

SHIPYARD PROPERTY OWNERS ASSOCIATION

ARCHITECTURAL REVIEW BOARD GUIDELINES

ADOPTED BY: Shipyard Property Owners Association

EFFECTIVE DATE: September 2002

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1.0 ARCHITECTURAL REVIEW BOARD GUIDELINES

The following guidelines should be used for obtaining a building permit for all types of exterior construction, such as:

- New construction
- Residential, commercial or multi-family additions
- Major alterations:
 - Pools or spas
 - Repaint - new color or the same color
 - Re-shingle - new pattern or the same pattern
 - Decks or stairs
 - Service yards or porch enclosures
- Minor alterations:
 - Driveways
 - New doors
 - Window replacements

1.1 JURISDICTION

The Shipyard Property Owners' Association (SPOA) Architectural Review Board (ARB) has jurisdiction over the following:

- A. Vertical and horizontal construction, including but not limited to:
- Buildings
 - Walls
 - Fences
 - Garages
 - Driveways
 - Parking areas
 - Signs
 - Tree-houses
 - Roof overhangs
 - Pools
 - Sculptures placed in yards or on buildings
- B. Dredging and fill operations for the shaping of land areas and drainage
- C. Remodeling or altering the exterior of existing structures including:
- Additions of any kind
 - Repainting
 - Re-shingling
- D. Removal of trees that are six (6) inches or greater in diameter at four (4) feet above existing development grade

1.2 SUBMISSION PROCEDURE

Applications must be submitted to SPOA ARB on the forms provided in the Appendix of this document. For additional forms or information, call the Administrator at (843) 785-3310. The initial submission, whether conceptual, preliminary or final, must include the appropriate fee for the type of construction proposed (i.e., new residence, major addition, minor addition or renovation). The fee schedule is contained in this document.

An architect registered in South Carolina must submit the plans for new construction or major renovations (i.e., over 40% of the existing structure) of either commercial or residential properties for consideration to SPOA ARB.

A. PRELIMINARY PLANS

Submitting a preliminary plan is strongly recommended to resolve potential problems before going to the time and expense of developing construction drawings. Preliminary approval does not constitute approval for lot clearing or construction activity of any kind. In the event of disapproval, specific reasons will be stated.

Preliminary plans may include architectural schematics but must include the following:

1. A brief description of the total project
2. A tree and boundary survey of existing property
3. A site plan to scale (i.e., the same scale as the tree/boundary survey) overlaid on tree survey indicating all structures and other improvements to be included in the scheme, the trees to remain, and the trees to be removed
4. Key elevation drawings
5. Description of the exterior colors and materials selected. Note: Suggested colors are at the ARB office in the Welcome Center. Actual samples are required for final approval.

B. FINAL PLANS

Final plans must include the following:

1. **Site Plans** – All plans must be submitted in a consistent scale. Unless otherwise impractical, the scale should be 1/8" = 1' for all submissions.
 - a. If the construction is speculative, then include landscape plans. If construction is not speculative, indicate the landscaping on the site plan.
 - b. Access street(s), walkway(s), drive(s), and other exterior improvements
 - c. Grading and drainage plan
 - d. Fill plan, if any, indicating runoff and tree preservation method
 - e. Location, size, and flow direction of culvert(s)
 - f. Foundation plan if other than slab on grade
 - g. Exterior lighting
 - h. Service yard(s)
 - i. Water, electricity, and telephone service to the lot
 - j. Tree survey showing the location and species of trees six (6") inches or larger in diameter at a point four (4') feet above ground and indicating the trees to remain and the trees to be removed
 - k. A site plan to scale (i.e., the same scale as the tree/boundary survey) overlaid on tree survey indicating all structures and vertical and horizontal improvements to be included in the scheme
 - l. Location and identification of special features, such as drainage ditch, lagoon, easements, adjacent structures, golf course fairways, tennis courts, swimming pools, etc.

2. **Architectural Drawings** – All architectural drawings must include:
- a. Floor plans must include the exact computation of the square footage of each floor as well as the total enclosed heated/air-conditioned square footage.
 - b. Elevation drawings from all sides. Indicate existing grade, fill and finished floor elevation. Include treatment of the building from the existing grade and the finished floor in elevated buildings.
 - c. Detailed drawings of the following:
 - Typical wall section
 - Patio wall section, if appropriate
 - Other features that require clarification

C. EXTERIOR COLORS AND MATERIALS

Actual samples of all exterior materials are required paint and roof samples.

1.3 PLANS APPROVAL PROCEDURE

Submit Preliminary Plans, Final Plans, and Exterior Colors and Materials to the ARB, which will review them for completeness.

- A. The ARB meets on a monthly basis at the Welcome Center or as indicated. The ARB will act on most minor submissions within two weeks of receipt of the plans.
- B. The decisions of the ARB are final, pending an appeal as described in Section 7.
- C. The ARB will notify the applicant in writing of the results of the review procedure. In the ARB's decision is negative, it will explain the decision and make suggestions for corrective action. Oral representations of any decisions will be non-binding on the part of the ARB.
- D. All plans and documents submitted to the ARB, pursuant to these procedures, will remain the property of SPOA. Under no circumstances will the plans and documents be returned. Special visual aids, such as models, photos, slides, and renderings are encouraged and will not become the property of SPOA, but must be reclaimed within ten days of the review meeting.

