

**BELFAIR
PROPERTY OWNERS ASSOCIATION, INC.**

**ARCHITECTURAL REVIEW BOARD
POLICIES, PROCEDURES
AND GUIDELINES**

**For Residential
Construction or Remodeling**

ADOPTED BY: Belfair Property Owners Association, Inc.

EFFECTIVE DATE: January 2, 2002

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I. INTRODUCTION

The Architectural Review Board (ARB), appointed by the Board of Directors of the Belfair Property Owners Association, Inc, is responsible for approving all new construction, modifications, additions and landscaping in Belfair. The Belfair ARB is dedicated to creating a unique but architecturally compatible and ecologically sensitive community.

To achieve its objectives as well as ensure a pleasant building experience for the homeowner the ARB has developed these Architectural Guidelines. While no specific architectural style has been adopted, the primary concern of these guidelines is that the community be free from discordant or competing shapes and designs which vie for attention or attempt to create a greater visual impact than neighboring shapes and designs.

These guidelines attempt to ensure that each building is part of a total neighborhood and not an individual creation or entity arbitrarily placed on the site. The various designs should compliment and enhance the neighboring properties through consistency of scale, quality of material, and coordination of color.

The Belfair ARB, consisting of property owners and professional advisors, will administer these guidelines to help preserve the natural beauty of Belfair while protecting the property investments made by its members.

Each project submitted to the ARB will be reviewed toward:

- Ensuring that any development, structure or landscaping complies with the Belfair Architectural Guidelines.
- Ensuring that the location and design of structures are visually harmonious with the terrain and vegetation of the residential lot and surrounding neighborhood and that the new structure will not unnecessarily block scenic views of existing or future homes.
- Ensuring that the design of structures, their materials and colors are visually harmonious with Belfair's overall appearance, with natural landforms and native vegetation.
- Ensuring that the plans for landscaping provide visually pleasing settings for structures on the lot and blend harmoniously with the adjacent landscaping.
- Ensuring that the architecture of Belfair is directed away from styles that dominate the landscape toward architecture that is harmonious with the landscape.

The present guidelines have been approved by the Belfair Board but may from time to time be amended. Prior decisions or rules regarding design will not be deemed to have set a precedent, if the ARB feels, in its sole discretion, that the repetition of such actions will have any adverse effects on the community. Further, the ARB may disapprove the design of a home on purely aesthetic grounds.

The Belfair ARB strongly recommends that you obtain professional design assistance in planning your new home. It is important that both you and your professional read and understand these guidelines. In regard to the Design Documents, it is the responsibility

of the Property Owner and the Architect or Designer to ensure that all plans, documents, and submittals prepared by the architect or designer are in accordance with these Guidelines, satisfy the building codes and all other governing codes, rules and restrictions. A building permit from Belfair will not be issued until all design documents have been completed and approved, including color boards and landscape plans and until all appropriate fees and deposits have been paid.

The ARB recommends that approved projects be started within ninety (90) days after final approval of plans; however, all projects must commence within twelve (12) months of the final approval date. Any projects not commencing within twelve (12) months must be resubmitted for approval to verify there have been no changes since final approval was granted. Further, any changes to plans after final approval must be re-submitted for approval before work is begun.

Once begun, new construction projects must be completed within one (1) year. Exceptions may be granted by the ARB contingent on the receipt of a written request for an extension with an acceptable justification, prior to the expiration of the time limit.

II. DISCLAIMER

The foregoing guidelines have been adopted by the Board of Belfair to assist the ARB in exercising its powers and performing its duties pursuant to the Declaration of Covenants for Belfair and Provisions for the Belfair Property Owners' Association, Inc. Compliance with these guidelines is not intended to guarantee that the proposed improvements will satisfy all the requirements of the Amended Master Declaration, be dimensionally correct or that the proposed improvements will be structurally sound, or that they will comply with any applicable building code, or that they will be free from damage from wind, rain or flood, or that they will not encroach on easements, or that they will not divert surface water in a manner not allowed by law.

In giving any approval the ARB finds only that the improvements are satisfactory to it. Approval of the ARB is not an opinion; approval, warranty, or representation by it as to any of the matters mentioned in the foregoing paragraph.

III. THE REVIEW PROCESS

A. ARB Meetings

The ARB meets regularly on the 2nd and 4th Tuesday of the month. Other meetings may be called from time to time when necessary.

B. Review Procedure

Drawings and specifications for any proposed work in Belfair must be submitted to the ARB administrator at least one week prior to the next ARB meeting in order to be considered for review at that meeting.

There are three possible design submittals: Conceptual, Preliminary and Final. It is strongly recommended that Preliminary and Final submittals be followed.

1. Conceptual Design Submittal

Conceptual designs may be submitted if the property owner or architect would like comments on the concept before proceeding with the preliminary plan.

2. Preliminary Design Submittals

Review of preliminary submittals is of an advisory nature, meaning that even very favorable reviews will neither imply nor guarantee acceptance of final design submittals.

Preliminary submittals should include a completed, signed and dated Application accompanied by the appropriate review fee, a site plan, all elevations, as well as a certified tree and topographical survey. Submissions should be in duplicate.

3. Final Design Submittals

Final design submittals must adequately reflect to the ARB the true design quality of the proposed work. Submissions must be in duplicate and include a complete set of construction plans, detailed site plan, a full landscape plan and completed Application accompanied by the appropriate review fee.

