

**PALMETTO DUNES
PROPERTY OWNERS ASSOCIATION, INC.**

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

**For Residential
Construction or Remodeling**

ADOPTED BY: Palmetto Dunes Property Owners Association, Inc.

EFFECTIVE DATE: July 2001

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FORWARD

Covenants	<p>Recorded among the Beaufort County land records is a Declaration of Rights, Restrictions, Conditions, etc., which constitute covenants running with certain lands in Palmetto Dunes. These covenants, as we shall refer to them, run with the deeds to that land, regardless of from whom and/or from what company it was purchased.</p> <p>These covenants were established, among other things, to assure and preserve certain high standards of aesthetics and materials, to provide all property owners with ample opportunity to make the best use of their property in a manner in keeping with rights and values of the adjoining property, and to create certain procedures to enable the community to permanently control the quality of its neighborhoods.</p> <p>The covenants, to which homeowner lots are subject, specifically provide for an Architectural Review Board and the implementation of architectural guidelines. While the covenants identify and outline certain architectural conditions and restrictions, they also address other topics. In addition to the covenants, Palmetto Dunes Property Owners Association, Inc. (hereinafter referred to as PDPOA) has established architectural policies, procedures and guidelines that are explained throughout this document. This document is not intended to be on the same level of authority as the covenants and, unlike the covenants, may be amended or modified at the sole discretion of the PDPOA.</p>
Specification Review	<p>Architectural review of specifications for new construction, additions, re-constructions, alterations, or changes to structures and landscaping; decisions thereof are solely determined by the Palmetto Dunes Architectural Review Board (hereinafter referred to as ARB).</p> <p>"No building, wall, fence, sign, swimming pool, roof, exterior light or other structure or improvement shall be commenced or erected upon the exterior of any structure nor shall any building permit for such structure or improvement be applied for, nor shall any landscaping be done, nor shall any addition to any existing building or alteration or change therein be made until the proposed building plans, specifications (including height, color of roof, siding, etc., materials, and exterior finish), plot plan, landscape plan and construction schedule shall have been submitted to and approved by the Architectural Review Board or Greenwood, as provided by Article VIII hereof." (Palmetto Dunes Covenants, Article 111, Section 3- 1)</p>
Aesthetic Considerations	<p>Property owners and their architects are to use original designs and varied materials to avoid a stereotypical home. It is important to realize that the overall impact of a house design involves considerations of taste and judgment that cannot be based purely upon aesthetic considerations, has been recognized and upheld by the South Carolina Supreme Court.</p>
Adherence to Guidelines	<p>Adherence to the policies, procedures and guidelines in this document is essential to achieving a combination of high quality home/landscape design,</p>

overall diversity and individual expression within the context of a cohesive and harmonious community design setting which is accomplished in a manner that is compatible with and complements the natural surroundings, climate and other environmental factors indigenous to this area. Although most local architects, designers and contractors will be familiar with the information contained herein, property owners are urged to verify that the design, construction and landscape professionals they select are, in fact, thoroughly knowledgeable as to the content of this document.

The Architectural Review Board

The PDPOA has created an ARB consisting of five to seven volunteer members, including a chairperson.

The ARB meets on a regularly scheduled basis to review all plans for construction, provide recommendations, discuss the general appearance of the community and appropriate actions to improve its aesthetics, and work with owners, architects, builders, and landscapers to assure that high standards are being maintained. By approval of such plans, the ARB assumes no liability for structural design or damage to other property during the approved construction. Further, it should be noted that if some portion of the approved plans were, due to inadvertent oversight by the ARB, in violation of the Palmetto Dunes covenants, such approval would not later prevent the ARB from seeking enforcement of the covenants. The authority of the ARB is derived from the covenants. **In any instance where the information contained herein conflicts with the covenants, the covenants shall control. In any instance where the information contained herein conflicts with the ARB permit application, this document shall control.** Additionally, the decisions of the ARB are not and will not be bound or restricted by any precedent relating to existing residential construction/ landscape on any other lot within Palmetto Dunes.

Liability

The Board assumes no liability as to the adherence to building codes, as that remains the sole responsibility of the owner, along with the architect and the builder.

Written Notification

APPLICANTS WILL BE NOTIFIED IN WRITING OF ALL ARB DECISIONS.

Oral representations of ARB decisions shall be non-binding on the ARB. No approval of plans/locations and specifications by the ARB shall ever be construed as representing/ implying that such plans/locations and specifications will, if followed, result in a properly designed residence or will comply with pertinent law. Such approvals shall in no event be construed as representing or guaranteeing that any residence will be built in a good workmanlike manner. *No implied warranties of good workmanship, design, habitability, quality, fitness for purpose or merchantability shall arise as a result of approvals made by the ARB.*

Oral Representation

No person has been authorized to give any information or make any representation not contained in this document and, if given or made, such information or representation must not be relied upon as having been authorized by the e ARB.

