

HEADQUARTERS ISLAND
Property Owners Association

ARCHITECTURAL REVIEW
BOARD
REGULATIONS

Adopted by: Headquarters Island Property Owners Association
Board of Directors

Effective Date: 12 April 2006

DISCLAIMER

The ASSOCIATION in no way warrants the contents or completeness of any plans or specifications, or the adequacy of any plans or specifications; nor does it warrant the qualifications of any company and/or builder(s); and/or architects; and/or any and all person(s) who may perform any work on or for the premises.

The ASSOCIATION expressly disclaims any and all warranties of any nature whatsoever pertaining to the plans and specifications and/or construction, including, but not limited to; the quality of workmanship performed and/or any of the materials used by any contractor(s).

The ARB plan review process does not protect you or give you warranty of any nature regarding the condition of the property or quality of construction. YOU, as the property/home owner should, base your acceptance of the condition of the property and your satisfaction with the construction upon your own thorough inspection/investigation and after seeking any professional advice you deem prudent.

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**HEADQUARTERS ISLAND
ARCHITECTURAL REVIEW BOARD
REGULATIONS**

I. INTRODUCTION AND GENERAL EXPLANATION OF REVIEW PROCESS

These HEADQUARTERS ISLAND ARCHITECTURAL REVIEW BOARD REGULATIONS FOR RESIDENTIAL LOTS (herein “Regulations”) have been in effect since June 1, 1990 (Previously identified as ARB Guidelines) and have been periodically revised as directed by the Headquarters Island Property Association (herein called the “POA”).

The Covenants For Properties in Headquarters Island Plantation assigns the control of development to the POA. These Regulations are intended to assist property owners during the design, construction, and improvements of their Headquarters Island residences. The standards of these Regulations are established to provide a systematic and uniform review for all projects.

The Covenants provide in pertinent part as follows:

The primary purpose of these covenants and the foremost consideration in the origin of same has been the creation of a community, which is aesthetically pleasing and functionally convenient. The establishment of objective standards relating to design, size and locations of dwellings and other structures makes it impossible to take full advantage of the individual characteristics of each parcel of property and of technological advances and environmental values. For this reason, such standards are not established by these covenants. In order to implement the purposes of these covenants, the POA shall establish and amend from time to time objective standards and regulations, which shall be in addition to these covenants.

The POA provides for the conditions of the covenants by establishing architectural regulations and establishing the Architectural Review Board (herein the “ARB”) to administer and enforce these standards.

Applications must be submitted to the POA for ARB review fourteen (14) days before an ARB meeting. The ARB will meet the ***Second and Fourth Tuesday*** of each month if required. Submittals must be accompanied by the appropriate ARB form completed in full and all requirements met before a submittal will be considered. The ARB requires personal attendance at the required Concept Review Meeting and presentation of submittals by Architects, Owners, and Contractors.

In any instance where these Regulations and the Covenants conflict, the recorded covenants shall control. In no event shall these Regulations be construed to limit the terms of the Covenants.

It should be expressly noted that property owners feeling the ARB has ruled incorrectly in matters affecting them or their property may appeal the ARB decision directly to the POA Board of Directors.

The architectural design philosophy of the ARB is that buildings should compliment their natural setting. The nature of the property and proximity to the water should encourage certain geographical influences. No period or style is specifically endorsed, but future development should accentuate the existing community and neighborhood character.

All proposed project drawings are to exhibit the signature of a licensed architect, notarized and dated with seal.

The ARB reserves the right to disapprove any design due to incompatibility with the neighborhood. The ARB encourages creativeness and imaginative alternatives to design approaches. Architectural solutions should extend beyond the building walls to include the entire site, varying in design to complement and enhance the natural surroundings. Color and textures of exterior building materials should be compatible with their environment. It is required that natural, muted color tones be selected in order to blend into the community.

The repetitive use of residential designs and the purchasing of stock plans that have not been prepared for the site and design conditions as per ARB requirements are not acceptable. THE ARB MAY DISAPPROVE ANY PROPOSED CONSTRUCTION ON PURELY AESTHETIC GROUNDS WHERE, IN ITS JUDGEMENT, SUCH ACTION IS DEEMED APPROPRIATE.

Required drawings and submittal forms must receive Preliminary Approval before submission for Final Approval. THE PROJECT WILL NOT BE REVIEWED BY THE ARB FOR PRELIMINARY OR FINAL REVIEW UNTIL THE SUBMISSION OF ACCEPTABLE DRAWINGS AND EACH RESPECTIVE CHECKLIST HAS BEEN COMPLETED AND SUBMITTED TO THE ARB AS REQUIRED.

Consistent review of the design of new construction, renovations, and major repairs, and consistent enforcement of these Regulations prior to and during construction and final completion (including landscape) is the intent of the ARB.

The ARB will conduct unannounced job site visits during the construction process.

No site clearing, material deliveries, fill or construction may begin without first obtaining a Headquarters Island Building Permit. A permit is issued only after Final Approval is granted by the ARB, and all requirements set forth in the final approval letter are satisfied. Therefore, the review process must begin early enough to obtain approval that coordinates with the construction schedule. All requirements of the City of Charleston and other governmental agencies having jurisdiction must be followed as well.

The ARB reserves the right to impose fines for violations of these Regulations and to issue a stop work order if there are multiple documented violations of these Regulations. Any contractor (or sub-contractor) who repeatedly, knowingly violates these Regulations, following warning by the ARB, may be prohibited from the Island

Should violations be such in number that the Construction Completion Deposit becomes depleted, the property owner shall be required to deposit an amount equal to the original deposit with the ARB immediately upon notification.

It is most important all property owners are aware they have sole responsibility for roadway protection at access points onto their property.

II. REVIEW PROCESS

A. CONCEPT MEETING (Appendix A)

In order to facilitate the review process, a 'Project Concept Meeting' is required between the ARB, property owner, architect, and the contractor.