1.4 MINIMUM REQUIREMENTS FOR A PROPOSED PROJECT

- A. **Square Footage** - Square footage must be in compliance with Covenants and Restrictions.
- B. **Setback Lines** - Minimum building setback lines from property lines to roof projection line or the nearest point of vertical construction must conform to the Covenants. If no setback is given in the Covenants, the ARB generally requires the following:
 - 50 feet – from a golf course or lagoon and from ocean-front property line
 - 35 feet – from street or road property line
 - 20 feet – from all other property lines
 - Pools - 40 feet from gold course or rear property line; 20 feet from side property line

The ARB has the authority to grant variances from these guidelines when they are justified by special circumstances, such as irregularly shaped lots, corner lots, and retention of specimen trees or for aesthetic or other reasons.

- C. **Design** – All proposed projects will be evaluated for certain technical compliances, such as minimum enclosed areas, setbacks, building heights, and minimum floor elevations. Additionally, all projects will be evaluated for aesthetics. It is important to realize that the overall impact of a house design involves issues of taste and judgment that cannot be reduced to measurable standards alone. A house that meets all the statistical criteria may be unacceptable for purely aesthetic reasons, such as scale, materials used, color, compatibility with the particular neighborhood, siting, relationship to other neighboring properties, etc. The ARB has the authority to make subjective judgments of this nature and the authority of such decisions by an ARB has been recognized and upheld by the South Carolina Supreme Court.
- D. **Materials** – The ARB requires the following materials:
- Roof:
 - Wood shingles to shakes
 - Asphalt or fiberglass shingles of 280 pound weight or better
 - Clay tiles if appropriate to the overall design and a natural color that blends with the environment
 - Metal roofs if appropriate to the overall design and a finish that weathers quickly and does not maintain a highly reflective surface
 - Exterior Walls:
 - Wood - textured plywood is not acceptable
 - Stucco
 - Brick - used or simulated used brick in earth tones
- E. **Exterior Colors** – Earth tones and environmentally blending colors are required. Extreme contrasts with the natural environment or between two or more colors on the home are not acceptable. Approved colors are on display at the Welcome Center.
- F. **Fill** -
- Slope of fill maximum 1' to 3' variance will be based on demonstrated stability and aesthetics.
 - Fill is not permitted closer than five (5') feet to the property line. **The Site Plan must show how the runoff will be handled so that no drainage problems are created on neighboring properties.**
 - Methods of preserving trees to be retained must be shown.
- G. **Adherence to Covenants and Restrictions**
- All Covenants and Restrictions applicable to the property shall be enforced, and no plan proposing to violate them will be considered.

1.5 INSPECTION

The SPOA ARB Architect or Staff conducts three inspections: Stakeout, Batter Board, and Final. **No building project, dredge, fill, remodeling, site clearing, etc. may proceed unless a permit certifying that stage of construction is in full display on the property.**

A. Stakeout (String) Inspection

Upon receipt of written final approval, the applicant may request a Stake-Out Inspection to the ARB Administrator. This inspection must be performed prior to any clearing or other site work on the property. The Stakeout must show all building corners,

driveways, walks, service yards, property lines, and setback lines. Trees to be removed must be flagged in red.

Following the Stakeout inspection, the ARB will issue a permit to clear and proceed with construction of batter boards.

B. Batter Board Inspection

Before slabs or footings are poured or work of a permanent nature begins, the applicant may request a Batter Board Inspection when the batter boards are in place.

Following the Batter Board inspection, the ARB will issue a permit to proceed with construction.

C. Final Inspection

When the applicant is ready for the Certificate of Occupancy, the applicant may request a Final Inspection.

Following the Batter Board inspection, the ARB will issue a permit to proceed with construction.

1.6 SHIPYARD BUILDING PERMIT

Once the ARB has issued its Final Approval, the applicant has paid all required Fees and Deposits, and all Town or State permits are acquired, the ARB will issue a Shipyard Plantation Building Permit for construction. **No work may be performed without a Shipyard Plantation Building Permit.**

1.7 APPROVAL PERIOD

Approvals are issued for a period of ninety (90) days. If construction has not commenced within ninety days following approval, the applicant must resubmit the plans for construction for reconsideration to the ARB. Failure to resubmit will result in cancellation of all approvals.

1.8 APPEAL OF DECISIONS

The applicant may appeal the decisions of the ARB according to the following procedures:

- A. The applicant receiving a negative decision is encouraged to revise the plans in accordance with recommendations from the ARB and resubmit them to the ARB for approval.
- B. If the applicant is unable to comply with the requirements of the ARB or feels that the requirements are overly stringent, the applicant may request a hearing before the Architectural Appeals Board. Such a request must be made in writing and should be directed to the President, SPOA, who will appoint an Architectural Appeals Board to review the application.
- C. The Architectural Appeals Board will consist of a minimum of three (3) members, none of whom may be members of the ARB. The SPOA President will chair the Architectural Appeals Board.
- D. The Chairman of the Architectural Appeals Board will convene a meeting of the Architectural Appeals Board within fifteen (15) days of receipt of the request.