Inquiries

Questions should be directed to the ARB office at (843) 785-4937.

PALMETTO DUNES PROPERTY OWNERS ASSOCIATION, INC.

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

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1.0 GENERAL POLICIES

Owners, builders, contractors, and landscape professionals are to observe the Covenants and ARB Policies, Procedures and Guidelines (PPG) and ensure adherence by all sub-contractors.

1. The property owner is the ultimate responsible party.
2. Adherence to plans, as they are submitted and approved, is required. Changes to approved plans must be submitted on a Change Request Form. *Revised plans clearly showing changes must be submitted and approved prior to site changes being made.*
NO EXCEPTIONS!
3. Plan approvals are dated and are effective up to twelve (12) months from date of approval. Construction on new residences is to begin within 12 months of final plan approval and is to be completed within one year **following issuance of ARB Building Permit**. Landscape installation, which is not considered part of construction of the house, shall begin within 30 days of completion of the house.
4. Lot clearing is not permitted until the ARB Clearing Permit has been posted. Construction, other than the foundation, is not to begin until the ARB Building Permit has been posted.
5. Builder is responsible for providing water and electrical service at the job site prior to starting any work that requires their use. Water and electricity usage from neighboring properties is prohibited.
6. Work is to be performed Monday through Friday between 7:00 a.m. and 7:00 p.m. Saturday work is permitted only by request. Contact the ARB office before Friday, 2:00 p.m. Saturday work hours are 8:00 a.m. until 1:00 p.m. SATURDAY WORK MUST BE QUIET WORK ONLY! Noise or noxious behavior complaints from property owners will require the ARB or Security to shut down the job and a penalty will be imposed. Work is not authorized on Sundays and national holidays.
7. The construction site is to be kept in good appearance at all times. Construction area is to be free of debris at the end of each day or job will be shut down. No burning or dumping is permitted in Palmetto Dunes.
8. Store all materials on the building lot and not adjacent property. Access to building site by means of adjacent property is not permitted. If it is not possible to perform construction work without using common property for access, the applicant may request permission to do so from the ARB. Permission to use privately owned property must be obtained in writing from the owner and a copy provided to the ARB. Any damage must be repaired to its original condition.
9. All vehicles must be parked off the street and on the construction site.
10. Noxious or loud music or behavior will not be allowed on the construction site. No fishing or hunting by construction workers is permitted. No pets of construction workers or any persons not associated with the job shall be allowed.
11. The owner shall provide a temporary driveway entrance, with appropriate ground cover, connecting the lot to the street at one point, so as not to interfere with drainage along the street. Street pavement must be kept clean during construction. Costs of repairs and maintenance to off site areas damaged in the construction process are the responsibility of the owner.

2.0 SUBMISSION PROCEDURES

2.1 NEW CONSTRUCTION

1. All Architectural Review Board (ARB) applications, requests and forms are to be completed in their entirety and signed by **ALL** applicable parties. An administrative fee is due upon submission of the documents.
2. All ARB applications, plans and related documents must be submitted to the ARB office at least one (1) week prior to the scheduled ARB meeting.
3. All plans and documents, submitted to the ARB pursuant to these requirements and procedures, become the property of the ARB.
4. All surveys shall have the seal of a South Carolina licensed land surveyor - no exceptions. For new houses, major additions and other significant exterior alterations, owners are required to submit plans professionally prepared by an architect or residential designer. For minor changes, clear, legible drawings prepared by the owner or contractor may be sufficient, **The ARB Administrator, Chairperson or the Board members shall determine if drawings are sufficiently clear and detailed for the ARB to review.**
5. The applicant or their representative may make a presentation at an ARB meeting. A written decision will be provided subsequent to the meeting Oral determinations shall not be rendered.

2.1.1 CONCEPT

For concept approval, an artist's rendering or a schematic rendering may be submitted to the ARB, along with other required documents specified on the application form. The ARB will furnish a written opinion as to the acceptability of the design.

2.1.2 PRELIMINARY

For preliminary approval, all documents cited on the application form must be submitted to the ARB. Preliminary approval does not constitute approval for lot clearing or construction activity of any kind.

2.1.3 FINAL

For final approval, all documents specified on the application form must be submitted to the ARB. Final approval does not constitute permission to commence any construction on a building site, including lot clearing and tree removal until proper permits are posted.