Upon receipt and approval of final submittals, payment of the required Refundable Deposits and site preparation as delineated later in this document, a Belfair Construction Permit will be issued. When the appropriate permits have been placed on the lot, construction may begin. All building permits must be prominently displayed at the job site and covered with clear plastic to prevent fading and deterioration.

Positioning of the house, garage, driveway and other landscapes, as well as the exterior of the residence will be in accordance with plans as approved by the ARB. Any exterior changes, after final plan approval by the ARB, must be resubmitted and approved in writing by the ARB prior to instituting any of those changes.

A foundation survey provided by a licensed surveyor will be required by the ARB, to verify building location and elevation, before framing can proceed.

C. Requirements for Final Design Submittals

The following items must be submitted to insure the expeditious issuance of a permit. Incomplete submittals will not be placed on the ARB agenda.

1. General

- a. Two complete sets of building plans, sheet size 24" X 36", containing the following information must be on the site plan:
 - Square footage of interior air-conditioned space excluding garages
 - Elevation of finished floor above MSL (Mean Sea Level)
 - Existing Grade
 - Square Footage of Lot
 - Square footage of impervious cover
 - Percent of lot covered by impervious material
 - Percent of buildable area within setbacks covered by impervious material
- b. Completed application for approval of construction
- c. Separate checks for all application fees and deposits payable to Belfair Property Owner's Association.
- d. Color Board
 - Will include paint sample chips or chart showing exterior wall and trim colors (sample minimum size 2" x2")
 - Roofing material sample
 - Masonry and/or brick sample
 - Siding sample
 - Driveway material

2. Topographic Map

Survey or certified topographic map of the proposed building site based on an on-ground survey, at no more than one-foot elevations (1') intervals, and lot corner and center spot elevations of the original grade.

3. Tree Survey

An on-ground survey showing the location and type of trees over 6" in diameter, measured at 4' above existing grade. The survey should indicate trees to be removed. This drawing may be combined with topographic map.

4. Arborist Report

If a lot contains hardwood trees, i.e., oak, elm, magnolia, cherry, etc. over 8" in diameter, or pine trees over 18" in diameter, an arborist survey and report will be required to assist in siting the home and protecting the trees during construction.

5. Site Plan

- a. Appropriate Scale $\frac{1}{8}''=1'$ minimum.
- b. Legal Description, Lot Number and Street Address
- c. Building location on the proposed building site
 - Must include all buildings or structures

- Dimensions should reflect the closest point from the property line to the building foundation on all four sides of the house/garage.
- Plans are to include existing, and finished grade lines as well as spot elevations of sited home.
- The finished first floor elevation above the front of the house will be a minimum of twenty-four inches (24") above finished grade. This means there will be a minimum of three (3) risers on the front steps plus the 2" to 4" short step at the front door. Handrails must be shown as required to meet code and guidelines.

6. Landscape Plan

Must be submitted with the final design submittal (see section 3.0).

7. Exterior Lighting

All exterior lighting and landscape lighting should be on the final submittal.

D. Changes / Modifications

Once ARB final approval has been granted, it is expected that the home will be built per the approved drawings. If the Owner, Contractor or Architect wish to make changes that would result in the drawing not representing the as built construction, then the changes must be submitted to the ARB for approval before implementation. During the construction process, these changes will be reviewed by the ARB without additional review fees. The changes must be specifically identified on the drawings and submitted to the ARB for approval. If the drawings are not submitted until after the change is underway or if the change is found during final inspection, additional review fees and fines may result.

E. Variances

Variances to the ARB are discouraged, however, if a homeowner or architect has a compelling reason for a variance, they must complete the variance request form and submit it with their application package. The ARB administrator will then mail a copy of the variance form to the neighbors on either side and across the street from the subject property asking if they have any objections to the variance request. The responses received will be considered in the review of the variance request. The property owner will be notified in no more than five weeks from the request date.

IV. DESIGN GUIDELINES

A. Setback Requirements

Set back is defined as the minimum distance from a property line that any structure may be placed. Compliance with setback requirements will be determined by measurement of the distance from property lines to the closest portion of the proposed construction.

Standard Lots	Golf Cottage / Club Home	Lady Slipper Island	Preserve
Defined as any lot that is not a Golf Cottage, Club Home, or located on Lady Slipper Island	Lots 61-68; 174-183; 201-203; 220-258; 274-288; 313-319A; 640-667; 705-736; 737-769	Lot 186-200	Lots 775-823
Front – 30’ setback Side - 15’ minimum setback on one side & 20’ minimum setback on opposite side. Note: Sum of setbacks on both sides will not exceed 35’ Rear - 30’ setback Freshwater Wetland, Lagoon or Marsh - 30’ minimum setback	Front - 25’ setback Side - 7.5’ setback Rear - 20’ setback	Front - 20’ setback Side - 7.5’ setback Rear - 20’ setback	Front - 15’ setback Side - 7.5’ setback Rear - 20’ setback
Decks, patios, and walls less than 3’ above finished grade - minimum 10’ setback. Anything above 3’ in height must be within the normal setbacks.	Decks, patios, and walls less than 3’ above finished grade - minimum 10’ setback. Anything above 3’ in height must be within the normal setbacks.	Decks, patios, and walls less than 3’ above finished grade - minimum 10’ setback. Anything above 3’ in height must be within the normal setbacks.	Decks, patios, and walls less than 3’ above finished grade - minimum 10’ setback. Anything above 3’ in height must be within the normal setbacks.