1.9 CHANGES IN THE PROJECT

- A. If after the ARB has granted final approval, the applicant wants to make changes to the project that would affect any exterior design, materials, or elevation, the ARB will review the changes and issue a final approval for the changes.
- B. The applicant must submit revised, detailed plans to the ARB. Implementation of the changes may not proceed until the change is approved, in writing by the ARB.

2.0 ARCHITECTURAL REVIEW BOARD FEES

The application fees listed below are due with the initial application. Make checks payable to SPOA ARB.

Application Fees	
Commercial / Multi-Family Units	\$1,000.00
Single Family Residence	\$.20 per square foot heated or screened or \$500.00, whichever is greater, plus \$125.00 for mailbox and house number
Addition or Major Alternations	\$.20 per square foot or \$150.00, whichever is greater.
Pools or Spas	\$100.00
New Color Paint (requires inspection)	\$100.00
New Color Shingle (required inspection)	\$100.00
New Deck, Stairs, Service Yards, Porch Enclosures	\$50.00
Minor Alterations – Driveways, New Doors, Window Replacement	\$25.00
Restaining (same color)	\$25.00
Re-roofing (same shingle)	\$25.00
Tree Removal	No charge

3.0 ARCHITECTURAL REVIEW BOARD DEPOSITS

Deposits are required from both the property owner and the contractor for all new construction, major renovations, commercial or residential, including foundation work, garages, pools and spas. These deposits are due upon approval of plans and before SPOA ARB issues either a clearing or a building permit. Make checks payable to SPOA ARB. A performance bond in lieu of a cash deposit is acceptable.

Deposits are refunded unless fines or penalties have been imposed due to non-compliance with the SPOA Covenants and ARB Guidelines. Property Owner deposits are refunded within fourteen (14) days of final inspection and with full compliance with the approved plans, including the landscaping, the removal of all construction debris, and the total restoration of common areas abutting the property.

Deposits from the contractor are refunded within fourteen (14) days of final inspection and with full compliance with the approved plans, including decks, walkways, driveways abutting common areas, with the removal of portable toilet / trash receptacles, construction material, debris, contractor sign, and completion of repair to common areas damaged or built on in the construction process.

Deposits	
Residential – New Construction (Homeowner)	\$3,500.00
Residential – New Construction (Contractor)	\$2,500.00 from the Contractor only
Commercial or Multi-Family (Homeowner)	1% of construction cost on Town Building Permit or \$3,500.00, whichever is greater.
Commercial or Multi-Family (Contractor)	.75% of construction cost on Town Building Permit or \$2,500.00, whichever is greater from the Contractor only
Major Alterations requiring foundation work, including pools and garages (Homeowner)	\$1,00.00
Major Alterations requiring foundation work, including pools and garages (Contractor)	\$1,00.00 from the Contractor only
Total construction cost in excess of \$500,000.00 (Property Owner)	1% of the total construction cost, including landscaping from the Property Owner only
Total construction cost in excess of \$500,000.00 (General Contractor)	.75% of the total construction cost, including landscaping from the Contractor only. A performance bond in lieu of a cash deposit is acceptable.

4.0 PERMIT PROCEDURES

After receiving final plan approval and paying all fees and deposits, the applicant and the contractor must secure the following permits:

1. The applicant will provide a copy of the Town of Hilton Head Island Building Permit to SPOA ARB.
2. Upon notification that the items listed below have been completed, the ARB will conduct a Stakeout Inspection:
 - a. Mark trees to be removed with red tape. Remove all other tape from trees. Note: Any clearing within ten (10) feet of a golf course or waterfront must be specifically approved prior to such clearing.
 - b. Stake all property corners. Show all property lines by strings between corners.
 - c. Stake / string entire perimeter of building(s) including decks, swimming pool, drivewayWhen all items listed above are completed, the ARB will issue a Shipyard Building Permit. Until this permit is posted, no trees are to be removed nor any construction material stored on site.
3. Upon notification that the items listed below have been completed, the ARB will conduct a Batter Board Inspection:
 - a. Stake / string lot per 2.-b. above
 - b. Place a portable toilet on the property as far back on the lot as possible with the door facing away from houses. The minimum setback for a portable toilet from the street is twenty (20) feet.
 - c. Place trash receptacle on the lot. The minimum setback for a trash receptacle from the street is ten (10) feet.
 - d. Place a contractor's sign on the property; one sign per site on street side; maximum size is 4'x4'; setback from street is ten (10) feet; provide board and post next to sign to post Town and SPOA ARB Permits.
 - e. Post the Town of Hilton Head Island Building Permit on post provided.
 - f. No signs are allowed at the rear of the property or abutting a golf course.
4. Upon receipt, provide SPOA ARB a copy of the Certificate of Elevation.
5. Upon receipt, provide SPOA ARB a copy of the Certificate of Occupancy.
6. Upon completion of the home but prior to a request for refunding the deposits, provide SPOA ARB a copy of the As-Built Survey (required by lien holder) and color photographs (4"x6") of all four elevations of the completed home.