1. An Owner should request this meeting from the management company before any work on the drawings is started.
2. The Owner and his/her contractor should attend this meeting.
 - a. To answer any questions that the Owner and Architect may have about the Headquarters Island Architectural Review Board Regulations.
 - b. To explain the required submittals and problems which may have been encountered during previous projects.
 - c. To discuss any issues that the owner and Architect may be concerned about.
 - d. Owner, Architect, and Contractor shall acknowledge that they have read and understand the Headquarters Island Architectural Review Board Regulations.

B. PLAN SUBMITTAL REQUIREMENTS

All required plans/drawings/schematics, etc. shall be submitted, fourteen (14) days prior to the requested ARB meeting date as follows:

- a. Six (6) complete sets in a reduced scale (11" x 17") for review by individual ARB members.
- b. One (1) complete set at full scale.
- c. One complete topographical survey.
- d. One complete drainage survey and drainage plan.
- e. One complete landscape and exterior lighting plan.

C. PRELIMINARY REVIEW (Appendix B)

Preliminary plans should be submitted for review as early as the owner is able to identify design objectives in enough detail to permit submission of drawings that reflect the general form, spatial relations, materials, articulation and circulation patterns.

It is highly recommended that any owner anticipating the need for a variance from these Regulations request a meeting with the ARB prior to initiation of drawings in order to obviate the necessity for changes later in the process.

Schematic sketches, dimensioned drawings, models, and perspectives are most appropriate for submittal. Regardless of what form of presentation is used; all preliminary submittals must contain the following:

1. **SITE SURVEY (Tree & Topographical Survey):** A site survey shall be presented at 1/8" scale depicting the site data gathered. This shall be prepared by a Licensed Land Surveyor within the last 18 months showing the location of all anticipated directions for drainage and water runoff from the property (**Note: water runoff shall not be permitted onto roadways**), all trees over 6" in diameter 3'-0" above grade, prominent understory vegetation, property lines, lot area, flood elevation, easements, setbacks, and other prominent natural features. An evaluation of the buildable area in relationship to major tree growth including the impact of tree canopies on the buildable area. The site survey shall include indication and orientation of the location(s) of all adjacent buildings.
2. **SCHEMATIC LANDSCAPE PLAN:** A site plan at 1/8" scale showing the location of the house, driveway, and walks with proposed landscaping concepts as intended to help integrate the building with its environment. Only one (1) curb cut is permitted for any lot.
3. **DIMENSIONED SITE PLAN:** A site plan drawn at 1/8" scale must show the footprint plan of the house and contain dimensions demonstrating conformity with all easements and established setbacks. Driveways and sidewalks must be located along within proposed service yard(s), HVAC units and electrical/gas meters. Comprehensive grading and drainage information must be indicated by means of contour lines. **Proposed property drainage patterns must be clearly indicated.** The ARB will not approve any design which covers more than 33% of the total lot area. This area includes house, porches, decks, driveways, and other improvements. If lot area is under 14,000 sq. ft. the percentage shall be 40%. Some lots due to configuration create a hardship when developing the site plan and these lots shall be reviewed on a per lot basis.
4. **FLOOR PLANS:** Floor plans at 1/4" scale depicting the layout of spaces for all levels of the proposed building must be submitted.
5. **ELEVATIONS:** Drawings presented at 1/4" scale representing the view of all exterior sides of the proposed structure must be submitted.
6. **BUILDING SECTION:** A section drawn at 1/4" scale showing the relationship of interior and exterior spaces with the natural topography must be submitted.
7. **PRELIMINARY STAKE OUT:** The house must be staked out on the lot with stakes at least two (2) feet tall marking the corners. Yellow surveyors ribbons shall connect all stakes outlining the house. The lot line nearest the house shall be defined with string. All trees to be removed shall be tied with red surveyor's ribbon.
8. **COMPLETED PRELIMINARY REVIEW FORM:** Review Fee (Appendix I) must accompany the request for Preliminary Review. The ARB will grant either Preliminary Approval or state reasons for the rejection of the submittal. If the preliminary drawings are substantially changed, either by request of the ARB or desire of the owner, they must be re-submitted and receive Preliminary

Approval before proceeding for Final Approval. A Preliminary Approval is valid for twelve (12) months from the date of approval.

D. FINAL REVIEW (Appendix C)

After Preliminary Approval is received, the construction documents should be prepared and the final stakeout reflecting any changes should be completed. The submission for Final Review must comply with the following requirements.

1. **FINAL STAKE-OUT:** The preliminary stake-out must be updated reflecting changes, if any, in the location of the house or driveway and any additional trees to be removed. No significant understory growth or trees over 6" in diameter at chest height may be removed at any time without prior ARB approval. Silt fence shall be installed to protect all adjacent properties. It is desired a single vehicular access point onto the property be designated, if practical.
2. **COLOR SAMPLES:** Proposed colors of all exterior materials including siding, trim, brick, roofing, stucco, and lattice must be submitted for review. These sample submissions are most important to both the owner and the ARB in evaluating the eventual appearance of the house.
3. **LANDSCAPE PLAN.** Landscape plans drawn at 1/8" scale should convey a scale representative of all planting material, identified as to size to be installed, common name, botanical name, and variety. Plans must also show the location of landscape lighting with fixture catalogue cuts, walks, fences, pools, decks, patios, play structures, and mailboxes. Screening must be provided for HVAC units, service yards, trash enclosures, driveways and driveway turnaround, large wall areas, the foundation on all sides of the house, and electric meters. The landscape plan must also show proposed site drainage patterns indicated by proposed elevations and contour lines. Each plan must include the installation of a 4" PVC conduit (Schedule 40) below the driveway in the street right-of-way for future utility installation, as well as a 10" diameter PVC (Schedule 40) pipe to carry drain water runoff as intended. The conduits should be 3 feet from the edge (for utility 4") of the street paving with an invert 18 inches below grade. The conduit should extend 24 inches beyond either side of the driveway paving and be capped on both ends. The 10" pipe shall be at level and in line with existing drainage swales or ditches on the property and allowing intended direction of flow. The owner shall be responsible for locating all existing utilities before excavating.
4. **DIMENSIONED SITE PLAN.** A site plan similar to the preliminary plan including any changes and proposed utility services should be submitted. Additional information that must be provided includes comprehensive grading and drainage information, limits of work and methods to be employed to protect significant trees and/or significant understory growth that should be preserved. .
5. **FOUNDATION PLAN.** Plan at 1/4" scale showing location and size of foundation elements and how they relate to nearby trees shall be submitted.
6. **FLOOR PLANS.** The floor plans shall be drawn at 1/4" scale and contain all information necessary for construction.