For information on additional setback guidelines, see the appropriate sections to follow.

Setbacks for lots adjacent to environmentally sensitive areas (wetlands, marshes, rivers, and wildlife management areas) will be influenced by the presence of the OCRM Critical Line and/or the U.S. Army Corps of Engineers and may have a greater setback requirement than the distances stated above.

B. Easement

There is an easement extending 20' landward along or around the entire perimeter of any river, creek, lagoon, marsh, or wetland. This easement is a non-exclusive easement for ingress, egress, and access to the above water bodies by the Belfair Property Owners' Association, Inc. for the purpose of maintenance. There is also a ten-foot (10') easement around the front property line of each property to allow for underground utilities. Other easements for storm sewers, etc. may be shown on the plat drawings.

Because these areas are an important aesthetic and functional resource of the development, any extensions of proposed improvements into the easement will require approval by the ARB.

C. Site/Positioning of New Construction

1. Homes do not have to be placed square with the street or setback lines.
2. A single home may be placed on homesites that have been combined, by re-subdivision.
3. The area covered by the building and concrete driveway, etc., will be looked at on a case-by-case basis. It is recommended that for standard lots, impervious material not cover more than 70% of the buildable area within the set back lines.
4. In general, homes should be designed and positioned on the lot to minimize the removal of all hardwoods and other large trees. All trees 6 inches or larger must be identified for stakeout inspection or will require written approval by the ARB prior to removal.
5. The plot plan for the proposed home should include the location and first floor elevation of the adjacent homes to aid the Architect/Owner in the siting of the new home.

D. Garages/Driveways/Guest Parking

1. Garages shall be located in the front half of the property. A garage that is more than 45° off the bearing of the street shall not be considered as being a front entry garage. Side and/or rear loading garages are recommended. When side entrances are not possible, a landscape buffer must screen rear entrances facing the golf course and side entrance garage doors facing the road.
2. Any attached or connecting buildings on a lot such as garages, etc., must be compatible in style, material and color with the main house.
3. Detached garages must be connected to the house by a covered passageway.
4. Two-car garages at a minimum are required. Carports are not permitted.
5. Garages must have finished interior walls.
6. Garage doors are to be a residential type of raised panel or other architecturally compatible design.
7. Boats, trailers, recreational vehicles, and similar vehicles will be stored in an enclosed garage and not be exposed to view.
8. Driveways should be textured or patterned concrete, approved pavers or a combination thereof. Driveways will be of a hardscape impervious

material from the road to 10' inside the property line. If driveways are unusually long a pervious material may be used but will be bound by 1/8 " heavy gauged steel edging or with a mudded in impervious material. It is recommended that pervious material, e.g., brick, stone or concrete pavers, be used for driveways and walkways near specimen trees and desirable natural vegetation that is to be saved.

9. It is required that two off-street guest-parking spaces be provided on an approved surface. They must be located a minimum of five feet (5') from the property line.
10. Driveways may be parallel to side property lines but no closer than 5' from the property line. Driveways near side property lines should be minimized where possible to permit drainage and a buffer of landscape material.
11. One driveway access to the street is recommended unless the street property line is in excess of 120'. If more than one curb cut is allowed, the outer edge of the driveway paving will be a minimum dimension of 15' from the side property line where it joins the street. An adequate turning radius must remain.
12. Off-street parking and driveways within 15' of property lines must be screened from adjacent property or road with landscape material.
13. Reflectors are not permitted.

E. Decks, Terraces, Patios and Porches

Decks, terraces, patios, and screened porches should be designed as an integral part of the architecture of the main structure using compatible materials in both color and texture. If aluminum trim is used, it must be dark screen colored and only used around the perimeter of the screened opening.

F. Exterior Lighting

1. All exterior and landscape fixture locations and design shall be indicated on the site plan and must be located within the setback lines.
2. Flood and building perimeter lights must be installed to ensure that the source of light is not visible from off the homesite.
3. Night lighting should be directed downward and confined to drives, paths, and steps for safe pedestrian movement.
4. Walkway illumination sources must be subdued (low wattage), directed downward and where possible should be concealed into steps, walls, bollards, and handrails whenever possible to avoid direct view of light sources.
5. Landscape lighting should also be subdued (low voltage and low wattage). If up lighting is used, care should be taken to avoid creating a halo or glow in the night sky. Down lighting should be focused on specific landscape vegetation should be subtle, subdued, hidden from view, and not used for general illumination purposes. No lighting may be located within 20' of the front or rear lot lines, nor within 10' of the side lot lines. Lampposts are permitted; however, they must be located within the setback lines.
6. Colored lighting is not acceptable

G. Propane Tanks

1. Propane tanks of 125 gallon or more must be located outside the service yard, provided they are located within the setback lines, are underground, and meet the requirements of the current NFPA documents administered by the Office of the South Carolina Fire Marshall.
2. Propane tanks of less than 125 gallon must be hidden from view by enclosures or year round screening shrubs.

H. Service Yards

All residences are required to have an attached service yard. All utilities, including electrical service, garbage containers, HVAC compressors, water softeners, pool, well equipment, etc. shall be located in a service yard.