5.0 SPOA COVENANTS AND ARB GUIDELINES

The property owner, contractor, and landscaper will observe the SPOA Covenants and the ARB Guidelines during the construction period and insure that all subcontractors do likewise. Fines and/or penalties for non-compliance will be imposed. If necessary, a stop work order will be issued for repeated non-compliance. Some of the Covenants and Guidelines are listed below.

1. The property owner is ultimately responsible for contractor/subcontractor adherence to all SPOA Covenants and ARB Guidelines.
2. Adherence to the site/house/landscape plans as submitted to and approved by the ARB is required. Any changes to the approved plans must be submitted to the ARB along with a set of revised plans. Without exception, these changes must be approved by the ARB before any changes are made to the site.
3. Plan approvals are dated and are in effect for ninety (90) days from the date of the approval. Construction must begin within ninety (90) days of plan approval and must be completed within one (1) year after commencement. Landscape installation must begin within thirty (30) days following completion of the house, decks, walkways, and driveways and must be complete within thirty (30) days of receipt of Certificate of Occupancy.
4. Lot clearing is not permitted until the ARB Building Permit has been issued by the ARB, the Town of Hilton Head Island Building Permit has been issued, and both signs posted by the contractor on the structure provided by the contractor adjacent to the contractor's sign.
5. The contractor is responsible for providing water and electrical service at the job site before starting work that requires the use of water and electrical service. Using water and electricity from neighboring properties is strictly prohibited.
6. All work is to be performed Monday through Friday between 7:00 AM and 7:00 PM. Weekend work is permitted on Saturday between 8:00 AM and 5:00 PM, but the work must be quiet work inside the house. A permit is required for Saturday work and must be applied for before 12:00 Noon on the preceding Friday. Saturday work is at the contractor's/subcontractor's risk. Noise or complaints from neighboring property owners will require that Security shut down the job for the day. No work is permitted on Sundays, Christmas, Thanksgiving, or National Holidays.
7. The site must be kept in good appearance at all times. Construction must be cleaned and free of debris at the end of each day or the job will shut down. No burning or dumping of any kind is permitted in Shipyard Plantation.
8. Store all materials on the building lot, not on adjacent property. Access to the building lot via an adjacent property is not permitted.
9. All vehicles used by contractors/subcontractors must display a valid commercial decal and will not be permitted access to Shipyard Plantation before a commercial decal is issued. All such vehicles must be parked off the roadway and on the building lot.
10. All Shipyard Plantation speed and traffic regulations must be obeyed.
11. Noxious or loud music or behavior will not be allowed on the building site or within Shipyard Plantation.
12. Any cost of repairs or maintenance to offsite areas, such as neighboring lots, roadway, bike paths, right of ways, etc., that are damaged in the construction process are the responsibility of the contractors/ landscapers.

The Property Owners and Contractor(s) signing below are applying for construction within Shipyard Plantation with the full knowledge and understanding of the Shipyard Plantation Covenants and the SPOA ARB Guidelines and are responsible for adherence to all policies set forth in the Shipyard Plantation Covenants and the SPOA ARB Guidelines.

Any changes to approved plans, as submitted, must be resubmitted along with a new set of plans to the ARB for approval. Removal of trees other than those shown on the final approved plan and as approved by the ARB is not permitted. Unapproved changes to the clearing plan constitute non-compliance and fines and/or penalties will be imposed. Throughout the construction process, the ARB inspector and SPOA Board members will inspect the site to determine continuing compliance with the Shipyard Plantation Covenants, the ARB Guidelines, the ARB Application for Residential Building Permit, and the ARB approved plans. Failure of the ARB inspector or SPOA Board members to detect or object to an unauthorized change or other non-compliance activity during the construction process does not relieve the Property Owner or the Contractor of any obligation for non-compliance.

The Property Owners and/or Contractor further acknowledge that the funds so deposited will be deposited in an interest-bearing account with interest accruing to the benefit of the ARB. The Property Owners and/or Contractor further acknowledge and agree that such funds shall be retained by the ARB pending satisfactory completion of the Project in accordance with plans approved by the SPOA Board and in accordance with SPOA Covenants, ARB Guidelines, and the Application for Residential Building Permit. The Property Owners and/or Contractor further acknowledge that the ARB shall have the right to assess penalties against the Property Owners and/or Contractor for failure to complete the Project on a timely basis or failure to construct the Project in accordance with the approved plans, or failure to comply with the rules or conditions noted herein, the SPOA Covenants, and the ARB Guidelines. Any legal or other expenses incurred by the ARB relative to a matter of non-compliance shall likewise be deducted from any funds deposited by the Property Owners and/or Contractor or through assessment of the Property Owner.

