shall be installed no closer than 5 feet from the edge of any street or edge of trail and in such a manner so as not to create a hazard or to cause injury or damage to others.

In no event shall a deer fence be placed in such a manner as to prevent access to a fire hydrant.

#### **7.3.9.2 Fence Height**

One or two strands of wire may be constructed as a deer fence. The maximum height of the top strand shall be four feet above ground level.

#### **7.3.9.3 Support Posts**

The use of in-line posts and support posts at property corners and driveways is permitted. Such posts shall not exceed dimension of 4 inch by 4 inch and shall not be more than 50 inches above ground level. Wooden posts shall not be painted. As an alternative, in-line support posts may be made of earth-tone metal. Such metal posts shall not exceed ½ inch in diameter and shall not be more than 50 inches above ground. When electrified wire is installed, dark green, brown or black insulators shall be used. In no event should deer fencing be attached to trees because of potential tree damage and increased threat of lightning strikes.

Any requests for exceptions to the fence guidelines must be submitted in writing and approved by the ARB.



### **7.3.10 Television and Radio Signal Receiving and Sending Devices**

Television antennae, towers or similar devices are not allowed per the Covenants and Restrictions. Small satellite dishes (less than one meter in diameter) are allowed to be installed on the exterior of a residence. The location of the dish must be approved by the ARB. Care should be taken to locate the dish so as not to be seen from the street, the golf course or neighboring homes. In addition, the wire must be painted to match the house and it may be necessary to paint the dish itself. Two satellite dish locations must be submitted with the application.

### **7.3.11 House Numbers and Nameplates**

Each house shall display the number assigned as a street address on the front of the house where it is clearly visible from the street. Letters or numbers may be used; however, letters or numbers must be five inches, minimum of ½ inch wide, and reflective on both the house and mailbox. Nameplates are permitted provided they are mounted on the front wall of the house and do not exceed a total of 80 square inches. Numbers must be conspicuously placed above, on or at the side of the appropriate door fronting the street. If the house is more than 20 feet from the road, this number must also be placed on a post near the driveway. If the mailbox is directly in front of the residence, on the same side of the street, the numbers may be placed on the mailbox instead of on a post by the driveway. A primary purpose of house numbers is to assist emergency personnel when answering calls. House number locations should facilitate rapid identification.

### **7.3.12 Exterior Lighting**

The design and location of all exterior lighting is subject to the approval of the ARB. Lights shall not be of such intensity, location or direction as to adversely affect adjoining property owners. Exterior lighting must be shown on the plans and spec sheets must be provided.

### **7.3.13 Service Areas**

Plans must include an enclosed area to screen propane tanks, air conditioning compressors, garbage cans and electrical, telephone and cable TV service connections from view. Such areas must be made entirely of materials and colors compatible with the house and convenient to utility services to the site and must have sufficiently wide access to allow movement of garbage containers and must be shown on the plan.

At least one service yard is required on each house, adequate in size to contain all outside equipment and storage including, but not limited to, heat pump compressors, electric, telephone and cable TV service connections, water treatment equipment, propane tanks, swimming pool pumps, filters, heaters and any exposed piping, irrigation system controls, trash receptacles, and any maintenance equipment not otherwise stored.

The service yard must have a concrete floor and visually-solid enclosing walls not less than five feet six inches (5' 6") in height above the service yard slab; be of the same color and compatible material as the house siding, and have a self-closing latched access gate. The location(s) shall be

planned to be as visually unobtrusive as possible, utilizing house walls and offsets wherever possible while providing convenient access for trash removal and utility service.

Any proposed encroachment into setbacks must be clearly identified by the applicant and requested on a "variance request" form and approved by the ARB during Concept or Preliminary reviews; encroachments into both side setbacks will not be considered under any circumstances. Service yards are considered a part of the main structure and must be positioned entirely within the required setback areas. All other conditions will be judged on an individual basis.

#### **7.3.14 Equipment Enclosures**

All exterior equipment not contained within a service yard including, but not limited to, additional heat pump compressors, pool equipment, water treatment equipment, propane tanks, etc. shall be totally enclosed with visually-solid screening walls to a height of the greater of five feet six inches (5' 6") or six inches (6") above the highest part of any equipment enclosed therein. The enclosure must blend with the house, and landscape plantings alone may not be used to screen exterior equipment. A poured slab must fill the entire area defined by the screening walls. Any attached equipment enclosure must meet the same requirements as the service yard.

#### **7.3.15 Mailboxes**

All mailboxes must be ordered through the ARB and will be installed upon your request prior to moving in. The cost of mailboxes is given on the "Application to Construct".

#### **7.3.16 Modifications to an Existing House**

ARB approval is required for any of the following modifications to an existing house:

- A. Any modification which:
  - 1. Requires a building permit. This does not include modifications that only affect the interior of the house.
  - 2. Alters the footprint of the house (for example, a screened porch or deck).
  - 3. Changes the external appearance of the house (for example changing from siding to stucco).
  - 4. Changes the house color (roof, siding, trim, door, or accent colors).
  - 5. Modifies the driveway or sidewalk.
  - 6. Adds a skylight.
- B. The addition of a satellite dish.
- C. The addition of a new structure on the lot. For example: a pool, pool enclosure, barn, gazebo, or fence.
- D. Tree removal (for any tree which is more than 6 inches in diameter (measured four feet off the ground)).

ARB approval must be obtained before any of these modifications are started.

The same guidelines that apply to the construction of a new house also apply to modifications to an existing house.

If there is any doubt about whether or not your modification requires ARB approval, please contact the ARB before you start.

The forms and supporting information that you need for a specific modification and the typical times required for approval are delineated in Table 1 (page 41), the forms are available in the POA office or on the website.

### **7.3.17 Landscape Accessory Structures**

Accessory structures such as playhouses, doghouses or dog runs are not permitted without specific approval of the ARB. If approved, these structures must be well hidden.

### **7.3.18 Swimming Pools**

Pool equipment shall be placed inside an enclosure, see Section 7.3.14, Equipment Enclosures.

