

# **BERKELEY HALL PLANTATION**

## **CONSTRUCTION GUIDELINES AND POLICIES**

ADOPTED BY: Berkeley Hall Plantation

EFFECTIVE DATE: 2001

## Table of Contents

I.	DEVELOPMENT OBJECTIVES .....	3
II.	ADOPTION OF RULES .....	4
III.	ADMINISTRATION PROCEDURES .....	4
IV.	SUBMITTAL AND APPROVAL PROCEDURE.....	4
V.	FINAL DESIGN SUBMITTAL REQUIREMENTS .....	5
A.	General .....	5
B.	Topographic Map .....	5
C.	Tree Survey .....	5
D.	Site Plan.....	6
E.	Foundation Plan.....	10
F.	Elevation.....	10
G.	Building Height .....	10
H.	Roofs .....	11
I.	Antennas, Satellite Disks and Accessory Structures .....	11
J.	Floor Plans.....	12
K.	Structural Plans.....	12
L.	Color Board .....	12
M.	Landscape Plan.....	12
N.	Wall or Fence Plan .....	15
O.	Grading and Drainage .....	15
VI.	SITE PREPARATION .....	16
VII.	INSPECTIONS .....	16
VIII.	EXISTING HOME GUIDELINES .....	18
IX.	FEES.....	19
X.	DISCLAIMER.....	20

## **I. DEVELOPMENT OBJECTIVES**

The aesthetic and ecological quality of Berkeley Hall requires that all structures, varied as they may be, create an interesting and pleasing streetscape and landscape, in so far as possible. To achieve this goal the following guidelines have been adopted and may from time to time be amended.

An Architectural Review Board (ARB), appointed by the Board of Directors of the Berkeley Hall Property Owners' Association, Inc., administers architectural controls governing new construction or additions and alterations at Berkeley Hall. The goal of this Board is to encourage a wide variety of high quality homes, good architectural design, and proper size, compatible with the area. Architectural style should vary, consistent with maintaining a high quality appearance throughout Berkeley Hall. All styles and exterior colors must be approved by the ARB. Homes on standard size lots should be planned with particular attention to the design and aesthetic appearance of the exterior and the use of such materials as will, in the judgment of the ARB, create an attractive variety of homes. The ARB may disapprove the construction, refurbishment or design of a home on purely aesthetic grounds, where, in its judgment, such disapproval is required to protect the integrity of the community and of other homeowners. Prior decisions or rules regarding matters of design or aesthetics will not be deemed to have set a precedent if the ARB feels that the repetition of such actions will have any adverse effect.

Each project submitted to the Board will be reviewed toward:

- A.** Preventing excessive or unsightly grading, indiscriminate earth moving or clearing of property, removal of trees and vegetation, which could cause disruption of natural, water courses or scar natural, landforms.
- B.** Ensuring that the location and configuration of structures are visually pleasing with the terrain and vegetation of the residential lot and with surrounding residential lots or structures, and sensitive to scenic views from existing structures or do not tend to dominate any general development or natural landscape.
- C.** Ensuring that the architectural design of structures and their materials and colors complement Berkeley Hall's overall appearance.
- D.** Ensuring that the plans for landscaping provide visually pleasing settings for structures on the same lot and on adjoining or nearby lots. Formal, manicured landscaping is encouraged.
- E.** Ensuring that any development, structure, building or landscaping complies with the provisions of the covenants.

The design guidelines include both the specific requirements of the Declaration of Covenants for Berkeley Hall and Provisions of the Berkeley Hall Property Owners' Association, Inc. Architectural Guidelines, herein.

## II. ADOPTION OF RULES

The following rules are adopted pursuant to provisions of Section 3.2 of the Declaration of Covenants for Berkeley Hall and Provisions for the Berkeley Hall Property Owners' Association, Inc.

## III. ADMINISTRATION PROCEDURES

The ARB may establish, and from time to time amend, its administrative procedures. In general, the procedure will be as follows:

- A.** ARB will meet regularly on the first and third Tuesday of the month. Other meetings may be called from time to time if necessary.
- B.** The Property Owners' Association Board of Directors will ratify all changes and or amendments to this document prior to being effected.