1. All service yards shall be designed to have minimum impact on neighboring residences and be located within the setback lines. Exceptions may be considered for non-standard lots.
2. The service yards should be located in the side or rear yards. It is recommended that service yards be placed on the twenty foot (20') set back side of the house for standard lots.
3. The service yard equipment shall be screened from view by a wall or fence with a minimum height of six feet (6') feet. Service yard equipment must be completely screened from view at the top and at the slab portion or bottom. Use of lattice on service yards is discouraged. The door of the service yard is to be full height and should not face the street.
4. The screening wall or fence shall have materials and colors compatible with the house.
5. All service yards will have concrete slabs.

I. Minimum Square Footage of Interior Air-conditioned Space

1. Single story homes shall have a minimum of 2,400 square feet of enclosed dwelling area.
2. One and a half and two story homes shall be a minimum of 3,000 square feet of enclosed dwelling area, with a least 1,800 square feet on the first floor.
3. On lots of less than 15,000 square feet, the minimum air-conditioned space will be 1,700 square feet.

J. Foundation Plan

1. Due to FEMA flood elevation requirements, a substantial foundation may be required.
2. No more than 5' of foundation should be exposed around a home as measured from the bottom of the floor joists. High foundation walls will require careful architectural and landscape treatment to help soften their height and massiveness.
3. If louvered or lattice openings in a foundation wall are used, only a 30% void will be allowed so as to prevent the crawl space from being visible from the road or by neighboring lots. This may require the lattice be fabricated, as commercial grade lattice may not meet this criterion. The

amount of lattice or louver openings in the foundation wall must be less than 40% of the wall area.

K. Materials

1. Exterior walls should be of brick, wood, stucco, or a fiber-cement siding. Siding materials must be approved by the ARB.
2. Various styles of windows may be desired to accent the architectural style of the house. Low country and traditional style homes are encouraged to have permanent exterior grids (minimum 7/8" wide) on all windows of rooms that do not face the rear of the house. The interior grid may be permanent or if removable, must be a framed grid. Rooms facing the rear of the house are not required to have grids. It is strongly encouraged, however, that the windows be of a style compatible with the rest of the house. Houses may have narrow casement windows without grids but must avoid large expanses of undivided glass.
3. All exterior wood trim or wood siding including stairs will be painted or stained. All exterior colors must be approved by the ARB. Exceptions to the above will be considered for decks.

L. Building Elevation and Height

1. Single-family residences must conform to Federal flood Zone regulations for minimum finished floor elevation established by Federal Emergency Management Agency (FEMA). The Board requires that the proposed finish floor be at least the level of the 100 year flood, but not be excessively higher than the required elevations.
2. The exterior walls shall be a minimum of 11' from finished grade at the exterior of the structure, to the top of the plate at the exterior wall. The height of the front foundation wall of the home (garage not included), as measured from finished grade at the exterior of the structure, to the finished floor elevation will be between a minimum of twenty-four (24 inches) and a maximum of 60" (60 inches). Allowances will be made for homes located in the flood plain.
3. The maximum height of a residence as measured from finished first floor to the top of the tallest roof ridge beam is 35 feet. No house should exceed forty-five feet of height from the finished grade.
4. No house shall have more than two (2) habitable levels.
5. Two story element houses should not be built on or near the front setback line so as not to impede the view of the adjacent homes.

M. Roofs

1. Architectural roofing materials must be approved by the ARB. If fiberglass shingles are used, colors and configurations that do not call attention to the roof should be chosen. If fiberglass shingles are used a minimum of 300 # and/or 30 year warranty is recommended. Metal roofs must be standing seam with a minimum gauge of 24.
2. Exaggerated roof slopes (both high and low) should be avoided.
3. Roof vents and other penetrations will be painted to blend with the roof.
4. Low profile roof ventilators will be used.

5. Chimney exteriors shall be of masonry or stucco construction. Direct vent fireplaces through the roof are not allowed unless they are vented through a full chimney. Prefabricated chimney flue caps shall be screened with a metal or other non-combustible material shroud for safety and ornamentation.

N. Antennas, Satellite Disks and Accessory Structures

1. Satellite dishes, which do not exceed 2' in diameter or 2' in height, may be erected and maintained on the property with ARB approval.
2. Other than N-1 above, no television antenna, radio receiver, transmitter, or other similar device shall be attached or installed on the exterior portion of the property within Belfair.
3. No exterior speaker, horn, whistle, bell, or other sound device, which is unreasonably loud or annoying, except home security devices used exclusively for security purposes, shall be located, used, or placed within Belfair.

O. Wells

1. Closed loop water source heat pump systems are allowed in Belfair provided the holes bored for the loop shall be drilled by a South Carolina licensed well driller in accordance with South Carolina regulations and approval by ARB.
2. No private water wells for the purpose of domestic consumption will be drilled or maintained on any residential lot. Wells will be permitted for irrigation purpose only.
3. Wells for irrigation purposes may be installed on an owners property provided the well complies with all State regulations and the following ARB guidelines.
 - a. Wells may not be located closer than 10ft. to the property line (5 feet on club lots), 50ft. to a body of water, or 5ft to a home or other structure.
 - b. All pumps, tanks, filters and other mechanical equipment must be located underground or in the service yard, or other approved structure.
 - c. All electrical equipment must be located in the service yard.
It is recommended that the well driller provide the property owner with a water analysis so that appropriate filtering/treatment may be selected. It is also recommended that space be allowed to maintain the well, when selecting an appropriate location.
4. Approval for irrigation wells may be obtained by submitting the following to the ARB:
 - a. Completed application form with check for the applicable fee.
 - b. Copy of permit from the State of South Carolina, DHEC
 - c. Verification well driller is licensed with the State Dept. of Labor, Licensing and Regulation.
 - d. Submittal of drawings showing location of well with appropriate dimensions, and location of pump, tanks, filters and other mechanical and electrical equipment.