2.2 COMPLETE SUBMISSIONS

1. Any submission that does not include all documents and signatures as cited on the relevant application form will not be considered.
2. The ARB office must receive: A copy of Broad Creek Public Service District (PSD) Water/Sewer Application; Town of Hilton Head Island Building Permit; fully executed ARB Compliance Deposit Agreement along with compliance deposit; fully executed Owner/Contractor Agreement and foundation survey before an ARB Building Permit will be issued.

2.3 CONSTRUCTION

Construction on new residences is to begin within 12 months of final plan approval and completed within one year following issuance of ARB Building Permit.

2.3 CHANGE REQUESTS

*Change request forms must be submitted for ANY change to approved plans. Revised plans clearly showing changes must be submitted and approved **prior** to site changes being made. **NO EXCEPTIONS.***

3.0 FEES REQUIRED

3.1 ADMINISTRATIVE FEE

A non-refundable administrative fee is due with initial application. The check is to be made payable to Palmetto Dunes ARB. The submission fee covers four submissions (concept, preliminary, final and one additional). For each additional review, a \$100 fee will be imposed.

3.2 COMPLIANCE DEPOSIT

1. A compliance deposit is due after final approval of the plans and prior to the issuance of any ARB permits. The check is to be made payable to Palmetto Dunes ARB.
2. The compliance deposit is refundable.
3. Compliance deposit funds are deposited in an interest bearing account with interest accruing to the benefit of the ARB. Such funds shall be retained by the ARB pending satisfactory completion of a project in accordance with plans approved by the ARB and in accordance with the covenants.

3.3 WATER/SEWER

For new residential construction, water/sewer fees must be paid to Broad Creek PSD and a copy of the receipt must be furnished to the ARB.

4.0 PERMIT PROCEDURES AND REQUIREMENTS

4.1 CLEARING PERMIT

No clearing is allowed until the ARB Building Permit is posted.

1. Once cleared, stake all property corners and designate all property lines by strings between corners. Stakes and strings are to remain in place until completion of construction.
2. Furnish a certified foundation survey to the ARB office.

4.2 TOWN BUILDING PERMIT

A copy of the Town of Hilton Head Island Building Permit is to be provided to the ARB.

4.3 ARB BUILDING PERMIT

Once the foundation survey has been received in the ARB office, and approved, along with the copy of the Town of Hilton Head Island Building Permit and copy of the Broad Creek PSD Application for Water/Sewer Service, an ARB Building Permit will be posted at the site. No vertical construction, above finished floor level, can commence until the ARB Building Permit is posted at the site.

4.4 SITE REQUIREMENTS

1. Place a portable toilet facility on the property with door facing away from street and adjoining houses. Minimum setback from street is 15 ft. Toilet should be kept clean and odor free. Remove promptly at completion of construction.
2. Place trash receptacle on the lot. Minimum setback from street is 15 ft. Empty when full. Remove promptly at completion of construction. Full containers over a weekend or holiday are not permitted. **NOTE:** *The ARB has the right to contract for cleanup at owner expense should the contractor fail to maintain a neat and orderly work site.*
3. Place a builder's sign on the property; one sign per site on street side; maximum size is 4 ft. x 4 ft.; single faced only with sign face parallel to street; setback from street is 10 feet.
4. Post the Town of Hilton Head Island Building Permit on area provided on or next to builder's sign.

5.0 SURVEY/CERTIFICATE REQUIREMENTS

1. A copy of the **Foundation Survey** is to be provided to the ARB.
2. A copy of the **Certificate of Elevation** is to be provided to the ARB.
3. Upon completion of the home, a copy of the **Certificate of Occupancy** is to be provided to the ARB.
4. Upon completion of the home, a copy of the **As-Built Survey** is to be provided to the ARB.
5. Palmetto Dunes has a 47 ft. AMSL **Height Restriction**. Caution should be exercised to ensure that the finished roof does not exceed this height. **A height survey, certified by a registered surveyor, is required for any structure dimensioned at 45 ft. or more. The survey must be furnished to the ARB office at the completion of framing.** (A sample detail will be furnished on request.)

6.0 INSPECTIONS

6.1 CLEARING

1. Trees for removal, as shown on final approved site plan, are to be marked with red tape. All other tape is to be removed.
2. Stake all property corners. Mark all property lines with string.
3. Stake/string perimeter of buildings, including decks, swimming pool and driveway.

6.2 INTERIM

Throughout the construction period, ARB members will inspect the site.

6.3 FINAL

A final inspection will be conducted when the ARB office has been furnished with the following:

1. Request from the owner/contractor for a final inspection
2. A copy of the Certificate of Occupancy
3. A copy of the As-Built Survey
4. A set of as-built elevations

Note: If plans do not match construction and subsequent inspections are necessary, subsequent inspections will be assessed at \$50 each.