## IV. SUBMITTAL AND APPROVAL PROCEDURE

ARB Guidelines and the Declaration of Covenants and Restrictions for Berkeley Hall and Provisions for the Berkeley Hall Property Owners' Association, Inc. require that all proposed new construction, additional construction, remodeling, improvement, fencing, landscaping, change, including exterior painting, and other improvements of home sites be approved by the ARB before work of any kind is begun. Procedure will be as follows:

- A.** Submittals: Drawings and specifications for any proposed new construction, additional construction, remodeling, improvements, fencing, landscaping, change or other improvements will be submitted to the ARB Administrator at least one week prior to the next ARB meeting.
- B.** Preliminary Design Submittals: Review of preliminary submittals by the ARB will be of an advisory nature **and are encouraged**, but not required; therefore, such submittals may consist of informal presentations. In order, however, that the ARB may give just consideration to the proposed work, it is recommended that preliminary submittals adequately describe the site plans, floor plans, and exterior character of the proposed structure and must include a certified tree and topo survey. Preliminary submittals will be in duplicate. Favorable reviews of "preliminary submittals" by the Committee will neither imply nor guarantee acceptance of "final design submittals."
- C.** Final Design Submittals: Final design submittals will constitute the only basis for conclusive action by the Committee, and must adequately reflect to the ARB true design quality of proposed work. Prior to final design review, all fees, a completed application, and color board will be submitted. The owner or his representative will present final design submittals to the ARB at its approval meeting. Plans for construction on full size lots (lots in excess of 15,000 square feet, excluding Golf Cottages) will be unique when viewed from the street and no plan will be duplicated in Berkeley Hall. Plans for Golf Cottages on lots less than 15,000 square feet will be closely scrutinized for neighborhood compatibility and may be repeated. Design of each home should consider size, shape, and

topography of the specific lot proposed for the building site. Final plans will be submitted in duplicate. Upon review of "final design" plans, the owner or applicant will be notified in writing of ARB action.

- D.** Upon approval of final submittals, payment of the required fees, and site preparation as delineated in Section V of this document, construction may begin. All building permits must be prominently displayed at the job site and covered with clear plastic to prevent fading and erosion.
- E.** Exterior of the residence will be constructed in accordance with plans as approved by the ARB. Fines or revocation of permit may be levied by the ARB for noncompliance. Any exterior changes, after final plan approval by the ARB must be resubmitted and approved in writing by the ARB prior to any construction of those changes. A foundation survey will be required by the ARB.

## **V. FINAL DESIGN SUBMITTAL REQUIREMENTS**

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

### **A. General**

1. Submit two complete sets of building plans for approval. Sheet size not to exceed 24" x 36". The following information must be on the site plan:
  - Square Footage of interior air conditioned space excluding garages,
  - Elevation of finished floor above MSL,
  - Existing grade,
  - Square Footage of lot,
  - Square Footage of impervious cover
  - Percent of lot covered by impervious material.
2. Completed application for Preliminary/Final Approval of Construction and Improvements.
3. Check for \$500.00 payable to Berkeley Hall, LLC (non-refundable application fee).

### **B. Topographic Map**

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

### **C. Tree Survey**

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

**D. Site Plan**

1. Appropriate Scale
2. Legal Description, Lot/Phase and Street Address
3. Building location on the proposed building site
  - a. Must include any detached buildings
  - b. Dimension in two places from lot line to building foundation  
Note: Except on corner lots, no garage will open toward the street and garages on corner lots will open toward the secondary street.
  - c. Plans are to include existing, proposed grades, and spot elevations.
4. Existing Easements
5. Building set back lines
  - a. The following are standards. Each individual lot will be judged based on its own particular merits, vegetation trees, views, and compatibility with adjacent properties. The ARB will consider exceptions when necessary. Compliance with building set back requirements will be determined by measurement of the distance from property lines to the closest portion of the building foundation.