The following list describes the fines for specific non-compliance activities:

Fines & Penalties	
Clearing without an ARB Clearing Permit posted	Loss of application fee and payment of additional fee prior to permit issuance
Building without an ARB Building Permit posted	Loss of application fee and payment of additional fee prior to permit issuance
Unauthorized tree removal	Any variety of Oak - \$1,000 per tree All other trees - \$500 per tree Plus the submission of a landscape plan to replace the removed trees to the satisfaction of the ARB
Unauthorized clearing within ten (10) feet of a golf course or lagoon	\$1,000 and submission of a landscape plan to replace the removed trees to the satisfaction of the ARB
Failure to request Batter Board Inspection, i.e., pre-pour foundation inspection	\$100 and AS-Built Survey required
Failure to construct in accordance/agreement with approved plans, including a siting variance greater than one (1) foot or any exterior change without prior ARB approval	\$1,000 and AD-Built drawings

Violation of any sign rule, trash overflow, failure to deposit all trash in receptacles, no trash container on site, no portable toilet on site	\$50 per item per day
Use of water or electricity from a property other than the building site	\$250 and letter of apology and payment to the property owner
Use of exterior colors not approved by the ARB	\$1,000 if changes made without approval of colors \$100 if changes made to approved colors
Failure to submit a landscaping plan for the ARB meeting following the final approval of the house plans or failure to complete the approved landscape plan within thirty (30) days of receipt of the Certificate of Occupancy from the Town of Hilton Head Island	\$1,000
Failure to provide ARB with a copy of the Town of Hilton Head Island Building Permit, the Certificate of Elevation, the Certificate of Occupancy, or the AS-Built Survey	\$300 per item
Failure to provide ARB with color photographs of all four elevations of the completed home	\$200

Applicants will be notified in writing of all decisions of the ARB within five (5) working days of the ARB Application. Oral representation of any ARB decision shall not be binding on the ARB. No approval of plans / location / specifications and no publication of architectural standards bulletins by the ARB shall ever be construed as representing or implying that such of plans / location / specifications will, if followed, result in a properly designed residence or that such standards comply with pertinent law. Such approvals and standards 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 or ability of merchant shall arise as a result of any plans, specifications, standards, or approvals made or published by Shipyards Plantation or the SPOA ARB, their successors or assigns.

By signing below, the Property Owner, Architect, and Contractor also certify that water conservation devices are included in the design and construction of this residence.

This application is to be completed in its entirety and signed by all parties prior to the issuance of a Shipyards Plantation ARB permits. By signing below, all parties acknowledge receiving, understanding, and accepting the guidelines and policies as set forth above and certify that all information provided on this application is true and correct.

AGREED:

Property Owner _____ Date _____
 Contractor _____ Date _____
 Architect _____ Date _____
 Landscaper _____ Date _____

APPENDIX 1 APPLICATION FOR TREE REMOVAL PERMIT

**Shipyards Property Owners' Association (SPOA)
Architectural Review Board (ARB)**

APPLICATION FOR TREE REMOVAL PERMIT

Property Purchase Date _____

Submission Date _____

PROPERTY OWNER

Lot Number _____

Street Address _____

Property Owner Name _____

Home Address _____

Home Telephone Number _____

Work Telephone Number _____

TYPE OF BUILDING

Primary Residence Rental Commercial Second Home Spec Home Villa

TREE CONTRACTOR

Name _____

Address _____

Telephone Number _____

South Carolina License # _____

Type of tree to be removed _____

Size – Diameter _____

Reason for Removal _____

Tree removal permits are granted by the guidelines established under the Town of Hilton Head Island Ordinance No. 93-17, Preservation of Trees and Other Native Vegetation and the Shipyards Plantation Covenants. If a Town of Hilton Head Island Tree Removal Permit is required, the SPOA ARB must receive a copy of that permit prior to issuing a Shipyards Tree Removal Permit.

Tree removal permits are established under the Town of Hilton Head Island Ordinance No. 93-17, Preservation of Trees and Other Native Vegetation and the Shipyards Plantation Covenants. If a Town of Hilton Head Island Tree Removal Permit is required, the SPOA ARB must receive a copy of that permit prior to issuing a Shipyards Tree Removal Permit.

The Property Owners and Tree Contractor signing below are applying for Tree Removal or Tree Trimming within Shipyards Plantation with the full knowledge and understanding of the Shipyards Plantation Covenants and the SPOA ARB Guidelines and are responsible for adherence to all policies set forth in the Shipyards Plantation Covenants and the SPOA ARB Guidelines.

Any changes to approved tree removal plans, as submitted, must be resubmitted to the ARB for approval. Removal of trees other than those shown on the final approved plan and as approved by the ARB is not permitted. Throughout the tree removal process, the ARB inspector and SPOA Board members will inspect the site to determine continuing compliance with the Shipyards Plantation Covenants, the ARB Guidelines, the Application for Tree Removal Permit, and the ARB approved plans. Failure of the ARB inspector or SPOA Board members to detect or object to an unauthorized change or other non-compliance activity during the tree removal process does not relieve the Property Owner or Tree Contractor of any obligation for non-compliance.

The Property Owners and/or Tree Contractor further acknowledges that the ARB shall have the right to assess fines and penalties against the Property Owners and/or Tree Contractor for failure to trim or remove trees in accordance with the approved plans, or failure to comply with the rules or conditions noted herein, the Shipyards Plantation Covenants and the SPOA ARB Guidelines. Any legal or other expenses incurred by the ARB relative to a matter of non-compliance will be charged to the Property Owner.