7. **ROOF PLANS.** The roof plan shall be drawn at 1/4" scale showing all necessary information (including all penetrations and color).
8. **ELEVATIONS.** Elevations shall be drawn at 1/4" scale, and shall accurately represent the view of all sides of the house. Floor elevations must be shown; existing and proposed grade levels must be shown. All exterior materials must be labeled.
9. **BUILDING SECTIONS.** Building sections shall be submitted and drawn at 1/4" scale as necessary for construction.
10. **ELECTRICAL PLANS.** Electrical plans drawn to 1/4" scale showing light fixture locations shall be submitted. Electrical plans must show the meter location and the enclosed HVAC area.
11. **DETAILS.** The following details must be submitted: a) typical wall sections; b) exterior trim; c) window and door schedule; d) rail details, and e) screen porch and deck sections.
12. **SPECIFICATIONS.** A set of specifications must be submitted defining the proposed work and materials.
13. **COMPLETED FINAL REVIEW FORM.** All information outlined on the Final Review Form, including square footage computations and accurate color information, shall be submitted for review by the ARB and the Infrastructure Committee. Submittals with incomplete information will not be reviewed. If the ARB fails to grant Final Approval of the project, it may suggest items to be corrected and resubmitted. If the ARB grants Final Approval, a Headquarters Island Building Permit will be issued by the ARB following a final pre-construction meeting between the ARB, property owner, and contractor. This permit and the City of Charleston permit must be displayed on site before site clearing, material delivery or construction may begin. The completed Construction Deposit Form, the Construction Completion Deposit (Appendix D) from the property owner must accompany the drawings. A Headquarters Island Building Permit will then be issued. These will be required by the City of Charleston for Zoning and Building Permits. Final approval shall be valid for up to twelve (12) months after owner receives written approval.
14. **PHOTOGRAPHS** must be provided of the street in front of the proposed house or any roadway adjacent to building lot site.

E. IMPROVEMENT REVIEW (Appendix D)

No buildings, fences, decks, porches, swimming pools, docks, or other structures may be erected, placed, or altered until a building permit for such improvements has been issued by the ARB. When submitting for review of proposed improvements, presentations shall include the following:

1. **COLOR SAMPLES.** Samples are critical when applying for improvement approval because of the necessity of matching existing materials. It is required natural, muted tones be used.
2. **SITE PLAN.** A plan with dimensions of the property must be submitted showing the location of the proposed improvements(s) in relationship to the building setbacks and easements. Additional information which must be provided includes comprehensive grading and drainage information that indicates those areas which are to be filled, trees which are proposed to be removed and trees which are to remain, limits of work to protect significant trees and/or significant understory growth which should be preserved.
3. **DRAWINGS.** Sufficient plans and elevations shall be submitted to adequately define and explain the improvement. Photographs of the area(s) to be improved may also be submitted.
4. **LANDSCAPING PLAN.** The ARB may require that additional landscaping be provided, as per ARB requirements, depending upon the type of improvement proposed. If landscaping is required, a comprehensive landscape plan must be submitted for review and approval by the ARB.
5. **COMPLETED IMPROVEMENT REVIEW FORM.** After reviewing the project, the ARB will either disapprove the submittal or grant Final Approval. As with new construction, the construction deposit (Appendix H), and, if applicable, Contractor Access Fee (Appendix I) must accompany the completed Construction Deposit Form before obtaining a Headquarters Island Building Permit. This permit and the City of Charleston Permit must be displayed before site clearing, material delivery, or construction may begin.

III. DESIGN REGULATIONS

One of the major goals of design on Headquarters Island is to integrate successfully the man-made structure with its surrounding natural environment. Since each building site is unique, it is necessary for the owner's architect to prepare a thorough site study, including a drainage study and plan, prior to the design of a project. The ARB will review the overall design concept and its relation to the surrounding environment.

One of the first steps to preparing a site plan is to obtain topographical and tree surveys from a registered land surveyor. Indicate existing and/or proposed drainage patterns and drainage structures on or off the site. Adjacent residences, garages, and driveways should also be located to suggest the orientation of particular areas of the design *and setbacks in relation to adjacent homes*.

In addition to detailed site data, more general information of the surrounding physical environment should be considered. Consideration should be given to prominent and potential views, orientation for privacy from the street, neighbors, etc., in addition to the materials, scale, and form of existing homes in the neighborhood. These factors will be important in blending the proposed design with the existing neighborhood fabric.

The design should also address the prominent climatic characteristics of the island. The owner may wish to consider designs that take advantage of the cooling breezes by providing for cross ventilation.

A. SITE AND BUILDING DESIGN REGULATIONS

1.

a. **GENERAL REGULATIONS AND THE BUILDABLE AREA:** The buildable area of every Single Family Lot will be established by following setback requirements. Setback requirements for unusually small lots may be reviewed on an individual basis responsive to the location, configuration, topography, and vegetation of a particular lot.

b. **SETBACKS:**

- (1) The minimum front setback requirement shall be 25' from the property line to the building line (this does not include front stair entries). Corner properties fronting on two different streets shall observe the 25' setbacks from each street side property line.
- (2) The minimum side yard setback shall be 15' from the property line to the building line.
- (3) The minimum rear yard setback shall be 25' from the property line to the building line.
- (4) The minimum driveway side setback shall be 5' from the adjacent property line to the driveway.
- (5) The minimum setback requirements for structures on a lot abutting marsh shall be 25' from the SC Coastal Council Critical Line or the property line, whichever is the most landward. Open decks may be setback a minimum of 15' from the above lines.
- (6) Roof overhangs may project into setback areas a maximum of 24".