<b>Standard Lots</b> (Any lot that is not a Golf Cottage)	<b>Patio Lots</b>
<b>Front:</b> 30' setback <b>Side:</b> 15' setback <b>Rear:</b> 30' setback (when lot line adjoins a golf course) <b>Side Service Court:</b> 15' setback <b>Freshwater wetland, Lagoon or Marsh:</b> 30' setback	Front: 20' setback Side: 7.5' setback Rear: 20' setback
Decks, swimming pools, patios, less than 3' above finished grade: 10' setback	Decks, swimming pools, patios, less than 3' above finished grade: 10' setback

- b. There is an easement extending 30' 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 Berkeley Hall

Property Owners' Association, Inc. for the purpose of maintenance. 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. No Residence or building may be erected within eighty feet (80') of the OCRM critical line.
- d. Improvements other than landscaping are not permitted within easements. Landscaping permitted by the ARB, placed within an easement by a property owner shall be considered installed at risk. If a legitimate user of the easement disrupts the landscaping (utility company or Property Owners' Association), the legitimate user may not replace the landscaping.

#### 6. Site of Building

- a. Relation to street: Homes do not have to be placed square with the street or setback lines.
- b. Combining homesites: A single home may be placed on two homesites that have been combined, by re-subdivision.
- c. The area covered by the building and concrete driveway, etc., will be looked at on a case-by-case basis. It is recommended that standard lots not cover more than 50% of the space within the set back lines.

#### 7. Garages/Driveways/Guest Parking

- a. Where possible, 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.
- b. Side or rear loading garages is encouraged. When side entrances are not possible, a landscape buffer must screen rear entrances facing the golf course and front entrance garage doors from the road.
- c. Any permitted outbuildings on a lot such a detached garage, guest, pool house or a Porte-cochere, must be compatible in style, material and color with the main house. The specific purpose of these structures must be identified.
- d. **Although three car garages and motor courtyards are encouraged**, a minimum 2½-car garage is required. Porte-cocheres are allowed.

- e. Garages to have finished interior walls.
  - f. **Single garage doors are encouraged** and are to be a residential type design, matching the style of the residence.
  - g. Boats, trailers, recreational vehicles, and similar vehicles will be stored in an enclosed garage and not be exposed to view.
  - h. Driveways should be textured concrete, approved pavers or a combination thereof. Concrete and/or approved pavers are the preferred materials. 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 will be bound by 1/8" heavy gauged steel edging or with a mudded in impervious material.
  - i. It is required that two off-street guest-parking spaces be provided on an approved surface. Must be located no closer than the 5' of the property line.
  - j. Driveways may be parallel to side property lines but no closer than 5'. Driveways near side property lines should be minimized where possible to permit a buffer of landscape material.
  - k. 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 driveway paving will have a minimum dimension of 15' from the property line where it joins the street. An adequate turning radius must remain.
  - l. Off-street parking and driveways within 15' of property lines must be screened from adjacent property or road with landscape material.
  - m. Reflectors are not permitted.
8. Decks, Terraces, Patios and Porches:
- a. Decks, terraces, patios, and screened porches should be designed as an integral part of the architecture of the main structure using compatible materials.
9. Exterior Lighting:
- a. Exterior and landscape fixture locations and design shall be indicated on the site plan.



- b. Directional lights must be installed to ensure that the source of light is not visible from off the homesite.
  - c. Night lighting should be directed downward and confined to drives, paths, and steps for safe pedestrian movement.
  - d. Walkway illumination sources should be concealed into steps, walls, bollards, and handrails whenever possible to avoid direct view of light sources.
  - e. Lighting used to accent vegetation should be subtle, subdued and hidden from view.
  - f. Colored lighting is not acceptable.
10. Propane Tanks
- a. 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.
  - b. Propane tanks of less than 125 gallon must be hidden from view.
11. Service Yards
- a. All residences are required to have a service yard. All utilities, garbage containers, HVAC compressors, water softeners, pool pump equipment, etc. shall be located in the service yard.
  - b. The service yard shall be located in the side or rear yards they may exceed the set back lines.
  - c. The service yard shall be screened from view by a wall or fence minimum of 5 ½ feet. Use of more than one type of construction material is required. Service yard equipment must be completely screened from view.
  - d. The screening wall or fence shall have materials and color compatible with the house.
12. Minimum Square Footage of Interior air-conditioned Space, Excluding Garages:
- a. Single story homes shall have a minimum of 2,400 square feet of enclosed dwelling area, **but larger residences are encouraged.**

- b. One and one half, and two story homes shall be a minimum of 3,000 square feet of enclosed dwelling area, with at least 1,800 square feet on the first floor.
- c. On lots of less than 15,000 square feet, the proposed dwelling unit will have a minimum of 2,000 square feet enclosed. Of which 1,700 square feet will be air-conditioned.