7.0 UNDERBRUSH REMOVAL / BUSHHOGGING

1. An undeveloped lot must be kept free of excessive debris such as fallen trees, limbs and underbrush. However, the lot may be left in a natural state unless it becomes unsightly or unsafe as determined by the ARB.
2. Underbrush removal is considered an alteration of vegetation characteristics of a lot. No underbrush removal is permitted until an ARB Permit is posted. A fee may be imposed.
3. Except as provided in the covenants, trees (including wax myrtles, palmettos, pines, oaks, etc.) of any size are not to be removed under any circumstances unless they are dead. Dead trees, if any, are to be flagged with red tape and inspected/approved for removal by the ARB prior to removal. If approved, a permit for removal of the approved trees will be issued.
4. Underbrush removal is not permitted on the ocean side of the Ocean and Coastal Resources Management (OCRM) critical boundary line.
5. All debris/refuse from underbrush removal is to be removed from the property no later than 72 hours after commencement. Underbrush removal is to be scheduled so that no debris/refuse is left on the site over any weekend/holiday. No burning or dumping of any kind is permitted.

8.0 SITE CLEARING/TREE REMOVAL

1. All underground utility locations are to be flagged prior to any clearing, grading or digging. Call 1-888-721-7877 to make arrangements. The Underground Utility Damage Prevention Act of July 18, 1978 provides for a penalty of \$1,000 to the person doing the excavating if the utility involved has not contacted.
2. No trees of any kind above five (5) inches in diameter at a point four (4) feet above the ground level may be removed without the written approval of the ARB and posting of the ARB permit. All trees to be removed outside the building envelope are to be designated on the site plan with the reason for removal (e.g., dead, diseased, top missing).
3. Any and all trees impacted by the construction site must be barricaded against damage. Substantial mulch must be placed within the barricade around the base of every tree, extending out 3 to 4 feet. Under no circumstance should building materials, equipment or vehicular traffic or parked vehicles come into contact with trees on the site.
4. Any intended clearing (includes pruning/limbing) along the waterfront must be approved prior to clearing. Wax myrtles are sometimes abundant along the water and these plants need to be preserved relative to ecological factors and erosion control.

5. In areas where tree removal results in a significant treeless or barren area, tree replacement/addition is required.

9.0 TREE REMOVAL/TRIMMING

An ARB Permit is required for the trimming and or removal of trees on property with existing homes. There is usually no fee involved. When the trees have been marked, call the ARB office (785-4937) with the name of the contractor. An inspector will visit the site, and upon approving the site, will post a permit. Work may not commence until the permit is posted at the site.

9.1 TREE PRESERVATION

1. Trees designated as preserved are to be protected by sturdy barricades and mulch as close as possible to the tree's drip line.
2. Root compaction is to be avoided within the drip line of trees to remain.
3. Assignment of designated parking areas is crucial.
4. Designate an area well away from trees for storage of building materials.
5. Caution should be exercised when making grade changes around trees. Tree wells are encouraged.
6. Clearing around trees should avoid use of heavy root raking equipment, which may damage or destroy root systems, resulting in tree failure.
7. If, in the judgment of the ARB, a tree is damaged/destroyed due to carelessness or avoidable activities on the part of the owner or contractors, the ARB will require suitable replacement. A portion of the compliance deposit may also be retained as a penalty.
8. An arborist's services are required for preservation of specimen trees.

10.0 FILL/GRADING/DRAINAGE

1. *Architectural design/building siting should be integrated into existing site conditions in order to prevent excessive disruption of the native site. Unsightly grading, indiscriminate earth moving or clearing of property, and removal of trees and vegetation that could cause disruption of natural watercourses or sear natural landforms or destroy native plant groupings are prohibited.*
2. Fill/grading is to be designed to prevent standing water and assure no run off to adjoining properties.
3. The property owner must submit a certified drainage plan.

10.1 EASEMENTS

Improvements by a property owner within a casement are subject to disruption by the owner of the easement and need not be replaced.

10.2 OCEAN

1. The portion of beachfront property towards the ocean of the OCRM critical boundary line is subject to the OCRM's rules and regulations. Clearing/construction of any kind is subject first to their approval. A copy of their letter of approval is required by the ARB.
2. Owners of beachfront property may not remove, reduce, cut down or otherwise lower the elevation of sand dunes and ridges located on the

ocean-side portions of any beachfront properties without prior written approval from the OCRM and the ARB.

3. In order to preserve the natural appearance and scenic beauty and to minimize erosion, the covenants establish a construction and clearing restricted zone on all lots or parcels adjoining the ocean, lakes or lagoons. That portion located within thirty (30) feet of the average high water mark shall be preserved substantially in its present natural state except for moderate clearing for view and breeze. Construction and major clearing of trees and underbrush in this area must be specifically approved by the ARB.