Top of pool construction may not be over 2 feet above existing grade unless integrated into terraced construction and with ARB approval.

Backwash is not permitted to be discharged into the sanitary sewer system, storm water sewer system, or onto the golf course, and must be contained on the lot.

The size, shape and siting of swimming pools must be carefully considered to achieve a feeling of compatibility with the surrounding natural and man-made elements.

Pool and equipment enclosures must be architecturally related to the house and other structures in placement, mass and detail.

Unobtrusive bronze screening is preferred.

“Bubble” covers, bright aluminum pool enclosures and bright screens are not acceptable.

Due to potential disruption of natural features, the ARB will review all proposed pools on an individual basis. Pools must adhere to all setbacks.

## **7.4 REPETITIVE DESIGNS**

Some house designs may be unacceptable for a particular lot because of similarity to homes in the immediate neighborhood. If, in the judgment of the ARB, the massing, basic style, roof lines, exterior materials, colors or other features of a home are too similar to those of its neighbors, the design will not be approved.

## **7.5 PATIO HOMES (EXCEPTION: CLUB GATE)**

A patio home is one of a group of architecturally related, detached, single-family dwellings designed to attain maximum privacy on a small lot by the use of interior courts and exterior walls and fences.

In those areas that have established "footprints" on a plat, floor plans must conform totally within the footprint. The house shall not exceed fifty feet (50') in width.

One side wall of a patio home will be located three feet from a property line, designated on the plat as the "three foot privacy side." This wall will be constructed without openings and extend to the front and rear of the dwelling to a length and height that will exclude interior views of the house from adjoining lots.

### **7.5.1 Patio Walls, Including House Walls**

Patio walls, including house walls must be solid construction with no openings allowed which includes, but is not limited to doors, windows, kitchen cook top vents, clothes dryer vents, and fireplace through-wall exhaust vents. Some or all of the above requirements may be waived if the patio wall side of the house is adjacent to twenty feet (20') or more of open space. Patio walls shall be designed with pattern or textured features to add interest, but must be compatible in design with other exterior walls of the house. Front and rear attached extension walls shall be solid construction with no openings, be a minimum of six feet (6') in height above the house main floor finish elevation, have a solid, masonry base closure to a minimum of six inches (6") above the finished grade with suitable footing, must have a twelve inch (12") minimum return at the ends, and extend a minimum of ten feet (10') beyond the house to ensure privacy to both the occupants and the adjacent property owners.

### **7.5.2 Roof Gutters and Downspouts**

Roof gutters and downspouts (if installed) must be installed on the patio wall side of the roof except where adjacent to an open space or right-of-way no less than twenty feet (20') in width or the roof pitch diverts the water run-off (gable ends). Downspouts must discharge on the house side of the patio wall extensions.

### **7.5.3 Roof Overhangs**

Roof Overhangs, including gutters, shall not encroach beyond the property line.

## **7.6 BLOCK W (PHASE 2) - CLUB GATE**

### **7.6.1 Construction Guidelines for Homes**

The Architectural Review Board and ARB Administrator consulted with the POA and the Attorney to determine the lot size, allowable square footage for new home construction, POA requirements of the developer and the sequence of events that must occur for the development of Block W – Phase 2 of Club Gate.

Taking into consideration the lot size and square footage of the existing homes in Phase 1 of Club Gate, the ARB recommends all lots in Block W- Phase 2 of Club Gate be designated as patio lots and all homes be constructed to the existing guidelines for “Patio Lot” as written in the current ARB Guidelines.

The existing guidelines for Club Gate Patio Lots are:

### **7.6.2 Patio Lots**

1. Minimum 1,100 square feet plus an attached or detached two-car garage.
2. Maximum square footage of 1,900 square feet for a single story dwelling and 2,400 square feet for a multi-story dwelling with the first floor not exceeding 1,600 square feet, plus an attached or detached two-car garage.
3. Maximum width of house is 50 feet at roof overhang.
4. Require a privacy wall on the three foot lot line side.
5. No variance shall be granted for the setback on the zero lot line side.  
Setbacks from property line:  
25’ Front Setback  
20’ Rear Setback
6. House must fit entirely within the “footprint” approved by the ARB.

ARB application fees, inspection fees and compliance deposits will be required as designated for each new home construction per the ARB Guidelines.

Privacy/security fencing will be required behind Lots 27 – 49.

### **7.6.3 CONSTRUCTION REQUIREMENTS FOR DEVELOPER**

Daily gate fees and/or commercial decal purchases will be required for all vehicles over 4-wheels. A signed application to construct which clearly defines POA rules and regulations for hours of construction and other POA requirements to include the daily cleaning of all roads and any and all applicable ARB/POA fines must be submitted and agreed to by the developer and general contractor.

Lots sold in blocks to developers will be required to meet deposit requirement for each lot, no multiple lot discounts will be permitted.

## **7.7 UTILITIES**

### **7.7.1 Water**

Beaufort-Jasper Water & Sewer Authority operates a central water system throughout the plantation. Private wells are not allowed except for irrigation purposes or as part of a residential heating/cooling system.

### **7.7.2 Sewer**

Beaufort-Jasper Water & Sewer Authority operates a wastewater treatment plant and collection system which serves the vast majority of lots in the plantation. A few lots, clearly identified in the HUD Property Report, are designed for septic tanks or other individual disposal systems. All effluent from the plant is disposed of by land application and there are no discharges into any bodies of water.

## **7.8 LANDSCAPING**

Homeowner or representative will meet with the POA representative and inspect the lot. Lot should be cleaned adjacent to the POA property along the road. Dead trees that are standing or are a hazard will be removed. All debris will be removed from the lot and along the lot line. The underbrush will be pruned back, as need, and lot owner will determine how this is accomplished. The lot will be re-inspected after work is completed.