- c. The location of the buildable area may be affected by the “critical lines” established by the South Carolina Council and/or regulations and requirements of the Army Corps of Engineers and various local, state, and federal agencies. All current requirements or applicable governmental regulatory agencies shall be considered to determine their impact on the design of the house. Owners shall be required to provide documentation that all such regulations have been complied with prior to Final Approval by the ARB.

When developing a Single Family Lot, a concept should be followed in determining site utilization. The best access to the site, as shown in the site study, should be the beginning of auto circulation areas including driveways, parking, garages, and turnarounds. The functional areas of the home should be related to the most suitable areas of the lot. Particular attention should be given to entry areas, living areas, sleeping areas and service areas. Residents and visitor circulation patterns should be resolved as well.

2. **BUILDING SIZE:** The regulations require a minimum of 2200 square feet of gross heated area that must be contained in a residence built on interior lots, and 2500 square feet heated for marsh lots, or lagoon front lots. The minimum first floor area shall be 55% of required gross heated square feet. Building heights shall be determined by the City of Charleston Regulations. Particular attention should be given to the first floor elevation required by flood regulations adopted by the City of Charleston. The scale of the house must be appropriate for the given lot and the ARB may deny approval if it feels that the size of the house is inappropriate, crowds the site and/or is out of context with other structures in the area.
3. **BUILDING FORM:** The building form of every residence should be a carefully planned addition to the natural setting of the site. Building shapes should provide interest and be compatible with neighbors. Large homes can be made to appear smaller and small homes to appear larger by the manipulation of shapes and forms, and by the effective use of decks, carports, garages, and screened porches. The roof-scape of each home should complement the design of the home, the natural surroundings and neighboring designs.
4. **ARTICULATION:** The aesthetic appearance of a residence depends greatly upon the articulation of the siding, roofing, details, fenestration, and walls. Windows should be selected and located to provide for views, light and natural ventilation. Walls and screens should be used to enclose service areas and HVAC units. Details at the soffit, fascia, base, corners, windows, and decks should have common elements that help unify the appearance. Open areas in the perimeter foundation of the house and open areas under decks must be in-filled and/or screened with wood louvers or lattice or an alternative visual screen.
5. **MATERIALS AND COLORS:** Exterior materials and colors shall be selected to blend with the natural surroundings. Color samples for new construction and changes of existing building colors shall be submitted to the ARB for approval. The use of natural woods and stucco is encouraged. **No vinyl or metal siding is acceptable.** The use of plywood siding is permitted with proper detailing defined for soffit, fascia, base, windows, corners and horizontal joints.

6. **ROOFING:** Materials shall be wood shakes, fiberglass shingles rated 325 pounds or more, slate, tile or standing seam metal. Roof vents and accessories shall be located away from the front elevation and painted to match the roof color. Sloping roof pitches are required to be a minimum of 5/12 at main roof forms, for functional and aesthetic reasons. Flue caps, electric meters, service entry conduits, and miscellaneous drains should be painted to blend in with the surrounding materials.
7. **SUPPORT FACILITIES:** Circulation patterns should be taken into consideration when designing to avoid conflicts between visitors, service areas and the like. The Covenants require that every home have an enclosed service area suited for clothes drying, garbage containers, bicycles, etc. Electric meters and air-conditioning units and junction boxes must also be screened from view. Television, radio antennas, and large satellite dishes are not permitted on roofs. HVAC condensers should be located to minimize the negative impact on adjacent residents.
8. **APPURTENANCES:** The proposed building of a dock or bridge into or across any natural or man-made water body must receive prior approval from the ARB and other regulatory agencies with jurisdiction over this type of construction. The construction of game and play structures, tennis courts, swimming pools, and surrounding deck areas must be located as approved by the ARB. Adequate landscaping must be approved to soften the impact of the enclosure around the pool. The design, color, construction, and installation of every mailbox are required to conform to the design schematic included in the appendix of these Regulations.
9. **FENCE, WALLS AND ENCLOSURES, ETC.:** The construction of any fence, wall, or enclosure for any purpose shall not be permitted without written approval of the ARB. When permitted they shall be constructed within required property setback lines.
10. **DRIVEWAY DESIGN:** The ARB will limit the number of driveway connection curb cuts to the street to one per single house. The area of the driveway within the site must be kept to a minimum and the form of the driveway should be softened by landscaping to distort any long views down or across driveways or driveway turnaround areas. No long straight driveways will be approved. Large circular driveways within the site are discouraged as they provide an excessive amount of surface area relative to the amount of land. Driveways must maintain a minimum of 5'0" clearance to the nearest property line. This includes driveway turnarounds and any additional parking areas. Design shall provide for a three (3) foot asphalt apron meeting the existing roadway, as provided throughout the island.
11. **EXTERIOR LIGHTING:** The ARB requires that all exterior lighting be designed in such a way as to not permit direct vision to the source of the light from beyond the property lines of the lot. In general, the use of exposed lamps, clear smoked or translucent globes, and lenses or any other type of fixture which create glare should not be used. The ARB requires that cut sheets be submitted of all light fixtures proposed for the use on the exterior of a house, or as a part of a landscape development. Consideration should be given to providing a number of sources of light on the exterior of a residence as opposed to providing the minimal number of fixtures at doorways and entry decks. The use of flood lights under the soffit areas of the house is permitted; however, the fixtures must have a large deep hood to control the path of the light and the fixtures must be aimed down to prevent light spilling onto adjacent lots, open areas or streets.