Applications will be reviewed by the ARB and the property owner will be advised of the results. Wells not completed within 12 months of approval must be resubmitted for further approval.

P. Drainage, Pools, Landscaping, and Landscape Ornamentals

The ARB recommends the property owner select a landscape professional familiar with the soil and growing conditions of the area. The landscape architect should advise the homeowner of the type of soil and the effect on the landscape plan.

1. Landscaping plans will be submitted at the same time as final house plans. Landscaping must be completed before final inspection of the property is performed. All landscaping must be essentially complete prior to occupancy of the home.
2. The landscaping plan should contain all the vital information from the previously approved site plan and will show existing plants and trees and will indicate trees to be removed. Landscape plants/materials schedule is to be on the plan itself and is to show number of plants, botanical name, common names, species, container size, spread, height, and spacing at installation.

House/deck/garage/service yard/mechanical platform and foundation is to be fully/heavily landscaped on all sides. Foundation plants to provide a minimum of 50% foundation height coverage and reasonable spacing at installation. Depending on the height of the foundation, plant size and spacing requirements will vary to assure that effective screening is provided.

Garage entry, parking areas, and pool areas are to be fully/heavily screened from the street and adjoining properties with tall/full evergreen screening type plants to provide effective screening immediately upon installation.

Property line utility boxes must be screened with landscaping yet provide reasonable access by the utility companies.

3. All improvements, including landscaping, in street rights-of-way must be approved by the ARB on behalf of the Belfair Property Owners' Association, Inc. A significant area of lawn must be maintained along the street. Grass (sod) is to be established in the area between the front (and side, if applicable) property line and the edge of the street pavement. The lot is to have a finished look to the street's edge as well as the side and rear property lines. Property owners are responsible for landscaping and maintenance of landscaping from property lines to the roadway.
4. A landscaping plan that uses rock or crushed rock as a predominant element will not be accepted.
5. Use of mature/well established plant material (existing and/or new) is strongly encouraged. The use of native materials, including deer

- resistant, drought resistant, winter hardy plant varieties, is encouraged. Winter hardy/evergreen plants are to be used for foundation and screening/buffering purposes.
6. Planting design
 - a. A simple massing of plant materials is generally the most effective method of creating a successful planting scheme. Lawn areas are encouraged in open areas around homes where sunlight is available for a good portion of the day. Otherwise, wooded areas should be preserved and enhanced by the selective introduction of ground cover and edge planting. Plant material berms, fences, and walls should also be incorporated into the design of outdoor spaces for functional use such as to provide screening and privacy.
 - b. Leaving "natural" areas may be appropriate and acceptable in some cases, but owners are cautioned that these areas must be maintained (cleaned, pruned, weeds/vines removed) and not left to grow wild. Natural does not mean unkempt.
 - c. At driveway entrances, for reasons of safety, no planting that obstruct sight lines shall be permitted.
 7. No tree with a trunk diameter measuring 6" or more at a distance of 4' above ground level shall be removed, or effectively removed through damage, without written approval by the ARB.
 8. The area along the edge of lagoons, lakes, and marshes are environmentally sensitive areas. The ARB must be contacted before removing any plant material within twenty feet (20') of any of these sensitive areas.
 9. If shown on the landscape plan and approved by the ARB, the area between a lagoon, lake or marsh, and the property line may be sodded with grass or natural grasses and maintained by the property owner. However the grass should be left uncut, or at a rough height, and cannot be treated with fertilizer or chemicals that might leech into the water.
 10. Plantings, other than grass, are not allowed outside the property line.
 11. The cutting or trimming of any vegetation outside of an Owners' property line is strictly prohibited.
 12. Material and dimensions will identify walks, retaining wall, or other hardscape improvements; including height above finished grade.
 13. Sod areas will be covered by an irrigation system.
 14. St. Augustine grass will not be permitted if contiguous to golf course turf.
 15. Landscape accessory structure and ornaments
 - a. All landscape accessory structures such as birdhouses, statues, flagpoles, lampposts, etc. must be approved by the ARB. Landscape name and number signs are prohibited.
 - b. All playground equipment must be nature blending in color. All exterior play equipment, including basketball nets, shall be placed only with approval by the ARB. Basketball nets must be portable.
 - c. No exposed clotheslines shall be permitted
 16. Swimming pools
 - a. Pool equipment shall be placed inside a service yard.