Fines & Penalties	
Unauthorized tree removal	Any variety of Oak - \$1,000 per tree All other trees - \$500 per tree Plus the submission of a landscape plan to replace the removed trees to the satisfaction of the ARB
Unauthorized clearing within ten (10) feet of a golf course or lagoon	\$1,000 and submission of a landscape plan to replace the removed trees to the satisfaction of the ARB
Violation of any sign rule, trash overflow, failure to deposit all trash in receptacles, no trash container on site, no portable toilet on site	\$50 per item per day

Applicants will be notified in writing of all decisions of the ARB within five (5) working days of the ARB Application. Oral representation of any ARB decisions shall not be binding on the ARB. **No implied warranties of good workmanship, design, habitability, quality, fitness or ability of merchant shall arise as a results of any plans, specifications, standards, or approvals made or published by Shipyards Plantation or the SPOA ARB, their successors or assigns.**

AGREED:

Property Owner _____ Date _____
 Property Owner _____ Date _____
 Tree Contractor _____ Date _____

EXTERIOR PAINT COLORS AND/OR ROOFING SHINGLES

Describe the existing and replacement exterior paint color and/or roofing materials in detail, including the manufacturer or brand name and number. Be specific and include the following chips/samples:

- Existing and replacement paint and trim colors on a 8-1/2"x11" board
- Existing and replacement roof shingles on a white board

	Material	Color	Description
Siding (Wood)			
Siding (Masonry)			
Roof			
Trim			
Shutters			
Front Door			
Exterior Doors			
Garage Door			

APPENDIX 3 APPLICATION FOR BUILDING PERMIT FOR MINOR RENOVATIONS

Shipyard Property Owners' Association (SPOA) Architectural Review Board (ARB)

APPLICATION FOR BUILDING PERMIT FOR MINOR RENOVATIONS

Property Purchase Date _____

Submission Date _____

PROPERTY OWNER

Lot Number _____

Street Address _____

Property Owner Name _____

Home Address _____

Home Telephone Number _____

Work Telephone Number _____

TYPE OF BUILDING

Primary Residence Rental Commercial Second Home Spec Home Villa

BUILDING CONTRACTOR

Name _____

Address _____

Telephone Number _____

Emergency Telephone _____

South Carolina License # _____

Application Fees	
Inspection for NEW Color Paint	\$100
Inspection for NEW Color Shingles	\$100
NEW Deck, Stairs, Service Yards, Porch Enclosures	\$50
Minor Alterations: Driveways, New Doors, Window Replacement	\$25
Restaining in SAME Color	\$25
Re-roofing in SAME Shingles	\$25

PERMIT PROCEDURES

Upon receiving final plan approval from the ARB, all of the above fees are due and payable to **SPOA ARB**. If applicable, a copy of the Town of Hilton Head Island Building Permit must be provided to the ARB before a Shipyard ARB Building Permit is issued. A registered architect is required for all new or major construction.

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MINOR RENOVATIONS

The following documents are required when the **APPLICATION FOR BUILDING PERMIT FOR MINOR RENOVATIONS** is submitted. The ARB will not review incomplete submissions.

SITE PLANS	
1.	Use scale of 1/8" = 1'
BUILDING PLANS	
1.	Use scale of 1/4" = 1'
	Submit the following only if it is part of the renovation project:
2.	Show exterior elevations / foundation grading on all sides
3.	Show floor plans - Front entry garages are discouraged.
4.	Show service yard and mechanical platform for HVAC equipment
5.	Show foundation plans and complete construction details
6.	Show typical wall section and complete construction details
COLOR BOARD	
1.	Use white hard board approximately 8"x11" in size
2.	Adhere chips of all key materials and colors to board and label each
LANDSCAPE PLANS (Include only if landscape changes are proposed.)	
1.	Use scale of 1/8" = 1'
2.	Show types / sizes / spreads of existing trees and plants
3.	Show types / heights / gallon sizes / spreads of plants to be installed. Coordinate height of trees / plants with elevation of the home. Include the plant schedule on the plan.
4.	Show the approximate size of plants at maturity drawn to scale. The use of mature / well-established plant material is strongly encouraged. The size of plant material should conform to American Nurserymen's Standards.
5.	Show a "North" arrow and flow of surface water using drainage arrows.
6.	Show details of any site construction not on the architectural plans, such as lighting, stepping stones, benches, walls, etc.
7.	Show the location of irrigation clock and manual / electric valves. Note the type of irrigation system.
9.	The Landscape Plans are due with the preliminary / final approval submission and will be accepted no later than the following ARB meeting.

Are these plans exact or modified plans of a structure previously constructed in Shipyard Plantation?

- Yes
 No

ENCLOSED DWELLING AREA

	Heated		Screened Porch		Total
First Floor	Sq.Ft.	+	Sq.Ft.	=	Sq.Ft.
Second Floor	Sq.Ft.	+	Sq.Ft.	=	Sq.Ft.
Total Floors	Sq.Ft.	+	Sq.Ft.	=	Sq.Ft.