B. LANDSCAPE DESIGN REGULATIONS

1. **LANDSCAPE:** In successful designs, elements of the landscape and building unite to form a habitat compatible with its environment and the landscape becomes an extension of the home. Care should be used in the selection of plants for size, tolerance of salt-air environment and resistance to drought and wildlife. If faster mature growth is desired, an irrigation system should be considered. *All elements of irrigation systems must fall within the property lines of the lot and be no closer than three (3) feet from the road edge.* Landscape design must also include specific information regarding the proposed site grading and the drainage patterns for all areas. *The site should remain as near to existing grades during construction as possible. Excess run off from the house and paved areas should be directed away from adjacent lots and roads and/or retained on site or directed to existing drainage structures.* In general, the areas of the lot that may be filled are limited to the area immediately under the house and the adjacent driveway area. This fill area should transition down to existing grade as soon as feasible once beyond the building line but maintained drainage. It should be anticipated that natural low-lying areas will be preserved and that these low areas may retain water for several days following heavy rainfall. Care should be taken to preserve natural growth along the side, rear and front lot lines of the individual lots in an effort to provide a natural buffer from adjacent residences and the street. Also included in the overall landscape development should be the use of exterior lighting. An endless variety of effects may be achieved by using low voltage lighting, up-lighting, down-lighting, stir lighting, and wall lighting. The use of exposed spotlights on homes will not be approved. All sides of a house shall be landscaped. All shrubs to be installed shall be a minimum of 5 gallons when available. Higher plants shall soften tall foundations. Straight line planting is not encouraged. Each lot after development, if not already in place, shall have one healthy tree for each 3000 square feet of lot gross area; each tree shall be 8' to 10' tall.
2. **PROTECTION OF TREES AND VEGETATION ALONG THE LAGOONS:** The area around the lagoon is common area and shall not be disturbed or maintained by individual lot owners. At the request of individual property owners, the ARB will conduct a field review, discuss plans for pruning or removing of plant materials, and make a determination as to what plant materials may be pruned or removed. Any plant materials which are pruned or removed without the expressed written approval of the ARB will cause restoration work to be initiated at the property owner's expense.
3. **TREE PROTECTION:** No trees 6" in diameter and larger at a point 3'-0" above ground level shall be cut or removed without the written approval of the ARB. Tree protection measures are required for all significant trees. The City of Charleston Tree Ordinance shall be in effect and serve as a guideline.

C. SWIMMING POOLS

1. All pools shall be installed within required property setback lines.
2. Fences around pools shall be a minimum of 48” high, ***wrought iron, treated wood, or aluminum, open type fence and be painted black or ‘Charleston Green’.***
3. Landscaping shall be required outside pool fences to provide a softening effect and buffer.
4. Above ground pools shall have landscaping around base to hide the foundation. Base and steps shall be designed to be compatible with house design.
5. All proposed pools shall meet all requirements of all applicable codes and shall conform to FEMA requirements for building within a flood zone. A City of Charleston permit shall be presented to the ARB for its consideration prior to granting approval for the building of such pools.

IV. CONSTRUCTION REGULATIONS

A. BEFORE CONSTRUCTION

After completing the review process and receiving Final Approval of the stake-out and construction documents from the ARB, several steps must be followed before any lot clearing, materials deliveries, or construction may begin.

A Headquarters Island Building Permit must be obtained for all renovations and new construction. The Owner, Architect and Contractor must meet with the ARB; submit a completed Construction Application Deposit and Agreement Form along with the required deposit for New Construction, or Improvement Construction (Appendices H and I). At that time, a Headquarters Island building permit will be issued for the project. A City of Charleston Building Permit must also be obtained. Both Permits are required for construction along with any additional permits that may be necessary from other agencies or governmental agencies having jurisdiction.

Every job site must contain a sign identifying the contractor and architect if applicable. The sign must be constructed and erected as specified by these Regulations. No other signs shall be placed on the job site. The job sign must be erected no closer than twenty-five (25) feet to the edge of the street and must be in place and the permits posted on the rear of the sign before any clearing or construction may begin or materials delivered. At no time shall a sign or permit be nailed to any tree. No additional sub-contractor signs shall be displayed on construction sites. No signs are to be erected before a building permit is issued.

In summarizing, the following steps must be completed before construction may begin:

1. Submit approved construction drawings with the completed construction form and deposit.
2. Agreement that the project will be completed, in all phases, in twelve (12) calendar months from the date the Headquarters Island building permit is issued.
3. Obtain Headquarters Island Building Permit.
4. Obtain the City of Charleston Building Permit and other governmental approvals as required.
5. Erect approved job signs.
6. Post building permits.
7. Locate all underground utilities.
8. Owner, Architect and Contractor shall meet with the ARB for a pre-construction concept discussion of work rules for the contractor(s) and responsibilities for compliance with such rules.
9. **Owner** shall provide dated photographs of existing roadway frontages on all exposures to the ARB both pre and post construction.

The ARB reserves the right to require an additional deposit in the amount of \$4,000.00 from Owners who have contractors who have not complied with the requirements of the ARB on previous home construction projects.

B. DURING CONSTRUCTION

All construction on Headquarters Island will be subject to observation by the ARB. Field inspections may be conducted by the ARB on every residence/renovation under construction at any time. The Infrastructure Committee will conduct random inspections of roadway access points and drainage issues.

Any changes proposed to the home during construction must receive approval by the ARB prior to implementation. The ARB discourages the request of major changes during construction. Any changes implemented without ARB approval may be corrected by the ARB and charges for such work may be deducted from the Owner's deposit. If the deposit is not adequate to cover the cost of such correction, the POA Board of Directors may assess an additional deposit, levy a fine, or file a lien against the property in question.

Each construction site is required to have a job toilet for use of the workers. It must be placed at least twenty-five (25) feet from the street in an inconspicuous location with the door facing away from the street. Fires of any nature are not permitted on residential construction sites under any circumstances. The contractor shall be held responsible for any damage caused by fire. Care should be taken when loading trucks hauling trash so as not to have it spill in transit. Contractors shall be held responsible for trash and debris falling from construction vehicles.