*Rose Hill First Amended and Restated Covenants, Conditions and Restrictions: Article 3, Section 3.19 Landscaping Maintenance*

### **7.8.1 Objectives**

Considerable effort has been expended on careful land planning, conservation and enhancement of the natural environment throughout Rose Hill Plantation. Suitable landscaping for your new home is an essential part of our effort to create a quality development sensitive to its existing surroundings. Remember, the object of landscaping is to complement your house and not to compete with it for interest. Some of the functions of plant materials are accent, softening, separation or screening, shade, framing and background. It is the policy of the ARB that a landscaping plan must accompany all new architectural submissions.

The ARB recognizes that the landscape plan is subject to change as the construction process unfolds. However, before the ARB can grant permission to begin construction, it must have received and approved a detailed preliminary landscape plan that has been developed by a qualified landscape professional.

Any changes to the landscape plan that involves the design, size, quantity, or location of the plants must be submitted to the ARB for approval.

The ARB also recognizes that the time when the construction is completed may not be the optimum time for the landscaping to be installed. This is particularly true for the grass. However, due to the cost of landscape installation, the ARB may withhold a significant portion (or all) of completion deposit until the landscaping is completed to the ARB's satisfaction..

The ARB prefers that all grass be installed as sod. However, should the property owner choose to use seed instead, the completion deposit will not be refunded until the ARB has determined that the grass has reached an adequate height and thickness.

The following are specific guidelines to assist you in submitting your request.

1. Landscaping must be adequate to properly complement the house and site.
2. Landscaping must be harmonious with the natural environment of Rose Hill Plantation. Proposed plant materials and their configuration must be suitable to local climate and wildlife conditions. While it is difficult to recreate the natural landscape, new planting must appear compatible with the old.
3. No trees measuring 6" or larger in diameter at a height of 4 feet above original grade and more than 10 feet from the perimeter of new construction may be removed without the approval of the ARB. Care should be exercised to protect all other trees from equipment damage and/or filling. Barriers and tree wells should be used for protection.
4. The area from the front property line to the street (the POA easement area) must be sodded.

In addition to the above, the following proposals will be denied:

1. Unwarranted removal of specimen trees.
2. Intensive use of plants with forms or colors not native to the area.
3. Earth fill that threatens existing trees.
4. Large unplanted windowless walls. (Except on the zero lot line side of patio homes.)

### **7.8.2 Landscaping Review Process**

The landscape plan is a basic part of your architectural submission and is subject to the review and approval process of the ARB. The landscape plan must be submitted by a professional landscape designer.

If seed is planted rather than installed sod, the deposit will be withheld until the grass is established.

### **7.8.3 Restricted Plant Materials**

Plants that are very unlike local coastal vegetation or those plants associated with exotic effects must be avoided.

Use of materials and site furniture that are inconsistent with the character of Rose Hill Plantation and the low country coastal area should be avoided. Fountains and other decorative lawn ornamentation must be approved by the ARB.

### **7.8.4 Use of Earth Mounds**

As with plant materials, any earth forms used should be consistent with the natural setting. Generally, the topography of the coastal area is very flat. Earth can add interest to a home site, but if used, should be done with great sensitivity. Nothing looks more artificial than a small earth mound rising abruptly from a flat landscape. An earth mound with gentle slopes can require a rather large open area to blend naturally into the existing topography of the site. Since earth fill on roots can kill existing trees, earth mounds must be held away from the trunks of trees. Any mound must be indicated on the plan.

### **7.8.5 Landscape Plans**

Because of the variety of plant material available and the infinite choice of plant locations and massing, landscaping often becomes one of the more difficult aspects of planning and building a home. Your landscape plan must always identify the name, quantity, location and gallon size of each plant being installed. Plans must be drawn to show all plants at initial and mature size (height and girth). Shrubs shall be a minimum of 3 gallon size. The use of a professional landscape architect is recommended.



## **8 ARCHITECTURAL REVIEW PROCESS**

Plans for all construction must have the "Seal" of a Professional Architect registered by the state of SC (or experienced, professional, local home designer who has applied to, and been pre-approved by the ARB) affixed thereto, and must be approved by the ARB. Subsequent alterations or additions may also require, at the discretion of the ARB, the "Seal" of a Registered Professional Architect or pre-approved home designer as described above. Any alteration or addition requires architect-sealed plans and a completion deposit. Exceptions will be considered on a case by case basis. Significant improvements such as pools, garages, detached buildings and barns also require completion deposits. Exterior color changes must be approved by the ARB.

The following policies and procedures will be followed.

### **8.1 APPLICATION FORM**

Application must be made on the "Application to Construct in Rose Hill Plantation." A blank form is attached to these guidelines. Applications are complete only when review fee is paid, the application completed and signed by all parties involved, and the materials list is completed. Incomplete applications will not be reviewed.

### **8.2 MEETINGS**

The ARB currently meets at least once each month at Rose Hill Plantation. The times and dates are subject to change. Complete applications received by the Architectural Review Administrator no later than the close of business one day prior to the scheduled meeting will be reviewed.

Except as noted below, the ARB does not allow applicants to attend the meetings.

If an applicant wishes to attend a meeting for a special purpose, the request (with the reason for attendance stated) must be received at least one week prior to the next scheduled ARB meeting. The ARB Chairman will make the decision whether or not to allow the applicant to attend the meeting and the applicant will be notified of the decision.

### **8.3 ARCHITECTURAL REVIEW BOARD RESPONSE**

The submitted plans must conform to the general criteria as indicated in Section 7 (page 11) of this document. However, the ARB may reject an application based solely on the judgment of its members without citing specific ways to remedy the deficiencies found.

Applicants will receive a decision from the ARB by US mail, fax or email. Only owners and/or authorized agents as listed on the application will receive notification.

### **8.4 APPEALS PROCESS**

When the ARB disapproves a design or a change from the approved plans during construction, the applicant must submit amended plans to comply with the ARB comments. If the applicant feels that the ARB position is not reasonable, he has not been given due consideration, or a hardship can be proven, the applicant may request, by written format, a presentation hearing to appear before the ARB at its next scheduled meeting.

During an appeal meeting, the Applicant will have 15 minutes to state his/her appeal. A handout with relevant information is encouraged. The ARB members may ask the applicant questions. A decision will not be made while the applicant is present. If, after the ARB hearing, the applicant is still dissatisfied with the outcome, he may then appeal to the POA Board of Directors for further review.