**E. Foundation Plan**

- 1. Due to FEMA flood elevation requirements, a substantial foundation may be required. 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 treatment to help reduce their apparent height and massiveness. Louvered or lattice openings in a foundation wall are a preferred alternative. (If lattice is used for openings, a maximum of 30% void is required in order that the crawl space is not visible from the outside.)
- 2. Finished first floor level will not be less than 30" above finished grade.

**F. Elevation**

- 1. Will include front, rear, and both side elevations.
  - a. Elevations will show existing and finished grade.
  - b. Additional elevations for angular and hidden elevations maybe required.
- 2. Exterior walls should be of brick, wood, stucco, or a fiber-cement siding. Siding materials must be approved by the ARB.
- 3. Windows: Various styles and functions of windows are encouraged. Where divided light windows are used, they are to be simulated or true divided light with at least 7/8-inch mullions (snap in grids are not allowed). Large areas of glass without divisions are not encouraged; exceptions may be made on the rear elevations. All elevations must have compatible design features and be based on correct architectural guidelines.
- 4. All exterior vertical wood or wood siding including stairs will be painted or stained except redwood or other approved woods.

**G. Building Height**

- 1. No residence shall be constructed which has a height exceeding 45 feet above the elevation of the finished surface of the first floor living space of such residence.
- 2. Single-family residences must conform to Federal flood Zone regulations for minimum finished floor elevation established by Federal Emergency

Management Agency (FEMA). The Board requests that the proposed finish floor not be excessively higher than the required elevations.

3. 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 minimum height of the foundation wall, from the finished grade at the exterior of the structure, to the finished floor elevation will be 30".

#### **H. 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 300# and/or 30 year warranty. Metal roofs must be standing seam of a minimum gauge.
2. Exaggerated roof slopes (both high and low) should be avoided.
3. Roof vents and other penetrations will blend with the roof.
4. Low profile roof ventilators will be used.
5. Chimney exteriors shall be of masonry or stucco construction. Prefabricated chimney flue caps shall be screened with a metal or other non-combustible material shroud for safety and ornamentation.

#### **I. 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.
2. Other than J.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 Berkeley Hall.
3. No exterior speaker, horn, whistle, bell, or other sound device, which is unreasonably loud or annoying, except security devices used exclusively for security purposes, shall be located, used, or placed upon lands within Berkeley Hall. The playing of loud music within any family dwelling unit or from the balcony, pool, or deck thereof shall be considered a nuisance.
4. No private water wells for the purpose of domestic consumption will be drilled or maintained on any residential lot.
5. 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 Berkeley Hall will be installed meeting the specifications prescribed by the providing utility.

**J. Floor Plans**

1. Fully deminsioned, notated floor plan, 1/4" = 1 foot scale.

**K. Structural Plans**

1. Will provide sufficient detail to obtain a building permit.

**L. Color Board**

1. Color samples must be submitted on the actual materials proposed for use and will include paint sample chips or chart showing exterior and trim colors.
2. Roofing material sample.
3. Masonry or brick sample
4. Siding material sample.

**M. Landscape Plan****A formal, professional landscape plan is required.**

One of the primary responsibilities of the ARB is to ensure that when Berkeley Hall is completely developed, the end product will be attractive and harmonious with the surrounding environment. Toward this end, the degree of attention and sensitivity shown in the landscape treatment of each individual lot becomes very significant. A condition of approval from the ARB to proceed with construction is the owner's agreement to implement the landscape plan submitted with the architectural drawings for the house.