10.3 DUNES CROSSOVER

1. The dune is to remain as is and is to be protected during the construction process. No trees, shrubs or existing vegetation may be removed or pruned without ARB and OCRM written approval.
2. On a case-by-case basis, a dunes crossover may be permitted. Written OCRM approval is required.
3. A site plan, showing exact location and construction/elevation details is required, including a profile of the crossover with respect to the dunes.

11.0 LAKES AND LAGOONS

11.1 DOCK

1. The dock may extend a maximum distance of six (6) feet into the water and have a maximum width of 12 feet.
2. The minimum setback from the edge of the dock to the side property lines is 20 feet.
3. A site plan that shows exact location and construction/elevation details is required.
4. Lights will be considered by the ARB. Details or a cut sheet of the fixtures are to be furnished and shown on the site plan.

11.2 BULKHEAD

1. A site plan showing exact location and construction elevation details, including color/finish and a landscape plan are required.
2. The bulkhead is to be constructed adjacent to and at a level near the existing grade to allow proper drainage.
3. Bulkheads are not permitted on lots bordering enclosed lakes.
4. The bulkhead is to be designed to follow the contour of the property line. Corners of the bulkhead are to be angled and extended into the property a minimum of 6 feet from the corner markers of the actual property line in a manner as to minimize soil washout on adjoining lots that are not bulkheaded. If the adjoining lots have bulkheads, the proposed bulkhead is to be tied into that existing bulkhead(s) to prevent washout and promote a smooth/natural transition between them.
5. **Partial bulkheads are not permitted.**

11.3 BOAT RAMP

A site plan, showing exact location and construction/elevation details, including color/ finish, is required with all boat ramp submissions.

12.0 FENCES AND WALLS

1. Fences and walls, other than service yard enclosures, are strongly discouraged. The use of tall plant materials or earthen berms with plant materials is encouraged.
2. A site plan, showing exact location and complete construction details, and a landscape plan are required.

13.0 GAZEBO

1. The gazebo is to be compatible with the design elements of the house.
2. A site plan, showing exact location and complete construction/elevation details, and a landscape plan are required with all gazebo submissions.

14.0 POOL & SURROUNDING DECK

1. Pool/surrounding deck setback is 20 feet from side property lines and 30 feet from the rear property line.
2. Pool equipment, including heaters, tools and chemicals are to be located in a service yard. Underground propane tanks may be located outside the service yard, but must be a minimum of 10 feet from the property line. Pool backwash/drain hose is to be located in such a manner as to assure that water remains on owner's property. Flexible/collapsible surface hoses are not acceptable. Pump motor location is to provide minimal noise disturbance to adjoining properties.
3. *Landscaping for pool additions should complement or enhance the existing property.*
4. A site plan, showing existing trees, exact location and complete construction details, as well as a landscape plan are required.

15.0 DRIVEWAY

1. Driveway setback is a minimum of 5 feet from the property line (includes road right-of-way area).
2. All driveway/parking areas are to be paved.
3. Material for driveway must be submitted for approval.
4. A culvert under the driveway may be required if drainage is affected.
5. Space for parking at least two automobiles on the site must be provided.

16.0 PARKING AREAS

Parking areas are usually incorporated with driveways. A separate parking area will be considered upon submission of a site plan showing the specific dimensions and location.

17.0 RESIDENCE

1. Architectural sitings should ensure that location and configuration of structures are visibly harmonious with the terrain and vegetation of the home site and with surrounding home sites and structures.
2. Every residence should be a carefully planned addition to its natural setting. The new residence should provide interest and be compatible with neighbors.

3. The aesthetic appearance of a residence depends greatly upon the articulation of the siding, roofing, decks, and fenestration, etc. Fences or walls are to be used to enclose service areas and HVAC units. Details at the soffit, fascia, base, corners, windows and decks should have common elements that help unify the appearance.
4. Maximum roof height allowed is 47 feet AMSL. Chimney height is left to the ARB's discretion. Chimney exteriors shall be of masonry construction - brick, tabby or stucco. Exposed metal flues are not permitted. Prefabricated chimney flue caps shall be screened with a metal or other non-combustible material shroud.
5. Only one detached single-family residential unit not to exceed two (2) habitable stories is allowed on each site. The finished first floor elevation must meet FEMA requirements.
6. The enclosure of a raised foundation must receive the same careful attention to detail and finishes as the main portion of the house. Foundation walls are to be stucco or similar material. Exposed wooden/round pilings are not acceptable. The raised foundation must be fully enclosed with a foundation wall or a combination of foundation wall, louvers or the like. Lattice is not acceptable. All foundation wall openings (on all elevations) are to be of the same design and material treatment, including attached porches, stairs, decks, etc. The exterior wall of the raised foundation is to be the same color as the remainder of the house or match other house trim.
7. Due to flood elevation requirements, high foundation walls may be necessary requiring careful architectural design to reduce their apparent height and massiveness. Pier foundations with louvered openings and terracing of decks, stairs, planters, etc., may help reduce massiveness of the walls.
8. Exterior walls are to be of stucco, wood or other approved material. Vinyl or aluminum siding is not approved.
9. House elevation or floor plans that are exact or modified plans of a structure previously constructed in Palmetto Dunes, must be so noted on the ARB Application.