It is imperative that all sites be maintained in a clean and orderly manner. All construction materials must be kept within the property lines maintaining a neat street right-of-way. The storage of materials should be in an inconspicuous area of the site and should be neat and orderly. Accidental damage to adjacent lots shall be restored to the satisfaction of that individual property owner and the ARB prior to return of construction deposit. In an effort to maintain activities and materials on the job site, the ARB requires that the side lot lines and rear lot line of the lot be marked with yellow or red surveyors ribbon. Silt fencing is also required at each building site. Site cleanliness shall at all times be maintained at an acceptable level. A commercial dumpster shall be placed on each job site and shall be emptied when necessary. The ARB may, at the expense of the contractor, order that a dumpster be emptied by the container company if a full dumpster is not emptied on a timely basis. At the end of each workday, materials must be stored neatly and all trash placed in the dumpster. No trash will be strewn about the lot or piled openly. As untidy sites present a negative image to visitors and property owners, this requirement shall be strictly enforced. Contractors will be notified that their job site is not in an acceptable condition and in need of cleaning. If the job site is not acceptable the day following that notice, the ARB may have the job site cleaned and the cleaning expense deducted, as well as the associated fine, from Owner's deposit.

Temporary storage structures, approved by the ARB, may be used to store materials provided the structure is no larger than 10 feet by 10 feet by 8 feet high. Storage structures may not be used as living quarters. Larger construction trailers will not be allowed on residential job sites. General access to an individual lot must be limited to the proposed driveway connection in an effort to preserve the natural understory growth along the front of the lot.

Care must be taken to preserve natural growth along the side, front and rear lot lines of the individual lots. Clear cutting of the natural growth produces undesirable results and is therefore not permitted.

Roadside parking along streets is prohibited. Refraining from parking along streets will help preserve the landscaping as well as reduce the possibility of traffic accidents. Contractors shall arrange to have meetings on job sites or other locations where there is adequate off street parking.

Temporary utilities must be installed in a neat manner. The temporary power pole must be installed plumb and cannot be used for the placement of signs. A temporary water hook-up must be provided. General contractors who fail to provide adequate utility services and use utility services from adjacent lots without the adjacent property owner's permission may be denied access to their job sites and their building permits may be revoked.

C. AFTER CONSTRUCTION

All phases of construction and landscaping as shown on plans shall be completed within twelve (12) months of the date of issuance of the Headquarters Island building permit... The owner and contractor must satisfy several requirements before applying for the final inspection. The construction of the residence must be completed and the landscaping and site grading must be completed conforming to the plans previously approved by the ARB. Any unauthorized changes must be corrected before final inspection approval will be issued. If construction is not completed within eighteen (18) months, the construction deposit will be forfeited.

Any damage done to any roadway areas adjoining building sites during construction will be the sole responsibility of the property owner. Property owners must report all such road damage immediately to the ARB. Required repairs shall be accomplished via a contractor approved by the HIPOA Board of Directors, with all associated costs billed to the responsible property owner. The POA Board of Directors retains the right to impose a fine of up to \$1000.00 for damages to roadways caused by construction.

Upon completion of construction and landscaping, all building debris must be removed from the site and surrounding area. The construction site sign and temporary power pole must be removed. At this time, the Owner should notify the ARB that he is ready for the final inspection.

As a checklist, the following items must be completed prior to the final inspection:

1. Complete construction.
2. Install landscaping.
3. Install mailbox as per attached drawing.
4. Dumpster and job toilet removed from site.
5. All temporary facilities and utility pole removed.
6. Contractor/Architect sign removed.
7. Construction debris removed.
8. Repairs made to any damage to right-of-way roads, common areas, and adjacent properties. Grass areas to be sodded.

When all the above items are completed, the owner shall notify the ARB to schedule a final inspection. Any unauthorized changes and/or deficiencies must be corrected before final inspection approval will be granted and the remaining construction deposit refunded. All

corrective work must be completed within thirty (30) days of receipt of a letter from the ARB outlining those items in need of attention.

D. GENERAL REGULATION

All contractors working on Headquarters Island should be licensed by the State of South Carolina. Construction workers are permitted access to and from the construction site only and are strictly forbidden from riding about the island. Security or Police personnel may periodically search construction vehicles.

The maximum hours allowed for construction personnel will be from 7 a.m. to 6 p.m., Monday through Friday. No residential construction may be performed on Saturday, Sunday, or holidays. **(NOTE: If extenuating circumstances present the need for work outside these hours, permission may be recommended by a majority of the ARB, to the POA Board which shall issue a final resolution to the request, following written request by the Owner explaining the circumstances. Should such work be done without such approval, fines may be invoked).**

When pouring cement underneath a house, if the cement is delivered prior to twelve noon (12:00 p.m.) the working hours may be extended until 8:00 p.m. to finish the cement work only.

The conduct of all workers is the responsibility of the owner and contractor. Loud cars and speeding are not permitted on Headquarters Island. All construction vehicles must be parked on the construction site or their lot right-of-way. Workers are required to wear shirts and shoes when on the island. Loud music from radios or harassment of property owners or guests will result in denial of access to Headquarters Island.

The construction of all residences must be completed within one year of the issue date of the Headquarters Island Building Permit with all exceptions requiring special ARB approval

The above regulations are designed to enhance Headquarters Island's overall appearance. These regulations are to be used not to restrict, penalize, or impede construction firms who adhere to these regulations. Repeated violation of these regulations may result in the suspension of the building permit for that property until the contractor has taken corrective action.

E. POINTE REGULATIONS

Owners of lots in The Pointe shall be required to submit all information deposits and fees as required by the ARB Regulations.

Because lots at The Pointe are, in general, smaller than other lots on the island, the following variances will be made for lots at the Pointe:

1. The set back shall be 3 feet from rear lot line or critical line, whichever is most landward. The set back for one side of a house is 3 feet and the other side is 9 feet. A.C. enclosure may be in 9 feet set back. Front set back shall be 25 feet.
2. Gross heated area of house shall be not more than 60% of lot area. Minimum gross heated area of houses shall not be less than 1650 sq. ft. Each lot will have special considerations if the area of lot creates a hardship.

Pointe designs shall be subject to all previously indicated ARB requirements. If a hardship occurs, each case shall be reviewed on its own merits.