The enclosed dwelling area is the total area enclosed in a dwelling and includes screened porch areas, if the roof of the screened porch is an integral part of the roof line of the main dwelling or if the screened porch is on the ground floor of a two-story dwelling. Even though they are attached to the dwelling, areas such as garages, boat sheds, patios, terraces, decks, open porches, and shed-type porches are specifically excluded. Minimum square footage must adhere to Shipyard Plantation Covenants.

SETBACKS FOR FULL-SIZE LOTS

Variances are not granted without good cause.

	As Submitted	Variance (if any)	Reasons for Variance Request
HOME			
Front	35'	ft.	ft.
Rear	50'	ft.	ft.
Right Side	20'	ft.	ft.
Left Side	20'	ft.	ft.
POOL / SURROUNDING DECK / ENCLOSURE			
Rear	40'	ft.	ft.
Right Side	20'	ft.	ft.
Left Side	20'	ft.	ft.

House setbacks are measured from the nearest vertical construction over three (3) feet in height and includes the service yard, mechanical HVAC platform, all decks, planters, landings, stairs, etc. A pool enclosure is a screen, courtyard, etc.

SETBACKS FOR PATIO LOTS

For Patio Lots, refer to the ARB Patio Guidelines for setbacks and variances.

SETBACKS	
VARIANCES	

EXTERIOR MATERIALS AND COLORS

Describe the colors and materials in detail, including the manufacturer or brand name and number. Be specific and include the following chips/samples:

- Paint and trim colors on a 8-1/2"x11" board
- Roof shingles on a white hard board

	Material	Color	Description
Siding (Wood)			
Siding (Masonry)			
Roof			
Fascia			
Shutters			
Front Door			
Exterior Doors			
Garage Door			
Windows			
Chimney			
Drive Paving			
Walk Paving			
Pool			
Pool Deck			
Dock			
Other			

SUBCONTRACTOR LIST

Date		
General Contractor		
Job Location	Street:	Lot #

Trade	Subcontractor	Address	Contact	Phone
Site Work				
Concrete				
Masonry				
Metals				
Framing				
Exterior Trim				
Interior Trim				
Stucco				
Insulation				
Roofing				
Hardware				
Drywall				
Painting				
Ceramic Tile				
Carpet				
Vinyl				
HVAC				
Plumbing				
Electrical				
Specialties				
Other				
Paving				
Underground Utilities				

SPOA COVENANTS AND ARB GUIDELINES

The property owner, contractor, and landscaper will observe the SPOA Covenants and the ARB Guidelines during the construction period and insure that all subcontractors do likewise. Fines and/or penalties for non-compliance will be imposed. If necessary, a stop work order will be issued for repeated non-compliance. Some of the Covenants and Guidelines are listed below.

13. The property owner is ultimately responsible for contractor/subcontractor adherence to all SPOA Covenants and ARB Guidelines.
14. Adherence to the site/house/landscape plans as submitted to and approved by the ARB is required. Any changes to the approved plans must be submitted to the ARB along with a set of revised plans. Without exception, these changes must be approved by the ARB before any changes are made to the site.
15. Plan approvals are dated and are in effect for ninety (90) days from the date of the approval. Construction must begin within ninety (90) days of plan approval and must be complete within one (1) year after commencement. Landscape installation must begin within thirty (30) days following completion of the house, decks, walkways, and driveways and must be complete within thirty (30) days of receipt of Certificate of Occupancy.
16. Lot clearing is not permitted until the ARB Building Permit has been issued by the ARB, the Town of Hilton Head Island Building Permit has been issued, and both signs posted by the contractor on the structure provided by the contractor adjacent to the contractor's sign.
17. The contractor is responsible for providing water and electrical service at the job site before starting work that requires the use of water and electrical service. Using water and electricity from neighboring properties is strictly prohibited.
18. All work is to be performed Monday through Friday between 7:00 AM and 7:00 PM. Weekend work is permitted on Saturday between 8:00 AM and 5:00 PM, but the work must be quiet work inside the house. A permit is required for Saturday work and must be applied for before 12:00 Noon on the preceding Friday. Saturday work is at the contractor's/subcontractor's risk. Noise or complaints from neighboring property owners will require that Security shut down the job for the day. No work is permitted on Sundays, Christmas, Thanksgiving, or National Holidays.
19. The site must be kept in good appearance at all times. Construction must be cleaned and free of debris at the end of each day or the job will shut down. No burning or dumping of any kind is permitted in Shipyard Plantation.
20. Store all materials on the building lot, not on adjacent property. Access to the building lot via an adjacent property is not permitted.
21. All vehicles used by contractors/subcontractors must display a valid commercial decal and will not be permitted access to Shipyard Plantation before a commercial decal is issued. All such vehicles must be parked off the roadway and on the building lot.
22. All Shipyard Plantation speed and traffic regulations must be obeyed.
23. Noxious or loud music or behavior will not be allowed on the building site or within Shipyard Plantation.
24. Any cost of repairs or maintenance to offsite areas, such as neighboring lots, roadway, bike paths, right of ways, etc., that are damaged in the construction process are the responsibility of the contractors/ landscapers.

The Property Owners and Contractor(s) signing below are applying for construction within Shipyard Plantation with the full knowledge and understanding of the Shipyard Plantation Covenants and the SPOA ARB Guidelines and are responsible for adherence to all policies set forth in the Shipyard Plantation Covenants and the SPOA ARB Guidelines.