18.0 EXTERIOR/INTERIOR REMODEL

Exterior remodeling requires an ARB permit. Interior remodeling may require an ARB permit. Please contact the ARB office (843-785-4937) before work begins.

19.0 SETBACKS

1. Setbacks are measured from the nearest vertical construction, 3 feet or greater in height.
2. The minimum setbacks from their respective property lines are as follows: front- 30 feet; rear- 50 feet; each side - 15 feet.

20.0 GARAGES

1. A detached one-story garage may be constructed provided it does not overcrowd the site.
2. A second story over the garage is permitted provided the garage is attached to the residential unit. The peak of the garage roof is to be at the same height or lower than the peak of the house roof.
3. Front entry garages are discouraged. However, when a side entry is not possible the garage is to have two single doors and be heavily screened from street view with full evergreen, screening type landscaping effective immediately at installation.

21.0 DETACHED GUEST SUITE

A detached guest suite, without a kitchen, may be included, provided it does not overcrowd the site. The suite may not be rented or leased separately.

22.0 SERVICE YARD

1. An attached service yard is required to contain heat pumps, air conditioning equipment, electric or gas meters, cable or telephone boxes, irrigation boxes, pool equipment, propane tanks or garbage receptacles. Underground propane tanks may be located outside the service yard, but must be a minimum of 10 feet from the property line.
2. Service yards are to be similar in design to complement the house. Lattice or similar see-through material is not acceptable, Overlapping siding, stucco or louvers, are acceptable.
3. Service yards must meet setback requirements.
4. Landscaping around the perimeter of the service yard is required.

23.0 DECKS

Decks are usually an integral part of the house design. A site plan, showing exact location and construction details, along *with* a landscape plan are required.

24.0 SQUARE FOOTAGE REQUIREMENTS

1. The minimum square footage requirements for the enclosed dwelling area of residential units constructed on the various lots are: Beach/Lagoon areas 2,000 s.f.; Golf Fairway/ Woodland areas - 1,800 s.f.; Inverness area - 1,800 s.f.
2. An enclosed dwelling area is the total area enclosed in a dwelling and includes areas of screened porches, if the roof of such porches forms an integral part of the roof line of the main dwelling or if they are on the ground floor of a two story dwelling. Areas of garages, patios, terraces, decks, open porches and shed type porches even though attached to the dwelling are specifically excluded.

25.0 COLOR SELECTIONS: NEW OR EXISTING RESIDENCES

1. Whether building a new home or making improvements to an existing structure, ARB written approval of color selection is required prior to installation, Painting or staining may not take place until the ARB Permit has been posted. This includes repainting or restaining a house the same color,
2. "Chips" of all color selections, including picture of and color selection for front entry door, need to be labeled and submitted for approval on white hard board approximately 8" x 11". All stucco color selections are to be submitted on stucco. A "chip" is not acceptable.
3. Larger samples, when required, are to be submitted separately and in addition to the color board. These larger samples of the exterior color and finish of all materials proposed for the building are to be submitted on actual samples of materials proposed for use. These samples are most important to both the owner and the ARB in evaluating the eventual appearance of the house as color chips often vary greatly from actual applications.
4. For new construction, a separate color selection display board, approximately 2 feet wide by 6 feet high, must be placed on the building site in full view of the street.

Color samples displayed should be proportionate to their use and displayed on the finish to be used.

5. All vertical construction is to be painted or stained and includes hand or deck rails, posts, stair risers, lattice, columns, etc. All vents are to be painted to blend with the area in which they are located.

26.0 ROOFING: NEW OR EXISTING RESIDENCES

Whether building a new home or replacing the roof on an existing residence, ARB approval is required prior to installation. On existing structures, this applies even if the roofing color and material is not being changed. An application for reroofing must be obtained from the ARB office. No vents, skylights or solar collectors should project above the front plane of the roof. Roof vents are to be painted to blend with the roof.