- b. The top of the pool or pool deck may not be over 2' above existing grade unless integrated into a terraced landscaping plan approved by the ARB.
 - c. 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.
 - d. Pool landscaping shall provide year round screening with plants of adequate size and location.
 - e. Pools should not be located near golf tee boxes or greens and must be within the normal set back lines for all lots.
17. Mailboxes and House Numbers:
House numbers must be three inches (3") in height and black in color. They will be part of the approved mailbox assembly, which must be purchased from the POA. House numbers may not be painted on the curb. "All occupancies shall display their correct physical address on the building. If the building is more than 50' from the street or road, this number must also be posted near the walk, driveway, gatepost, fence or common entrance so as to be clearly visible from the road." (Mandate from the South Carolina State Legislation, Section 23-47-60).
18. Fence Plan
- a. No property line fences are permitted within Belfair. The ARB acknowledges the possible need of screening on patio, and club lots.
Note: As per an agreement with the Rose Hill Property Owner's Association, dated May 1, 2000, the following is irrevocable: Homes built on lots 162-172 and lots 802-805 inclusive will not be granted a variance.
 - b. Walls and fences may be approved provided they are attached to the house as an architectural extension.
 - c. Fence/screening plans must be drawn on a previously approved site plan and will include an elevation of one section of fence/screening. Maximum fence height is 6" above grade.
 - d. Deer fences are not acceptable. The ARB encourages each Owner to consider that deer live on the property. When establishing a landscape plan Owners should choose plants and plant materials which are less attractive to deer.
19. Grading and Drainage
- a. Grading and drainage shall be designed to ensure no storm water or roof water runoff is directed toward adjacent home sites or directly into marsh areas. Runoff should be directed into swales or dry wells.
 - b. In general, the areas of the lot that may be filled are limited to the area immediately under and around the house and adjacent driveway. This fill area should start transition down to existing grade as soon as possible once beyond the building line. 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.
 - c. Cuts and fills should be designed to complement the natural topography. Grading should produce graceful contours, not sharp angles, and provide smooth transitions at the head and toe of the

slope. No grading (cut or fill) should occur under the drip lines of large significant trees.

At final inspection of the landscape installation, the ARB, in its sole judgment, will determine if the landscape plan design intent has been met, particularly as it relates to landscaping that is used for screening purposes and foundation coverage. Every property owner is responsible for preventing the development of any unclean, unsightly or unkempt conditions of buildings or yards, which shall reduce the beauty of the neighborhood as a whole. All formal landscaped areas, as well as bed and lawn areas, must be maintained. In natural areas, weed growth must be controlled, trees pruned, vines removed and yard debris removed.

Any proposed changes in landscaping such as fences, fountains, lighting, game structures, poles supporting feeders/bird houses, drives, walks, landscape structures and statuaries must be approved by the ARB.

V. SITE PREPARATION

After final approval of the drawing package, the contractor shall stake out the lot in preparation for stakeout inspection. No trees are to be cut or clearing of any kind to proceed until after the stakeout inspection is approved. Trees to be cut shall be banded in red.

A. Arborists Survey

If the lot contains hardwood trees (oak, elm, cherry, magnolia, etc.) over 8" in diameter, or pine trees over 18" in diameter, an arborist survey and report will be required to assist in siting the home and protecting the trees during construction and routing the utilities.

B. Tree Protection

Shall be constructed of 2"x 4" posts on 8' centers with 2"x 4" top rail covered with Burke Safety Fence. Tree protection shall be 4' high and located around the dripline of the tree, approximately one (1) foot in radius for every inch in tree diameter. Specific recommendations from the arborists survey and report will also need to be followed.

C. Silt Fence

Prior to starting construction, a silt fence will be installed on the downstream side of the lot and maintained throughout construction. Lot lines other than the street without a silt fence will have a Burke Safety/Silt fence.

D. Portable Chemical Toilet

Prior to starting construction a portable chemical toilet will be placed within the setback line, emptied on a regular basis and will be removed when construction is complete. The door of the toilet should not face the street. It should be facing toward the center or rear lot line of each lot unless otherwise approved by the ARB. Portable toilets must be enclosed on three sides with approved screening material.

E. Dumpster

Prior to starting construction a metal dumpster will be in place and must be present on the lot during the entire construction process. All dumpsters will be screened on at least two sides with approved screening material. The dumpster must be removed when construction is complete. It will be the permit holders responsibility to collect all trash and have a clean and orderly construction site at the conclusion of each day's activities.

F. Illegal Dumping

No dumping or burning of debris is permitted within Belfair.

G. Utilities

The appropriate utility companies shall provide completely underground connections to water, sanitary sewer, electricity, telephone, and cable TV. The installation of all utilities to homes within Belfair will be installed meeting the specifications prescribed by the providing utility. On lots with hardwood or large pine trees, an arborist's recommendation is required for utilities routing, to protect the root system of the trees.

H. Signs

No signs other than the approved homeowner, contractor and architect signs are to be placed on a property during construction. The contractor signpost will contain the contractors sign, architects sign (Belfair ARB approved design) and will have the County and Belfair Building Permits affixed to the signpost. This information is to remain posted throughout the building process and be removed when final approval is requested.

VI. CONSTRUCTION GUIDELINES

A. Access to Construction Sites

All Contractors and their working teams will use the east (back) gate for access to and exit from Belfair. No contractors employees, commercial vehicles or privately owned property owner vehicles are allowed to use the golf cart paths or walkways for access to homes or job sites.

B. Site Protection / Traffic Laws / Parking

All vehicles, trailers and building supplies shall be limited to the job site property. No privately owned undeveloped lots may be used for parking or storage of any construction related equipment without the written approval from the property owner.