V. EXISTING HOME REGULATIONS

The following are additional requirements imposed by the ARB, but shall not supersede the Covenants For Properties. The POA has granted the ARB the power to administer these Regulations outlined below.

1. **IMPROVEMENTS.** No alterations, including changes in paint or stain color, affecting the exterior appearance of any building, structure, re-roofing, installation of backyard ‘playgrounds’, etc., grading or landscape shall be made without prior approval of the ARB. A request for approval must be submitted to the ARB including a completed Improvement Review Form, all drawings necessary to define the proposed improvement, color samples, and site stake out. Upon approval, an ARB Building Permit must be issued prior to commencement of any clearing, material delivery, or construction.
2. **LANDSCAPING.** Every property owner is responsible for preventing the development of any unclean, unsightly, or unkempt conditions of buildings or yards, which reduces the beauty of the neighborhood. In landscaped areas, bed and lawn areas must be maintained. In natural areas, weed growth must be controlled. Any proposed changes in landscaping such as fences, foundations, lighting, game structures, drives, walks, landscape structures and statuary or grading which may alter natural drainage patterns must be approved by the ARB.
3. **MAILBOXES AND SIGNAGE.** The use of any sign, including those for the purpose of identifications, renting, or selling of property, is prohibited. Single Family shall be identified only by the graphic included on the mailboxes as specified in the schematic included in the last section of these Regulations. Owners’ names, house names, and lot numbers shall not be placed on the front of homes or on signs placed on lots. Contractors, service companies, etc., shall not place signs on any island property other than as required by the ARB.

4. **BOATS ,CAMPERS, PWC's and other Recreational Type Vehicles:** The storage of such items in yards or driveways is prohibited. They are required to be stored out of sight in garages or below houses.
5. **ROADSIDE REFLECTORS.** Roadside reflectors are not permitted.
6. **MAINTENANCE OF PROPERTY.** Applicable Protective Covenants charge the ARB with the responsibility of monitoring the maintenance of single-family residences and associated grounds. If the property owner does not fulfill such maintenance, the ARB may accomplish the task and invoice the property owner for all associated costs.
7. Owners who proceed with property improvements without prior ARB approval do so at their own risk and are subject to penalties as indicated in the Fine Schedule attached in Appendix J. Owners may be required at the sole discretion of the ARB to return their property to its original condition.

The exterior surfaces of homes must be properly maintained. Badly mildewed and/or faded exterior surfaces must be washed and repainted/restained as necessary. Roof and gutters must be kept clean of debris. Replacement shingles for spot roof repair must match existing shingles if at all possible.

ARB Regulations – Revision Record

Headquarters Island

Architectural Review Board

Regulation Appendices

Appendix A
HEADQUARTERS ISLAND ARCHITECTURAL REVIEW BOARD
Concept Meeting Review List

1. Permitted hours of work: 7am – 6pm Monday thru Friday. No Saturday, Sunday or holiday work permitted.
2. All ARB Reviews must be completed, deposits/fees paid and permits issued prior to the initiation of any work on the building site.
3. Fines shall be assessed by the ARB in accordance with the Fine Schedule shown in Appendix J of the ARB Regulations. (Variance/Appeal Process)
4. Property owners shall be responsible for payment of all fines via monies from the Construction Completion Deposit.
5. Contractors may be prohibited from returning to work should they repeatedly violate ARB Regulations.
6. Existing and proposed drainage issues.
7. Maintaining acoustic privacy for neighboring homeowners.
8. Preservation of sight lines.
9. Unique soil conditions on the island and the recommendation of obtaining a soil report prior to finalization of construction documents.
10. Seismic loads (earthquake potential).
11. Wind loads (tropical cyclones/hurricanes, and the requirements of FEMA relative to glass).
12. FEMA ‘V’ Zone issues.
13. Minimum and maximum lot coverage and building setback issues.
14. Minimum building size.
15. Existing land maintenance and respect for Headquarters Island environment.
16. Submittal, review process and expected completion time line.
17. Deposit, fee, and fine structures.
18. Appeal process available for ARB rulings.
19. Relationship between parties (ARB, owner and contractor).
20. Responsibilities for protecting island common areas including roadways. (Refer to Resolutions passed by the Board of Directors).
21. Mail box design and placement.
22. Identification of property owner as ‘Responsible Party’ relative to ARB and AMCS.
23. Copy of ARB Regulations given to owner.
24. Responsibilities for identification and marking of utilities.
25. Requirement to maintain a clean site.
26. Deer and landscape issues.
27. ARB meeting schedule (times, dates and location).
28. Requirement for photos of existing (pre and post construction) roadway and lot conditions.
29. Requirements for 4” utility access piping beneath driveway at roadside.
30. Identification of local authorities having jurisdiction on the island.
31. Requirement for identification of drainage issues and development of a property drainage plan.

Appendix B
HEADQUARTERS ISLAND
ARCHITECTURAL REVIEW BOARD
Preliminary Application for Residential Construction

Date Submitted _____

Date Purchased _____

Name & Home Address of Property Owner:

Street number & lot number of property:

Tele: _____

Name & Address of Architect:

Tele: _____

Name, Address & License Number of Contractor:

Tele: _____

Residence _____ Spec _____
 EXTERIOR MATERIALS DESCRIPTIONS

Rental _____
 CHECKLIST

Walls _____ Color/Mfg/Name/Number _____

_____ Fee Paid

Preliminary Stake Out

Trim _____ Color/Mfg/Name/Number _____

_____ Schem. Landscape Plan

Foundation _____ Color/Mfg/Name/Number _____

Dimensioned Site Plan

Floor Plans

Roof Plan

Roofing _____ Color/Mfg/Name/Number _____

Elevations

Building/Section

Driveway _____ Walks _____

SQUARE FOOTAGE'S

Garage Doors _____ Color/Mfg/Name/Number _____

Living Area
 Garage/Carport
 Screen Porch
 Deck
 Other
 Total

Front Door _____ Color/Mfg/Name/Number _____

_____ Windows _____ Color/Mfg/Name/Number _____

ARB ACTION	
Approved	Disapproved

Appendix C
HEADQUARTERS ISLAND
ARCHITECTURAL REVIEW BOARD
Final Application for Residential Construction