To appeal to the POA Board, the applicant must write a letter of request to the POA Board. After reviewing the facts, the POA Board may schedule a "mediation" session with the applicant and the ARB. If the mediation session is unsuccessful, the applicant may wish to go before the POA Board to be heard. In either case, the POA Board decision will be final.

This same process may be followed to appeal fines/assessments levied by the ARB.

### **8.5 CONCEPT REVIEW**

The ARB encourages submission of a character sketch and rough site plan prior to a formal review submission. The ARB will provide a non-binding opinion of the suitability of the major concepts. No fee will be charged, and no stake-out or underbrush clearing are required at this time.

## **8.6 SITE PREPARATION**

Prior to preliminary review, the lot must be bush-hogged cleared of underbrush, corner lot monuments or steel pins must be located, staked out and strung with the lot lines and outlines of proposed buildings, drives and walkways clearly indicated. Trees that are to be removed must be clearly identified with red, pink, or orange ribbon. Do not mark trees that are to remain. Note: If the tree and topography survey does not properly identify the existing trees, the request may be denied. Also note that the removal of any tree within the OCRM critical line and also the fifty foot Beaufort County buffer line requires approval from the county. The ARB will not consider any tree removal in the OCRM setback until Beaufort County approval is obtained. (No tree removal permitted at this time.)

## **8.7 PRELIMINARY APPLICATION**

While it is permissible to combine the preliminary and final applications, the ARB recommends that the applicant submit a preliminary application for its comment prior to the preparation of construction drawings. In this manner conceptual errors may be resolved and the possibility of a lengthy review period avoided. The preliminary application should include one set of plans and the following supporting information:

### **8.7.1 Site Plan and Analysis**

#### **8.7.1.1 Tree Survey**

Provide a tree survey that clearly identifies the species, location and diameter of all trees six inches (6") or larger in diameter at a height of 4 feet (4'), as well as the location of significant clusters of smaller trees. On lots of one acre or larger, such tree survey may be limited to the section or "envelope" within the lot where trees will be removed to accommodate the house, surrounding open yard and driveways. If this approach is used, however, no trees may be removed outside the surveyed envelope without ARB approval.

#### **8.7.1.2 Site Plan Scale**

Draw site plan at a scale of  $1/8" = 1'$  superimposed over the existing tree survey. On lots over 1 acre, a scale of  $1/16" = 1'$  is acceptable.

#### **8.7.1.3 Trees**

Show and identify species and diameter of all trees as described above, and indicate trees to be removed and reason for removal. Note tree removal limitations in Section 7.8.1, page 22.

#### **8.7.1.4 Topography**

Show existing and proposed topography. Show fill plan. Draw arrows to indicate the direction of drainage. You are responsible for avoiding any unfavorable drainage impact on neighboring property. Certain lots may require a drainage plan designed by a certified civil engineer. Please refer to paragraph 8.7.1.11.

#### **8.7.1.5 Boundaries**

Show property boundaries, location of house and setbacks from all lot lines. Indicate overhang by means of a dotted line.

#### **8.7.1.6 Elevations**

Show elevations: finished floor, lot corners, culvert inverts, edge of roadway.

#### **8.7.1.7 Site Development**

Indicate site development, including walks, driveways and turnarounds, patios, decks, fences, etc.

#### **8.7.1.8 Neighboring Houses**

Show the corners of neighboring houses and indicate their FFE (Finished Floor Elevation).

#### **8.7.1.9 Natural and Man-Made Features**

Designate natural or man-made features which could affect the design.

#### **8.7.1.10 Drainage Swales**

On lots where a driveway is proposed to cross a drainage swale, a reinforced concrete pipe with tapered end pipes may be required. This pipe must extend at least three feet beyond the edge of the driveway on both sides. See Page 38 for culvert requirements. Show layout of culvert pipe under driveway; indicate direction of drainage flow; the inverts of the culverts; and the inverts of the nearest neighboring culverts upstream and downstream.

#### **8.7.1.11 Drainage Plan**

The builder is required to submit a drainage plan that has been prepared by an architect or a professional engineer who is qualified by the state of South Carolina to prepare a drainage plan. The preparer of the drainage plan must sign the plan and affix his seal to the plan. The property owner, the builder, and the preparer of the drainage plan must also sign the "Drainage Disclaimer".

### **8.7.2 Floor Plans**

Floor plans should conform to the following requirements:

- A. Draw to a minimum scale of 1/4" = 1foot.
- B. Show changes in level, relationship to important site features, etc.
- C. Show location of service entrances for electric, telephone and cable TV within service yard as well as the location of the propane tank, if applicable.
- D. Plans must clearly state total square footage on each floor.

### **8.7.3 House Elevations**

House elevations should conform to the following requirements:

- A. Draw to same scale as floor plans.
- B. Show all elevations.

### **8.7.4 Landscaping**

Show proposed landscaping, indicating general massing of plants and trees and intended use of plant materials. This plan should be superimposed over the site plan, but must be separate.

### **8.7.5 Bush-hogging**

Lot must be bush-hogged, staked and strung out prior to Preliminary Review. Only lots that have been bush-hogged and staked will be reviewed. A fine will be assessed if the ARB visits a site which has not been bush-hogged or staked out.

## **8.8 FINAL APPLICATION**

Two complete sets of documents shall accompany the final application. Each sheet of drawings and the first page of other documents shall include the lot number, street name, applicant's name, architect and date of drawings. Revised submittals for final approval shall be a complete set of plans. All drawings must be to scale.

### **8.8.1 Site Plan**

Show all information required for a preliminary submittal. Drawings must identify all materials, be full-dimensional and show the roof plan (unless shown on a separate drawing) and exterior lighting, if any.

Documents to be submitted include the following:

### **8.8.2 Landscape Plan**

A separate landscape plan, superimposed over the site plan, show the location, bounds, numbers and species of all plants, trees, shrubs and ground covers (Common and Latin names), as well as the size of shrubs to be planted with initial and mature height and girth noted. A plant schedule is required including total number of each species, gallon sizes at installation, type and square footage of sod, etc.