Plans for any landscaping, grading, excavation or filling of lots must be approved by the ARB and conform to the following guidelines:

1. Preliminary landscaping plans will be submitted at the same time as final house plans. Final plans must be submitted at time the home is ready for sheetrock. **These plans should include at least one hardwood tree on the street area, such as an oak or maple.**
2. Landscaping plan will be drawn on a copy of previously approved site plan, 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, botanical name, common names, species, container size, spread, height, and spacing at installation. A minimum of 40% of the lot shall be landscaped or in its natural state. The calculations of exact percentages are the responsibility of the landscape architect and will clearly show on the landscape plan.

House/deck/garage/service yard/mechanical platform foundation is to be fully/heavily landscaped on all sides. Foundation plants to provide a

minimum of 50% foundation height coverage at installation. Depending on the height of the foundation, plant size requirement will vary.

Garage entry/parking areas/utility boxes/pool areas are to be fully/heavily screened from the street/adjoining properties with tall/full evergreen screening type plants which screening is immediately effective at installation.

3. All construction, including landscaping, in street rights-of-way must be approved by the ARB on behalf of the Berkeley Hall 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 entrance, for reasons of safety, no planting that obstructs sight lines at driveway entrances (between 2' and 6' above streets and roadways) shall be permitted.

7. Tree protection:
  - a. 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.
  - b. The ARB may designate specific trees, which must be protected through the clearing, and construction phases with barriers erected at least 6' from the trunk of the tree.
  - c. Protection of trees and vegetation along lakes and lagoons: The ARB permits modest clearing and pruning in these areas for view and breeze. However, the area along the edge of lagoons and lakes is an environmentally sensitive area. The ARB must be contacted before removing any plant material along the edge of any water body.
8. Identify the materials and dimensions of walks, retaining wall, or other hardscape improvements, including height above finished grade.
9. All landscape improvements: Sod areas will be covered by an irrigation system.
10. Silt fences elsewhere required by these guidelines will remain in place and be properly maintained until the landscape inspection has been successfully completed.
11. Landscaping of lots adjacent to the golf course will be additionally required to landscape the area of said lot adjacent to the golf course and if the plan calls for grass, the acceptable grasses are: Fescue, Zoysia or Centipede. St. Augustine grass will not be permitted if contiguous to golf course turf.
12. Landscape accessory structure and ornaments:
  - a. All accessory structures must be approved by the ARB.
  - b. All playground equipment, including basketball nets, shall be placed only with approval by the ARB.
  - c. No exposed clotheslines shall be permitted.
14. Swimming pools:
  - a. Pool equipment shall be placed inside the service yard.
  - b. Top of pool construction may not be over 2' above existing grade unless integrated into terraced construction and with ARB approval.

- 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.

15. House numbers will be part of the approved mailbox assembly, which must be purchased from the ARB. In addition, house numbers are required on the structure of the house and must be readable from the street. House numbers may not be painted on the curb.

#### **N. Wall or Fence Plan**

1. Formal walls or fences are encouraged. Walls or fences must be of the same material on both sides, and maintenance of these structures is the sole responsibility of the owner.
2. Sidewalls or fences must be erected at least 5' from the side property line. Walls or fences constructed within 20' of the rear of the structure are permitted to be 6' in height from finished grade. Walls or fences constructed from 20-30' from the rear of the structure may not be more than 3' in height from finished grade. Professionally landscaped hedge heights are not restricted.
3. A wall or fence plan will be drawn on a previously approved site plan. A dotted line drawing of the proposed wall or fence will be superimposed on the main drawing with an actual plan included.
4. Plan will show elevation of one section of fence.
5. Maximum wall or fence height will be 6' above finished grade.
6. Deer fences are not acceptable. It is desired that each owner consider that deer live on the property when planting their landscaping and use plants, which will be less attractive to deer.

#### **O. Grading and Drainage**

1. Drainage plans are mandatory and must be integrated with your landscape plan. Grading and drainage shall be designed to ensure no storm water or roof water runoff is directed toward adjacent homesites or directly into marsh areas. Runoff should be directed into swales.
2. 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.