The utmost caution must be used to avoid damage to the road right of way and the curbing. Any damage to curbs, sidewalks and easements must be restored to the original condition at the completion of the project. The edge of the road pavement shall be protected from damage by construction vehicles. Placing heavy wood planks, or other effective material, to make the transition between the pavement and the road smooth, should be used. Deposits will not be returned until any/all damaged areas are satisfactorily restored.

Posted speed limits and safe driving practices will be strictly enforced. Under no circumstances shall parking interfere with the flow of traffic or cause hazardous conditions.

Failure to comply with the above requirements during construction may result in fines being levied and / or other appropriate action.

C. Utility Vehicles

One utility vehicle will be authorized to remain on a new construction site overnight. It must be fully enclosed, locked, have appropriate registration and be approved by the ARB prior to remaining on site. A locking device must be used to secure the axel so the vehicle cannot be moved. Responsibility for loss of equipment, theft or damage is the sole responsibility of the contractor.

D. Construction Rules

The following rules and regulations are designated to enhance Belfair's overall appearance and to protect the aesthetics and the property values of all Owners. Builders will be held responsible not only for their own employees, but also for the actions of his/her subcontractors.

1. No work, including lot clearing, will begin until both a Belfair and a County Permit are issued and posted at the job site.
2. Construction work, both exterior and interior, must be limited to the hours of 7:00 AM to 7:00 PM, Monday through Friday and 7:00 AM to 6:00 PM on Saturday. Workers and their vehicles should not arrive more than 15 minutes

prior to opening and should depart the job site no later than 15 minutes after the posted close of business, without exception.

3. No work will be permitted on Sundays, Thanksgiving Day, Christmas Day or New Years Day.
4. No water usage will be permitted until the appropriate tap fees are paid and the Beaufort-Jasper Water & Sewer Authority installs meters.
5. No construction trash burning will be permitted on the site.
6. The general Contractor is responsible for enforcing the following work rules for all construction workers and suppliers at the job site.
 - No workers will be allowed to enter or leave Belfair on foot.
 - No workers will be allowed to enter Belfair to seek employment at a job site.
 - Workers are not permitted to use any Belfair facilities. (This includes golf course restrooms).
 - Workers are not permitted to fish in any lagoon or from any boat dock.
 - The possession and/or consumption of alcohol or drugs are strictly prohibited on Belfair property.
 - Workers should refrain from using inappropriate language, honking horns and playing loud music.
 - Workers are prohibited from bringing firearms or other weapons into Belfair.
 - Workers are prohibited from bring dogs, cats, or other pets into Belfair.
 - Workers are prohibited from bringing children to a job site.
 - Workers must obey all posted speed limits when driving on Belfair roads.
 - Workers must not throw litter from windows of vehicles and must prevent litter on job sites.

Failure to comply with these rules may result in loss of deposits or other sanctions.

7. Trash containers and Portable Toilets must be located and enclosed according to the ARB guidelines and with ARB approval.
8. Vacant and undeveloped adjacent properties may not be used for access, parking or storage of material and equipment without written permission of the Owner. A copy of the permission letter must be filed with the ARB Administrator. The Contractor/Owner will be responsible for repairing any damage done to adjacent property before their deposits will be returned.

VI. ARB INSPECTIONS / PERMITS

A. Stakeout Survey

After final approval of drawings, the contractors will stakeout the building footprint, driveway, pools, decks, porches and service yards. The contractors will also stakeout the property line and wetlands. Trees to be removed will be banded with red tape. The contractor will advise the ARB when the stakeout is ready for inspection. The ARB will perform the inspection and, if approved, issue the contractor a clearing permit. The ARB will also inspect the condition of the adjacent lots, sidewalks and curbs and document their condition for reference at final inspection.

B. Building Permit

Following clearing, the lot is prepared for construction:

- a. Dumpsters and Port-a-Johns are set in place and screened.
- b. Silt fence and tree protection installed.
- c. Contractors sign erected with permits attached.

The ARB will inspect the lot and if approved issue a Building Permit.

C. Foundation Survey

The contractor will provide a foundation survey and an elevation certificate by a licensed South Carolina Surveyor to the ARB as soon as the foundation is poured. Framing can proceed once the survey is approved by the ARB.

D. Intermediate Inspection

The ARB may conduct a survey of construction anytime during the construction process. The contractor will be notified of any issues/concerns resulting from the inspection.

E. Final Inspection

As soon as the contractor notifies the ARB or homeowner that a certificate of occupancy has been received a final inspection will be performed. The inspection is to assure that the building is complete in accordance with approved plans, color and material samples, landscaping is in place and the house is ready for occupancy. Special attention will be given to surface water drainage, site clean up, builder sign removal, and removal of waste materials on adjoining lots. Adjoining lots, sidewalks and curbs will be restored to their original condition prior to construction.

VII. EXISTING HOME GUIDELINES

- A.** Any exterior modifications or additions including repainting and roofing to an existing home must follow the same procedure as for a new home.
 1. Prepare a submittal package outlining the work to be done and complete with a color board.
 2. Pay fees and deposits and submit application to ARB for approval.
 3. Proceed with work after Compliance Deposit is paid to the ARB and a Belfair Building Permit is issued.
 4. Notify ARB when work is complete so that a final inspection may occur.
 5. Appropriate deposits will be refunded within thirty (30) calendar days of an acceptable final inspection.
- B.** Landscaping additions to support a home modification, pool addition, or to substantially replace/upgrade existing landscaping requires updating the existing landscaping plan and submitting the proposed changes to the ARB for approval.