### **8.8.3 Floor Plans**

The following requirements shall apply to floor plans

1. Draw to a minimum scale of  $\frac{1}{4}$  inch = 1 foot.
2. Show any changes in floor level.
3. Show all dimensions.
4. Include door and window symbols and schedules.
5. Show all attached decks, patios, fences, ornamentation, aquatic elements (pools, ponds, etc) and other appurtenances including detail of the service yard(s) enclosure.
6. Show locations of service entrances for electric, telephone and cable TV within service yard(s) as well as the location of the propane tank(s), if applicable.
7. Show on plans heated square footage on each level.

### **8.8.4 Elevations**

The following requirements shall apply to elevations

1. Draw to a scale of  $\frac{1}{4}$  inch = 1 foot.
2. Show all exterior views of the house including those which will be partially blocked from view by garages, fences or other parts of the building.
3. Indicate all exterior finish materials and colors.
4. Show finished floor elevations and existing and proposed grade lines.
5. Show all exterior openings.

### **8.8.5 Details**

Draw the following to a minimum of  $1\frac{1}{2}$  inch = 1 foot.

1. Wall section
2. Window head/sill detail
3. Service yard detail
4. Rake Detail
5. Corner Detail
6. Screen porch detail
7. Railing/column details
8. Detached fencing and paddock details
9. Indicate roof pitch.
10. All drawings must be to scale.

### **8.8.6 Submission of Typical Building Materials**

On the form provided in the application, indicate the name, grade, and description of proposed exterior materials. Provide physical samples of colors applied to a sample of the material to be used and roofing material. The samples should be on 4 inch by 4 inch actual material samples. An application will not be reviewed without these exterior samples. Where applicable, manufacturer's name must be supplied (roofing, doors, windows, etc.)

## **8.9 FEES**

A processing fee is required with all ARB submissions. A Completion Deposit fee and mailbox installation fee are also required upon receiving final approval and prior to issuance of a Building Permit. The purpose of the Completion Deposit is to ensure that the completed house complies with the approved plans and the ARB Guidelines. Any fines that may be incurred during the construction process will be deducted from the deposit and the balance will be refunded. Table lists the amounts assessed for various violations. The "Application to Construct in Rose Hill Plantation" contains a list of fees for all construction.

The ARB believes that ensuring that the ARB Guidelines are followed is a joint responsibility of the property owner and the builder. Therefore, two completion deposits are required, one from the property owner and one from the builder. Any fines that are incurred will be deducted in equal proportion from the two deposits.

### **8.9.1 Initial Inspection**

Prior to preliminary review of plans by the ARB, clear the site of under-brush, stake and string the lot lines and an outline of the proposed buildings, drives and walkways. Flag only trees to be removed. Remove tags from trees not to be removed. Use red, pink, or orange ribbon.

Re-stake and string the lot as necessary if requested changes were required by the ARB.

### **8.9.2 Permitting**

After ARB approval of the final application, but prior to the issuance of a Rose Hill Plantation Building Permit to start clearing and construction, the applicant or his builder should install the builder's sign at the construction site.

Upon verification of adherence, a Rose Hill Plantation Building Permit will be issued.

Temporary toilet facilities and construction refuse dumpster must be placed on site prior to any construction activity and screened from view. The entrance must be turned towards the construction site. If extensive site clearing is required, the ARB will allow a delay in the placement of the temporary toilet facility and dumpster until the site is cleared, however, the site still must be kept clear of trash and unsightly debris.

### **8.9.3 Foundation Survey & Elevation Certificate**

After batter boards are in place, and prior to installing any foundation or pouring a slab, the owner will cause a Foundation Survey to be performed by a registered South Carolina Surveyor showing the exact location and elevations of foundations/slab on site plan. The results must be in accordance with the ARB-approved site plan. A Sealed Survey and Elevation Certificate must then be submitted to the ARB for approval prior to installing foundation or pouring the slab. Foundation surveys are also required for garages, barns, pools, detached buildings and significant additions.

### **8.9.4 Final Inspection**

When the buildings and landscaping are complete and a Certificate of Occupancy has been received from the Building Department of Beaufort County, the applicant must provide a copy of the C.O. to the ARB Administrator and request a final inspection in writing to ensure conformance with all approved plans.

The Completion Deposit will be returned after an inspection has determined that construction has caused no damage to the surrounding area, that all construction (including materials, colors, drives, decks, etc.) has been completed in accordance with the approved building plan, and that your landscaping has been installed in accordance with the approved landscape plan. Any violations of the Rules and Regulations of Rose Hill Plantation will be deducted from this deposit (Table 2 Assessments for Violations of RHP Rules and Regulations, page 43).

### **8.9.5 Additional Inspections**

Additional inspections such as a dry-in inspection and a driveway inspection may be performed by the ARB when they deem them to be appropriate.

## **8.10 COMPLETION**

Total project, including landscaping, must be complete within sixty (60) days of issuance of Beaufort County Certificate of Occupancy OR one year from Rose Hill Plantation permit date, whichever comes first regardless of whether the residence will be occupied at that time.

## **8.11 OCCUPANCY**

All exterior construction, including painting, driveways and decks must be completed prior to occupancy, plus Certificate of Occupancy received, and final inspection completed and approved. Penalties may be assessed for violations (Table 2 Assessments for Violations of RHP Rules and Regulations, page 41). In addition to having obtained a Certificate of Occupancy from Beaufort County, all exterior construction, including painting, drives, and decks must be completed and final inspection conducted by an ARB member. Penalties may be assessed for violations or changes that were not approved by the ARB. Requests for exceptions to this requirement must be made in writing to the ARB prior to moving into construction.