3. Cuts and fills should be designed to complement the natural topography. Grading should produce graceful contours, not sharp angles. Provide smooth transitions at the head and toe of the slope.

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 or the specific area. In formal landscaped areas, 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, drives, walks, landscape structures and statuary must be approved by the ARB.

## **VI. SITE PREPARATION**

At the time of final submittal, the builder will be required to put up a string line on the lot showing the placement and footprint of the proposed plan. Do not remove any trees to meet this requirement.

- A.** Silt Fence: Prior to starting construction a silt fence as delineated on the site plan, on the downstream side of the lot will be installed and maintained throughout construction and landscaping. Lot lines other than the street without a silt fence will have a Burke Safety/Silt fence.
- B.** Portable Chemical Toilet: Prior to starting construction a portable chemical toilet will be in place and removed when construction is complete. The door of the toilet should not face the street. The color of these structures should be nature blending.
- C.** Dumpster
  1. Prior to starting construction a metal dumpster will be in place and must be removed when construction is complete. The color of the dumpster should be nature blending. It will be the permit holder's responsibility to collect all trash and have a clean and orderly construction site at the conclusion of each day's activities.
  2. No dumping or burning is permitted within Berkeley Hall.

## **VII. INSPECTIONS**

- A.** General. All construction work for which a permit is required will be subject to inspection by the ARB or Beaufort County.
- B.** Approval Required. No work will be done on any part of the building or structure beyond the point authorized in each successive inspection without first obtaining written approval of Beaufort County. Such written approval will be given only



after an inspection has been made of each successive step in the construction as indicated in Subsection C below.

**C.** Typical inspections may include the following, but not limited too:

INSPECTOR / INSPECTION	ARB Batter board inspection. To be made at the discretion of the ARB when all batter boards and lot property line strings are in place and prior to pouring foundation. Before the pouring of a foundation a batter board survey will be conducted by a registered South Carolina Surveyor and a copy given to the ARB
BEAUFORT COUNTY	Temporary service. Electrical service for use at project site during the construction period.
BEAUFORT COUNTY	Footing. To be made after footers are excavated. All horizontal steel must be in place in footers. Vertical steel must be on site. Termite certificates as required.
BEAUFORT COUNTY	Core. All vertical steel in piers and continuous wall assemblies shall be in place and anchoring devices on site.
BEAUFORT COUNTY	Floor Strapping. All anchoring devices installed at piers and continuous walls to floor assembly.
BEAUFORT COUNTY	Rough Plumbing. All under slab rough plumbing in place. Water and DWV test required.
BEAUFORT COUNTY	Slab. Slab ready to pour, footings excavated with all horizontal steel reinforcement in place. All vertical-anchoring devices if not already in place shall be on site and have placement location identified on form boards. Termite certificate required.
BEAUFORT COUNTY	Strapping. All exterior wall sheathing and roof-framing members anchoring devices installed, EXPOSED FOR INSPECTION.
BEAUFORT COUNTY	Rough-in. On new structures FR, PL, EL and HV must all be complete before calling for inspection.
BEAUFORT COUNTY	Framing. All framing complete. At least one set of code-approved stairs to each floor level required.
BEAUFORT COUNTY	Plumbing Rough-In. All plumbing stub outs complete. After the roof, framing, fire blocking, and bracing are in place. Plumbing pressure test required.
BEAUFORT COUNTY	Electrical Rough-In. All wiring to be concealed in ceiling or wall membranes shall be installed. To be done after roof, framing, fire blocking, and bracing is in place.
BEAUFORT COUNTY	HVAC Rough-In. All ductwork and electrical wiring for heating and air to be installed prior to this inspection.
BEAUFORT COUNTY	Insulation. All concealed insulation in place.
BEAUFORT COUNTY	Permanent Service. Approved set of plans at the job site. All electrical installations to be complete or properly terminated. At least 1 set of final code approved stairs to each level.