27.0 LANDSCAPE PLAN

1. The landscape plan is to be designed by a landscape architect or design professional using a scale of 1/8 inch equals 1 foot on a site plan incorporating the tree survey and topographical information.
2. The plan is to show locations of all existing landscape and improvements. The location of new plants is to be in relation to the building's elevations and design to achieve a cohesive and harmonious setting.
3. Plants are to be drawn to scale of their approximate size at maturity according to American Nurseryman's Standards.
4. Plant schedule is to be incorporated on the landscape plan showing the associated plant symbol/abbreviation, common name, size (height, spread, & container size), and quantity used.
5. All foundations (e.g., house, deck, garage, service yard) are to be fully landscaped on all sides. Foundation plants are to be full size and provide a minimum of 50% foundation height coverage at installation,
6. Garage entrances, parking areas, site utility boxes, service yards, swimming pools, etc., are to be fully screened from the street and adjoining properties with mature evergreen plants that provide screening upon installation.
7. The portion of all residential lots within 30 feet of the lot line bordering golf courses shall be in general conformity with the overall landscaping pattern of the adjoining golf course area.
8. Sod is encouraged to the edge of the street. Property owners are responsible for landscape maintenance of this area.
9. Landscape enhancement items such as lights, stepping stones, paths, benches, fountains, statues, etc. are to be shown on the landscape plan.
10. Leaving some areas in their natural state may be appropriate.
11. Inclusion of an irrigation system is highly recommended because there may be extended periods of warm weather with little rain. Rain sensors are required on irrigation systems to prevent functioning during periods of significant rain and shortly thereafter.
12. Use of mature plants is strongly recommended. Native plants that are deer resistant, drought tolerant, and winter hardy are encouraged. Heavy foliage evergreen plants are to be used for all screening applications.
13. The land along the edges of lagoons and lakes is an environmentally sensitive area. ARB approval must be obtained before removing (e.g., trimming pruning) any plant

material in this area. During bulkhead installations, some plant replacement may be required adjacent to the bulkhead.

14. Curbing (e.g., posts, rocks, railroad ties, landscape timber) along the street edge is strongly discouraged and generally not permitted for both aesthetic and safety reasons.
15. The landscape plan is to be submitted to the ARB with the final application.
16. At final inspection, the ARB, in its sole judgment, will determine whether the landscape design intent has been met.

28.0 EXTERIOR ELEMENTS

28.1 ANTENNAS

- I Property owners may install television satellite dishes with a maximum diameter of I meter (39.4 inches) without ARB approval. The satellite dish is to be inconspicuous from the street, amenity, and neighboring properties. If mounted on a structure such as house, garage, dock, it is to be of the same color as the structure. If located on or near the ground, it is not to be visible from the street, amenity, or neighboring properties that may necessitate screening with evergreen landscape.
2. Satellite dishes larger than I meter in diameter and/or other types of exterior antennas require ARB approval. A site plan showing location of the antenna, along with details/cut sheet of the antenna are to be furnished and shown on a site plan.

28.2 AWNINGS

1. Awnings may be installed on residences with ARB approval. Awning color should be compatible with the exterior colors of the house.
2. A site plan and elevation view(s), showing details of construction, along with a sample of the awning material, are required with all awning submissions.

28.3 BASKETBALL BACKBOARDS

A single backboard may be installed at a residential home site, without need for an ARB permit, provided the following guidelines are met:

1. The backboard is to be placed at the side of the residence and the front surface of the backboard is to be set perpendicular to the street.
2. Backboards made of transparent Plexiglas or with muted neutral color are preferred. Bright (red, orange, etc.) stripe accents are not permitted.
3. The wooden or metal post which supports the backboard and the back of the backboard should be painted Charleston green, black or to match main body of house,
4. A landscape buffer is to be installed to screen the backboard from view from the street and adjoining properties (includes golf course/ lagoons).
5. The responsibility for the continued general appearance, maintenance and upkeep of the basketball backboard and surrounding area is the responsibility of the respective property owner.
6. The ARB reserves the right to require adherence to the above guidelines that, in its sole judgment, have not been followed.

28.4 CLOTHESLINES

Exposed clotheslines are prohibited.

28.5 FLAGPOLES AND STATUARY

1. Statuary elements are normally permitted only in the rear of the residential lot and within established building property line setback, guidelines. Bright or glittering objects shall be completely screened by landscaping from view outside the lot. All plumbing and electrical fixtures associated with statuary elements shall be adequately screened.
2. Flag or banner poles are usually permitted only in the rear of the lot and not within 20 feet of the property line, with a maximum height of 20 feet above natural grade. The American flag may be displayed in the front of the house.
3. The ARB reserves the right to require adherence to the above guidelines that, in its sole judgment, have not been followed.