## 8.12 CHANGES

Any exterior changes to approved plans desired during construction must be submitted to the ARB for approval using the Change Request Form. No work on an exterior change may begin prior to ARB approval. There will be a fee each time a change to an approved plan is submitted that requires a review by the ARB and the ARB staff architect. This includes tree removal. Failure to request approval will result in a fine per occurrence and may result in a “stop work” order. There will not be a charge for changing the selected colors, but there may be a fine if the colors are changed without approval.

## **9 CONSTRUCTION**

The purpose of this section is to inform both the owner and the builder of policies and procedures required or suggested by Rose Hill Plantation which will eliminate potential problems and further ensure the construction of a quality house. It is important to remember that the Covenants and Restrictions of Rose Hill Plantation require that once a permit is issued, all work must be completed within one year. No home may be occupied until all exterior construction, including painting, driveways and landscaping has been completed; a Certificate of Occupancy has been granted by the County Building Inspector and presented to the ARB, and a final inspection approved by the ARB. Written requests for exceptions due to special circumstances must be submitted to and approved by the ARB in advance. Some lots may require approval by the OCRM.

### **9.1 PRE-CONSTRUCTION ACTIVITIES**

1. Except for under-brushing, stake-out and stringing, no work may be done on a lot prior to receiving approval of the ARB. In no event may trees be removed or earth moved prior to ARB approval and issuance of a Rose Hill Plantation building permit.
2. A Building Permit must be obtained from the Beaufort County Building Inspections Department. If your lot is to be served by a septic tank system, a permit must be obtained from the Beaufort County Health Department located in Bluffton, South Carolina. There is no fee for the soil test, but a fee is required by the State of South Carolina for a permit to construct a septic tank system.

### **9.2 DURING CONSTRUCTION**

#### **9.2.1 Portable Toilet and Dumpster**

A portable toilet and a construction refuse dumpster must be in place before work begins. They must be maintained during the entire construction process. In placing the portable toilet, the entrance must face the construction, not the road or neighboring lots. Beyond the portable toilet facility and dumpster no other temporary structures or trailers may be placed on a lot without the written permission of the ARB. If allowed, such structures may never be used as residences and may not remain on the lot after construction has been completed.

#### **9.2.2 Site Access**

The access to the construction site between the edge of the road pavement and the front property line shall be no more than twenty feet (20') wide, and is limited to one (1) entrance only. It is suggested that, whenever possible, the site access be in the same general location as the permanent driveway entry and a stone based product be placed in this area used for construction entrance. A curb cut, driveway culvert (where required), and entrance drive must be in place prior to the clearing of the lot, placement of fill or delivery of materials to the site.

In the case of ditches and swales, the grade elevations must be maintained to prevent any blockage of the road drainage system. The ARB will determine if a permanent culvert is to be

installed during the initial stakeout inspection. The edge of the road pavement shall be protected from damage by construction vehicles.

Any damage to the road pavement, curbing, or the road right-of-way caused by construction activity must be restored to the original condition before the project will be considered complete. Final compliance will not be approved until all damaged areas are satisfactorily restored. Failure to comply with the above requirements during construction may result in assessments levied and/or a stop work order. The total cost of necessary repairs of damage to the street, curbs, common areas or adjoining lots will be charged to the owner of the property (see Table , page 41).

### **9.2.3 Site Clearing**

No lot may be cleared or construction otherwise started without a Rose Hill Plantation building permit. Where appropriate, culvert and fill and/or road shoulder protection must be in place. Site clearing is subject to the construction hours and Sunday/holiday restrictions.

### **9.2.4 Roadways**

Roadways in front of and adjacent to site shall be cleaned at the end of each workday, as needed, of dirt, mud, muck and debris.

### **9.2.5 Access**

Access to a building site by means of adjacent property will not be allowed. Parking of workers' vehicles/equipment will be limited to the construction lot only. Applicant is responsible for damages done by workers' vehicles to adjacent property, easements and roads around work area.

### **9.2.6 Materials**

No materials may be placed in the right-of-way or on adjacent property even on a temporary basis.

### **9.2.7 Disposal**

There are no disposal areas available in Rose Hill Plantation, nor is there a pit for obtaining fill dirt.

### **9.2.8 Utility Connections**

A water meter must be installed after final approval of the ARB so that construction water is available. Contact Beaufort-Jasper Water and Sewer Authority.

Palmetto Electric Cooperative will provide a temporary power source during construction. Application for this service may be made at Palmetto Electric's office. An inspection of the

service connection by the Beaufort County Inspection Department is required before the service can be activated.

All utility services at Rose Hill Plantation are buried in the street rights-of-way. Before digging in a right-of-way it is required that you ask each utility to identify the location of their lines to prevent damage.

### **9.2.9 Drainage and Erosion Control**

Prior to and during all construction activity, including the clearing and filling of the lot, the following protective actions must be taken: Water Drainage Control; Soil Erosion Control; Road Pavement and Curb Protection; Road Right-of-Way Protection and Tree Protection. It is the responsibility of the general contractor to prevent drainage and erosion onto any adjacent property whether private or common.

#### **9.2.9.1 Water Drainage**

Water drainage shall be directed into the Plantation drainage system including road swales, ditches, culverts or lagoons. This shall be accomplished by means of rough grading, earth berms, swales, and drain lines or by retention entirely within the construction site property lines.

#### **9.2.9.2 Soil Erosion**

Soil erosion shall be controlled entirely within the construction site property lines in such a manner as to prevent the erosion of soil onto any adjacent properties, roads, or into any Plantation drainage system or lagoon.

#### **9.2.9.3 Run-off**

Hay bales or silt fences must be placed to control run-off and/or spoilage into the coastal critical line of lots abutting marsh or water. Protection of wetlands is closely monitored by the SC Dept. of Health and Environmental Control (DHEC), as well as the ARB and the POA.

#### **9.2.9.4 Drainage Control**

After completion of the foundation work, the general contractor shall establish the finish grade at the perimeter of all new construction no less than six inches (6") below any wood finish. Earth should be sloped away from the house to a minimum of ten feet (10') on all sides of full-sized lots and at the front and rear of patio lots. Drainage restrictions apply at the sides of all lots. When house construction is complete, and before any landscape work may begin, all planned fill must be in place and the lot brought to final grading.