VIII. FEES AND DEPOSITS (PER SCHEDULE)

- A. Non-refundable fees** consist of a review fee and a road use fee.
 1. Review Fee: Payable at the time of submittal of plans for review.
 2. Road Use Fee: Payable following final approval of plans and prior to a Permit being issued.
- B. Refundable Deposits**
 1. Construction Compliance Deposit: payable by the Builder/Contractor or Owner, and,
 2. Landscape Deposit: payable by the Owner/Contractor.Both deposits are due after the plan/drawing has approval and before a Belfair building permit is issued.
- C. Deposit Refund**

All refundable deposits will be returned to the payer of record after final inspection and approval of the home and landscaping.
- D. Fines and Post Construction Review Fees**

Any changes to the final drawings, once approved, that occur during the construction process will be reviewed without additional cost if submitted before the change is implemented. If changes are not submitted prior to final inspection and found during final inspection, the ARB may impose an additional review fee and or fine or both that will be deducted from the contractor's deposit. Any fines that occur during the construction process will also be deducted from the Owner and/or Contractor's deposit.
- E. Non-Compliance**

If the contractor fails to complete the home according to the approved plans, the ARB may refer the issue to the POA for resolution, which may result in a lien against the property to cover the costs of completing construction that does meet the approved plans.

FEES & DEPOSITS

FEE SCHEDULE	DEPOSITS
New Home	
NON-REFUNDABLE Plan Review Fee	\$500 submitted with drawings
NON-REFUNDABLE Road Access Fee	\$1,000 submitted with clearing permit request
Total Non-Refundable Fees	\$1,500
REFUNDABLE: Owner Deposit before building	\$2,000 separate check from Owner before building
REFUNDABLE: Builder Deposit	\$5,000 separate check from Contractor before permit is issued
Total Refundable Fees	\$7,000
Addition / Renovation including structure, swimming pool, or fence	
NON-REFUNDABLE Plan Review Fee	\$250 submitted with drawings
NON-REFUNDABLE Road Access Fee	\$1,000
Total Non-Refundable Fees	\$1,250
REFUNDABLE: Owner Deposit	\$1,000 separate check from Owner before building
REFUNDABLE: Builder Deposit	\$1,000 separate check from Contractor before permit is issued
Total Refundable Fees	\$2,000
Uncovered Addition including deck, porch enclosure, sidewalk, driveway extension, garden pool or other minor additions	
NON-REFUNDABLE Plan Review Fee	\$100 submitted with drawings
REFUNDABLE: Owner Deposit	\$500 separate check from Owner before building
REFUNDABLE: Builder Deposit	\$500 separate check from Contractor before permit is issued
Total Refundable Fees	\$1,000
Well	
NON-REFUNDABLE Plan Review Fee	\$100 submitted with request
REFUNDABLE: Owner Deposit	\$500 separate check from Owner before building
REFUNDABLE: Builder Deposit	\$500 separate check from Contractor before permit is issued
Total Refundable Fees	\$1,000
Landscape Addition or Modification	
NON-REFUNDABLE Plan Review Fee	\$50 submitted with request

IX. SCHEDULE OF FINES

The following is a schedule of fines that may be levied when a property owner or general contractor violates the Covenants or Guidelines. Such fines will be deducted from the escrow deposit (refundable deposits) paid by the building contractor and/or property owner, as appropriate. Fines will be effective after a seven-day notification period, if no response or corrective action has occurred.

A STOP ORDER OR OTHER ACTIONS MAY ALSO BE TAKEN, FOR SERIOUS AND /OR REPETITIVE VIOLATIONS.

FINES

A. Minor Offenses	
<ul style="list-style-type: none"> • Failure to keep site clean • Loud music or yelling • Adjacent lots unclean • Damage to curb or sidewalk • Working during unauthorized house or non-working days • Failure to maintain silt fences • Failure to maintain tree protection • Children or pets at work site • Open fires • Failure to screen port-o-johns & dumpsters • Other offenses determined to be minor 	
First Offense Notice	\$100.00
Second Offense Notice	\$300.00 Additional
Third Offense Notice	\$500.00 Additional + shut down of site
B. Major Offenses	
Begin work on construction site without a permit	\$500.00
Unauthorized clearing, removing of trees or vegetation	\$500.00 minimum + replacement
Changing of exterior design or appearance of house without review and approval or failure to build according to approved plans	\$500.00 (if correctable) or \$5000.00 and
Installation of landscape without approval if uncorrectable	\$500.00 (if correctable) or up to \$2,000.00 and deposit forfeit
Occupation of home before final approval of exterior and landscaping	\$500.00 minimum, up to \$2000.00 and deposit forfeit
Other offenses determined to be major by the ARB	\$500.00 minimum, up to \$5000.00 and deposit forfeit

Appeals: Violation fine appeals may be submitted in writing to the ARB. An explanation of the circumstances and appropriate justification should be included in the appeal. A written response will be given by the ARB within fifteen (15) days of receipt of the appeal.