BEAUFORT COUNTY	Certificate of Occupancy. Building must meet all requirements for immediate occupancy.
ARB	<p>Final Inspection. This inspection will be completed by the ARB or its representative and will insure that the building is complete in accordance with approved plans and color and material samples, landscaping is in place and 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.</p> <p>Upon submission of a copy of a certificate of occupancy from Beaufort County the ARB will conduct an inspection.</p> <p>Upon submission of a copy of a certificate of occupancy from Beaufort County the ARB will conduct an inspection.</p> <p>Refundable deposits will be refunded within (30) calendar days of an acceptable final inspection.</p>

### VIII. EXISTING HOME GUIDELINES

The primary purpose of the Declaration of Covenants and Restrictions for Berkeley Hall and Provisions for the Berkeley Hall Property Owners' Association, Inc. and the Architectural Guidelines is to regulate the creation of a community, which is aesthetically pleasing and functionally convenient for all residents and visitors. These restrictions governing proposed homes, homes under construction and existing homes require every home in Berkeley Hall to be maintained in a manner conforming to these guidelines.

- A.** Repainting or Re-staining: A letter requesting approval must be submitted to the ARB along with samples. When approved, letter will notify the applicant. Repainting or re-staining may not take place until the approval letter has been issued. This includes re-painting and re-staining a house the same color.
- B.** Improvements: No alteration, including painting or staining affecting the exterior appearance of any building, structure or landscape shall be made without prior approval of the Board. A request for approval must be submitted to the ARB, including a completed Review Board application form, all drawings necessary to define the proposed improvement, color samples and site stakeout. When approved, a Berkeley Hall Certificate of Plan Acceptance must be issued prior to commencement of any clearing, material delivery or construction.
- C.** Landscaping: Every property owner is responsible for preventing the development of any such unclean, unsightly or unkempt conditions of buildings or yards which shall reduce the beauty of the neighborhood as a whole or the specific area. In formal 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, fountains, lighting, game structures, drives, walks, landscape structures and statuary must be approved by the Board.

- D. **Mailboxes and Signage:** The use of any sign, including those for the purpose of identification, renting or selling of a property, is prohibited. Single-family homes shall be identified only by the property owner's surname(s) on the mailbox, only as provided by the POA, and house identification number. Owners' names and house names shall not be placed on the front of homes or on signs placed on lots, except on the approved construction signs or lot signs placed by the developer.

The approved builder sign for use during construction of home in Berkeley Hall is shown in Exhibit A of these guidelines and will be purchased from the approved ARB sign contractor.

## **IX. FEES**

- A. Non-refundable permit fee paid by the Builder or Owner payable to Berkeley Hall Property Owners Association.
- B. Non-refundable street use fee paid by the Builder payable to Berkeley Hall Property Owners Association.
- C. Refundable, payable to Berkeley Hall Property Owners Association. By the Builder, these fees held on deposit until:
1. Construction is in full and complete compliance with those plans approved by the ARB. Non-compliance with approved plans can result in the ARB remedying the non-compliance and levying a lien upon the land and improvements until reimbursed for its expenses.
  2. Any damage to adjacent lots, street, common area or public utilities, which shall include cable television and telephone lines, has been resolved.
  3. Trash, building materials, contractor's equipment or temporary buildings have been removed from the lot, or adjacent lots.
  3. The residence is complete.

<b>FEE SCHEDULE</b>	<b>NON-REFUNDABLE</b>	<b>REFUNDABLE</b>
New Construction Permit	\$500.00	\$1,500.00
Street Use Fee (new construction only)	\$500.00	-0-
Addition Permit to include structure, swimming pool or fence	\$250.00	\$500.00
Landscaping Permit	-0-	\$1,500.00

- D. Fines
1. The ARB may levy fines for violations of the Rules of Berkeley Hall and its decision shall be final.
  2. A violation will be considered a separate offense for each and every day the violation is permitted to remain uncorrected.
  3. Fines will be deducted from the refundable deposits.

**X. DISCLAIMER**

The foregoing rules have been adopted to assist the ARB in exercising its powers and performing its duties pursuant to the Declaration of Covenants for Berkeley Hall and Provisions for the Berkeley Hall Property Owners' Association, Inc. Compliance with these rules is not intended to guarantee that the proposed improvements will satisfy all the requirements of the Amended Master Declaration, 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 the foregoing paragraph.