**THE FAILURE TO CONTROL DRAINAGE AND EROSION MAY RESULT IN ASSESSMENTS LEVIED, A STOP-WORK ORDER, AND THE COST OF ALL REQUIRED RESTORATION WORK.**

### 9.2.10 Burning

No burning of any kind will be permitted. Debris from clearing (i.e., tree stumps, branches, logs, underbrush, etc.) and from construction (i.e., scrap wood, drywall, packaging materials, etc.) must be disposed of off Rose Hill Plantation at an appropriate disposal site.

### 9.2.11 Tree Removal

No trees measuring six inches (6") or larger in diameter at a height of four feet (4') above original grade and more than ten feet (10') from the perimeter of new construction may be removed without proper justification and approval of the ARB. **Please note that the fact that a tree is messy or that the owner/builder feels that the tree is an undesirable type is not a sufficient reason for removal.**

The final decision on tree removals will be made prior to final approval. Care should be exercised to protect all other trees from equipment damage and/or filling. Barriers and tree wells should be used for protection.

### 9.2.12 Material Storage

The storage of materials should be in an inconspicuous area of the site and contractors are required to make frequent clean-ups of surplus materials, trash, wrappers, etc. A refuse dumpster must be maintained on each site for the disposal of construction debris, trash and litter. All dumpsters are to be emptied when level full so that overflow of trash does not occur. Dumpsters cannot be placed on POA right of way.

If a complaint from a property owner is received about unkempt conditions, Security will verify the information and then notify the builder and owner. If the job site is not cleaned immediately upon notification, a \$100 penalty per day will be assessed against the owner of the property (see Table , page 43).

### 9.2.13 Signs

One sign identifying the contractor and/or architect must be displayed on the lot. Beaufort County and Rose Hill ARB Permits must also be displayed. This sign must not exceed four square feet in area. The sign is to be displayed facing the road; no sign will be displayed directly facing the golf course. When the job is completed, the sign must be removed immediately. No other signs will be displayed at any time.

### 9.2.14 Access and Work Hours

Construction access to Rose Hill Plantation is allowed between 7 a.m. and 7 p.m. Monday through Saturday. All work should be completed in the designated time period. No exterior construction activities are to be conducted on Sundays; interior work which does not generate noise levels perceptible to neighbors may be permitted under certain conditions but must be cleared in advance by the Rose Hill Plantation Chief of Security. Work on holidays is prohibited.

### 9.2.15 Radio Playing and Other Nuisances

The playing of radios, tapes, etc. at volume levels that disturb surrounding neighbors will not be permitted.

### 9.2.16 Worker's Pets

Workers are not allowed to bring pets to the job site.

### 9.2.17 Fishing by Workers

Workers are not allowed to fish in Rose Hill Plantation lagoons, creeks or rivers nor permitted use of community pools, tennis courts or picnic areas.

### 9.2.18 Dumping of Trash

Rose Hill Plantation does not have a dump. There will be a two hundred dollar (\$200.00) penalty for dumping refuse of any type on Rose Hill Plantation property.

## 9.3 DRIVEWAY CULVERT PROCEDURE

On those lots requiring culverts (when the driveway crosses a drainage swale) the Rose Hill Plantation ARB requires the use of concrete pipes. The driveway culvert must be approved prior to any work being performed as shown in the diagram below.

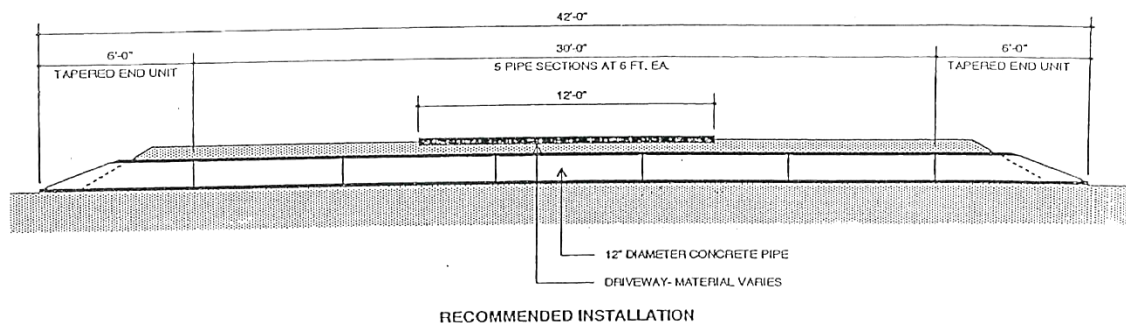


Diagram above should show 3ft outside the driveway concrete

At least 3 feet of grass or sod should cover the pipe from the edge of the driveway to the top of the flared end wall. A normal 12 ft. wide driveway would require two tapered end pipes. The depth and grading of the drainage swale and the elevation of the building lot determine the culvert requirement.

Culvert materials are available locally, and the cost and installation of culvert pipes, where required, is the responsibility of the property owner or the general contractor. The culvert pipes must be a minimum of 12 inches in diameter (larger if required) reinforced concrete with tapered end pipes, and installed according to POA guidelines. Any applicant/property owner who does not adhere to these regulations, and causes a drainage problem as a result of incorrect

installation, will be required to remove the faulty culvert pipes, and correctly replace. The applicant/property owner will be responsible for all corrective costs to include any damage to curbs, streets and common areas as a result of construction.

#### **9.4 Water and Sewer**

##### **9.4.1 Broken Water and Sewer Lines**

Builders are financially responsible for the repair of any water or sewer line broken during construction. If a builder damages or breaks a water or sewer line, Beaufort-Jasper Water & Sewer Authority should be contacted immediately.

##### **9.4.2 Backflow Preventers**

All temporary water service during construction must have backflow preventers installed. This is a requirement of the South Carolina Department of Health and Environmental Control.

##### **9.4.3 Water Meters**

Water meters will normally be installed from one to five working days after a meter request has been submitted to Beaufort-Jasper Water & Sewer Authority.