28.6 LIGHTING

1. Location of exterior lighting and type of fixtures shall be shown on site plan and elevations.
2. All exterior lighting shall be installed so as not to disturb neighbors, street traffic or boat traffic.
3. Exterior lighting may be provided to illuminate driveways, walkways and entryways, or to highlight landscaping features.
4. Such lighting shall be of low intensity.
5. Town ordinance requires that all exterior lights on beachfront properties be turned off after 10 P.M. from May 1 through October 31 to prevent disorientation of baby loggerhead turtles.

28.7 PLAY YARDS AND PLAY HOUSES

The ARB does allow, without formal application or permit, the placement and use of play facilities on a residential home site provided the following guidelines are met:

1. An aesthetically pleasing playhouse may be placed in the rear yard of a residence provided it is not visible (or is landscape screened) from streets, neighboring houses, and where applicable, adjoining golf course fairways and lagoons. Minimum setbacks from the rear and side property lines is 20 ft. Color of playhouse is to be neutral earth tone/color and is to blend with its surroundings.
2. A gym set (with swings, slide, etc.) may be placed in the rear yard provided it is a stained/varnished wooden structure and is not visible (or is landscape screened) from streets, adjacent homes and golf courses/lagoons. Minimum setback from the rear and side property lines is 20 ft. Gym sets that are not wooden structures must be specifically approved by the ARB.
3. If playhouse/gym set is stained/painted, it is to match the color of the main body of the house.
4. Tents of any type are now allowed.
5. Tree houses, tree stairs or platforms or any other structure in or on a tree are strictly prohibited,

28.8 SIGNS

1. Town regulations require that each residential property must have a reflective house number easily visible from the street.
2. Builder and architect's temporary signs are permitted during construction and must be removed promptly at completion of construction.

28.9 WINDOW TREATMENTS

1. The exterior surfaces of all exterior window treatments, including hurricane protection devices, are to be compatible with and complement the exterior of the residence.
2. The exterior surfaces of all interior window treatments, such as blinds, shades, curtains, are to be subdued in color and compatible with and complement the exterior colors of the residence.

THE ARB RESERVES THE RIGHT TO REQUIRE ADHERENCE TO THE ABOVE GUIDELINES THAT, IN ITS SOLE JUDGMENT HAVE NOT BEEN FOLLOWED.

29.0 PENALTIES

The ARB has the right to impose penalties for failure to comply with its policies and decisions. The amount of such penalties are established and modified by the ARB at its sole discretion. Penalties may be deducted from the compliance deposit without advance notice to the owner. However, retention of the total compliance deposit shall in no way relieve the owner of further liability.

Penalties will be imposed for, but not limited to, the following:

1. Legal or other expenses incurred.
2. Failure to complete a project on a timely basis.
3. Failure to construct the project in accordance with approved plans.
4. Clearing without a posted ARB permit,
5. Tree pruning or removal without a posted ARB permit.
6. Failure to submit a foundation survey.
7. Failure to submit an as-built survey.
8. Failure to submit height survey where applicable.
9. Violation of any sign rule.
10. No trash receptacle on site.
11. Failure to deposit trash in receptacle.
12. Overflowing trash receptacle.
13. No portable toilet on site.
14. Failure to barricade trees as required or inadequate barricades,
15. Use of privately owned property (adjacent home sites) without providing the ARB with prior written permission from the owner.
16. Use of water or electricity from neighboring properties.
17. Use of exterior materials/colors not approved by the ARB.
18. Failure to install approved landscape/drainage plan.
19. Failure to complete exterior construction within one (1) year after issuance of ARB building permit.

THE ARB HAS THE RIGHT TO CONTRACT FOR CLEANUP, AT OWNER EXPENSE, SHOULD THE CONTRACTOR FAIL TO MAINTAIN A NEAT AND ORDERLY WORK SITE.

30.0 APPEALS

An applicant may appeal an ARB decision, which cannot be resolved, by submitting a written request to the ARB chairperson. Such request for appeal must be received within thirty days following written notification of the ARB's decision. The chairperson will forward the request to the president of the PDPOA who will select a panel composed of three property owners to hear the appeal and render a decision. The decision of a majority of the panel will be final and binding on the ARB, the owner and all other parties.

31.0 REVISIONS

These policies, procedures and guidelines are subject to periodic revision and modification.

REPEAT OFFENDERS OF THE ABOVE RULES AND GUIDELINES WILL ENDURE HIGHER PENALTIES FOR THESE OFFENSES. THESE HIGHER PENALTIES WILL BE DETERMINED BY THE ARB.