Date Submitted _____

Date Purchased _____

Name & Home Address of Property Owner:

Street number & lot number of property:

Tele: _____

Name & Address of Architect:

Tele: _____

Name, Address & License Number of Contractor:

Tele: _____

Residence _____ Spec _____
 EXTERIOR MATERIALS DESCRIPTIONS

Rental _____
 CHECKLIST

Walls _____ Color/Mfg/Name/Number _____

_____ Fee Paid

Preliminary Stake Out

Trim _____ Color/Mfg/Name/Number _____

_____ Schem. Landscape Plan

Foundation _____ Color/Mfg/Name/Number _____

Dimensioned Site Plan

Floor Plans

Roofing _____ Color/Mfg/Name/Number _____

Roof Plan

Elevations

Building/Section

Driveway _____ Walks _____

SQUARE FOOTAGE'S

Garage Doors _____ Color/Mfg/Name/Number _____

Living Area
 Garage/Carport
 Screen Porch
 Deck
 Other
 Total

Front Door _____ Color/Mfg/Name/Number _____

_____ Windows _____ Color/Mfg/Name/Number _____

ARB ACTION	
Approved	Disapproved

Appendix D
HEADQUARTERS ISLAND
ARCHITECTURAL REVIEW BOARD
Construction Application, Deposit & Agreement

CONTRACTOR INFORMATION:

Name, Address and License Number of Contractor:

Tele: _____

CONSTRUCTION LOCATION:

Street number & lot number of property:

New Construction _____

Fee Paid: \$ _____

Improvements to Existing Structure _____

Fee Paid: \$ _____

AGREEMENT:

I, _____, as Owner for the above described construction project, acknowledge and agree that the above described deposit is being held by Headquarters Island Property Owners Association in order to insure that construction/improvements will be completed within the time specified (12 months) in accordance with plans and specifications which have been approved by the Architectural Review Board.

I further acknowledge and agree that:

1. I have read and understand the Covenants, By-Laws and Regulations applicable to the property and the ARB Regulations and will follow and obey said Covenants, By-Laws and Regulations.
2. I am responsible for completing the project as described by the drawings and specifications approved by the Board. Any proposed changes will be submitted to the Board for approval prior to implementation.
3. I will maintain a clean construction site at all times and install a job sign, commercial dumpster and job toilet in conformance with ARB Regulations. I understand debris removal is my sole responsibility and will not be handled by the City of Charleston.
4. I am responsible for the conduct of all workers performing services on this project at all times while they are on the Island.
5. I understand that when accepting a permit to work in Headquarters Island, all workers and vehicles are subject to be searched to help prevent the theft of materials and equipment.
6. I will notify the ARB for the three mandatory field inspections. (Foundation completion, mid-point and final).
7. As the Deposit will be held in a non-interest bearing account, I understand that it shall be returned after completion of the Final Inspection and completion of the project with no interest added and ***with applicable fines amounts deducted.***
8. Any fees paid out by the ARB for the correction of changes not approved by the Board; violations of the ARB Regulations; work contracted by the ARB to improve the appearance of untidy sites; and any repairs to roadways necessitated by contractor access shall be deducted from the Deposit.
9. Further, that should this deposit be fully depleted due to multiple violations, the ARB shall be empowered to require a further deposit, in like amount, before permitting work to continue. (This shall be following written notice to the Owner by the ARB).

This Application, Deposit and Agreement made this _____ day of _____, 200____ by:

Owner Signature

Contractor Signature

Application approved this _____ day of _____, 200____ by:

ARCHITECTURAL REVIEW BOARD

APPENDIX E

HEADQUARTERS ISLAND ARCHITECTURAL REVIEW BOARD

SCHEDULE OF REFUNDABLE COMPLETION DEPOSITS

New Single Family Unit	\$7,500 each
Addition/Renovation value \$1.00 - \$5,000 *	\$500
Addition/Renovation value \$5,001 - \$10,000	\$750
Addition/Renovation value \$10,001 - \$15,000	\$1250
Addition/Renovation value \$15,001 - \$20,000	\$1750
Addition/Renovation value \$20,001 - \$50,000	\$2250
Addition/Renovation value \$50,001 - \$100,000	\$2750
Addition/Renovation value \$100,001 and Greater	\$3250
New Multi-Family	\$10,000/Bldg.

(*) Includes swimming pools, tennis courts and other such additions to properties.

APPENDIX F

HEADQUARTERS ISLAND ARCHITECTURAL REVIEW BOARD

SCHEDULE OF NON-REFUNDABLE FEES

New Single Family Unit Review Fee	\$2000/Building Site
Addition/Renovation value \$1.00 -\$5000.00 Review Fee	\$200.00
Addition/Renovation value \$5001 - \$10,000 Review Fee	\$250.00
Addition/Renovation value \$10,001 - \$15,000 Review Fee	\$300.00
Addition/Renovation value \$15,001 - \$20,000 Review Fee	\$350.00
Addition/Renovation value \$20,001 - \$50,000 Review Fee	\$400.00
Addition/Renovation value \$50,001 - \$100,000 Review Fee	\$450.00
Addition/Renovation value \$100,001 and Greater Review Fee	\$500.00
New Multi-Family Parcel Review Fee	\$15,000.00/Bldg.

Appendix G

HEADQUARTERS ISLAND ARCHITECTURAL REVIEW BOARD

FINE SCHEDULE

[illegible]

HEADQUARTERS ISLAND, SC

A BUILDING

PERMIT

No. _____

Has been issued to:

NAME: _____

LOCATION: _____

SCOPE OF WORK

ISSUED BY: _____ DATE: _____

HEADQUARTERS ARB

THIS CARD MUST BE DISPLAYED IN FRONT OF
BUILDING AT THE LOCATION STATED ABOVE