##### **9.4.4 Sewer Tap Location**

A request for sewer tap location must be made to Beaufort-Jasper Water & Sewer Authority at least two working days before the plumber plans to make connection.

##### **9.4.5 Sewer Cleanouts**

Sewer cleanouts must be installed in all lines connected to the Beaufort-Jasper Water & Sewer Authority sewer system.

## **10 VIOLATIONS OF THE RULES AND REGULATIONS**

The assessments for violations of the rules and regulations of Rose Hill Plantation are presented in Table , page 43. The ARB reserves the right to assess these fines.

A successful completion of a final ARB inspection is required prior to occupying a new house. It is common for these inspections to uncover items that must be fixed. This requires a re-inspection. If the violations are significant, the ARB may not give approval to occupy the house. At the ARB's sole discretion, the ARB may permit occupancy when only minor infractions are found during the final inspection. However, the completion deposit will not be returned until all discrepancies have been addressed to the ARB's satisfaction.

A successful completion of a final ARB inspection is required before any completion deposit can be returned. In the event that the corrections required by the final inspection are not addressed within one year of the final inspection or date of occupancy, whichever comes first, the entire completion deposit will be forfeited and the money will be transferred to the general POA account.

### **10.1 Removal of unauthorized construction**

The ARB reserves the right to require the builder / owner to remove any unauthorized or unapproved construction, whether new or an addition to an existing structure, at the sole expense of the owner / builder.

### **10.2 Legal Recourse**

The ARB reserves the right to seek legal recourse, at the owner's sole expense, for satisfaction of any differences arising from violation of any guideline requirements or unanswered requirements of the ARB.



Table 1 Typical Activities That Require ARB Approval

Activity	Forms Required	Additional Information Required	Time You Should Allow	Comments
Building a new house	Application to Construct		6 weeks minimum	See Section 8 Architectural Review Process, page 25.
Tree Removal	Request For Tree Removal		2 weeks. Emergency cases (eminent danger to life or property will be acted upon sooner)	Routine tree removal requests are assigned to an ARB member at the next ARB meeting.
Satellite TV Dish	Written request	Sketch showing 2 potential locations	2 weeks	Satellite TV dish requests are assigned to an ARB member at the next ARB meeting.
Exterior Color Change	Written request	Color board showing the house, trim, and roof colors. Color samples must be rectangular, a minimum of 4 inches on a side. The color board must be rectangular with a max size of 10 by 14 inches	2 weeks	Color change requests are evaluated at the next ARB meeting. These requests require an onsite inspection. Information on the existing colors and the colors of the adjacent house is useful.

Activity	Forms Required	Additional Information Required	Time You Should Allow	Comments
Modification to an existing home	Change Request Form		3 weeks	Any request to change the external appearance of the house should include pictures of the houses on either side.
Addition to an existing home	Application to Construct		3 weeks	Includes enlarging the existing structure and adding garages, swimming pools, barns, sheds, fences, etc.

Table 2 Assessments for Violations of RHP Rules and Regulations

No.	Type of Violation	Assessment
1	Culvert not installed when required	\$500 per violation. May warrant expulsion of the contractor and denial of future construction within RHP
2	Construction that does not conform to plans approved by the ARB	\$500 per violation plus correction of the construction that does not conform. May warrant expulsion of the contractor and denial of future construction within RHP
3	Clearing site without stakeout approval (includes unauthorized tree removal)	\$500 per violation. May warrant expulsion of the contractor and denial of future construction within RHP
4	<b>Failure to clean roadways at end of each workday when required</b>	<b>\$100 per day</b>
5	<b>Not providing trash receptacle for construction or not keeping site clean of debris at all times, to be determined by the scope of work on site</b>	<b>\$100 per violation per day.</b>
6	Construction trash fires	\$50 per violation
7	Improperly hauling trash	\$50 per violation plus cleaning costs
8	Violation of any sign rule	\$25 per violation per day
9	Failure to provide portable toilet	\$25 per violation per day
10	Pets belonging to construction workers on construction site	\$25 per violation per day
11	Fishing in lagoons or lakes; use of recreation facilities by construction workers	\$25 per violation per day
12	Damage to street, curbs, common areas or adjoining lots	A minimum of \$50 plus total cost of repairs. If not corrected within 5 working days, a stop work order will be issued
13	Dumping of any kind on RHP property	\$200 per violation plus cleanup costs

No.	Type of Violation	Assessment
14	Trespassing on adjoining lots and properties, equipment, material, etc. Trespass of private property is prohibited, as is parking of builder's vehicles on common property.	\$25 per violation per day
15	Failure to complete landscaping per approved landscape plan within 60 days after receipt of Certificate of Occupancy.	Total completion deposit forfeiture
16	Failure to initiate construction within 90 days of ARB approval	Revocation of approval, deposits and building permit
17	Failure to initiate construction within 30 days from site clearing	\$500 fine
18	<b>Occupying residence prior to final ARB inspection and approval</b>	<b>\$100 per day</b>
19	<b>Failure to provide Certificate of Occupancy to ARB before occupying residence</b>	<b>\$100 per day</b>
20	Final approval re-inspections caused by owner or builder	\$50 per occurrence
21	<b>Failure to prevent improper water drainage and/or provide soil erosion control.</b>	<b>\$50 per violation plus restoration costs. If not corrected within five working days, a stop work order will be issued.</b>
22	Playing loud music, inappropriate language or conduct.	\$25 per violation
23	Trash, fill dirt, landscape debris, paint or concrete spills on roads	\$50 per violation plus cleanup costs
24	Failure to display RHP building permit	\$50 per occurrence
25	Violations of ARB guidelines not covered in items 1 through 24.	To be determined by the ARB.

**Note:** The assessments presented in this table will be enforced when a contractor, or owner violates the Covenants and Regulations of Rose Hill Plantation. Violations will be communicated to the responsible party along with the assessed fine. The violations and the assessed fine are subject to the Due Process Policy established by the RHP POA Board of Directors. Fines that are not paid prior to the completion of construction will be deducted from the completion deposit.