Any changes to approved plans, as submitted, must be resubmitted along with a new set of plans to the ARB for approval. Removal of trees other than those shown on the final approved plan and as approved by the ARB is not permitted. Unapproved changes to the clearing plan constitute non-compliance and fines and/or penalties will be imposed. Throughout the construction process, the ARB inspector and SPOA Board members will inspect the site to determine continuing compliance with the Shipyard Plantation Covenants, the ARB Guidelines, the ARB Application for Residential Building Permit, and the ARB approved plans. Failure of the ARB inspector or SPOA Board members to detect or object to an unauthorized change or other non-compliance activity during the construction process does not relieve the Property Owner or the Contractor of any obligation for non-compliance.

The Property Owners and/or Contractor further acknowledge that the funds so deposited will be deposited in an interest-bearing account with interest accruing to the benefit of the ARB. The Property Owners and/or Contractor further acknowledge and agree that such funds shall be retained by the ARB pending satisfactory completion of the Project in accordance with plans approved by the SPOA Board and in accordance with SPOA Covenants, ARB Guidelines, and the Application for Residential Building Permit. The Property Owners and/or Contractor further acknowledge that the ARB shall have the right to assess penalties against the Property Owners and/or Contractor for failure to complete the Project on a timely basis or failure to construct the Project in accordance with the approved plans, or failure to comply with the rules or conditions noted herein, the SPOA Covenants, and the ARB Guidelines. Any legal or other expenses incurred by the ARB relative to a matter of non-compliance shall likewise be deducted from any funds deposited by the Property Owners and/or Contractor or through assessment of the Property Owner.

The following list describes the fines for specific non-compliance activities:

Fines & Penalties	
Clearing without an ARB Clearing Permit posted	Loss of application fee and payment of additional fee prior to permit issuance
Building without an ARB Building Permit posted	Loss of application fee and payment of additional fee prior to permit issuance
Unauthorized tree removal	Any variety of Oak - \$1,000 per tree All other trees - \$500 per tree Plus the submission of a landscape plan to replace the removed trees to the satisfaction of the ARB
Unauthorized clearing within ten (10) feet of a golf course or lagoon	\$1,000 and submission of a landscape plan to replace the removed trees to the satisfaction of the ARB
Failure to request Batter Board Inspection, i.e., pre-pour foundation inspection	\$100 and AS-Built Survey required
Failure to construct in accordance/agreement with approved plans, including a siting variance greater than one (1) foot or any exterior change without prior ARB approval	\$1,000 and AD-Built drawings

Violation of any sign rule, trash overflow, failure to deposit all trash in receptacles, no trash container on site, no portable toilet on site	\$50 per item per day
Use of water or electricity from a property other than the building site	\$250 and letter of apology and payment to the property owner
Use of exterior colors not approved by the ARB	\$1,000 if changes made without approval of colors \$100 if changes made to approved colors
Failure to submit a landscaping plan for the ARB meeting following the final approval of the house plans or failure to complete the approved landscape plan within thirty (30) days of receipt of the Certificate of Occupancy from the Town of Hilton Head Island	\$1,000
Failure to provide ARB with a copy of the Town of Hilton Head Island Building Permit, the Certificate of Elevation, the Certificate of Occupancy, or the AS-Built Survey	\$300 per item
Failure to provide ARB with color photographs of all four elevations of the completed home	\$200

Applicants will be notified in writing of all decisions of the ARB within five (5) working days of the ARB Application. Oral representation of any ARB decision shall not be binding on the ARB. No approval of plans / location / specifications and no publication of architectural standards bulletins by the ARB shall ever be construed as representing or implying that such of plans / location / specifications will, if followed, result in a properly designed residence or that such standards comply with pertinent law. Such approvals and standards 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 or ability of merchant shall arise as a result of any plans, specifications, standards, or approvals made or published by Shipyards Plantation or the SPOA ARB, their successors or assigns.

By signing below, the Property Owner, Architect, and Contractor also certify that water conservation devices are included in the design and construction of this residence.

This application is to be completed in its entirety and signed by all parties prior to the issuance of a Shipyards Plantation ARB permits. By signing below, all parties acknowledge receiving, understanding, and accepting the guidelines and policies as set forth above and certify that all information provided on this application is true and correct.

AGREED:

Property Owner _____ Date _____
 Contractor _____ Date _____
 Architect _____ Date _____
 Landscaper _____ Date _____

APPENDIX 4 APPLICATION FOR NEW CONSTRUCTION/MAJOR RENOVATIONS

Shipyard Property Owners' Association (SPOA)
Architectural Review Board (ARB)

APPLICATION FOR BUILDING PERMIT FOR NEW CONSTRUCTION OR MAJOR RENOVATIONS

Property Purchase Date _____

Submission Date _____

PROPERTY OWNER

Lot Number _____

Street Address _____

Property Owner Name _____

Home Address _____

Home Telephone Number _____

Work Telephone Number _____

ARCHITECT (Must be registered in South Carolina)

Name _____

Address _____

Telephone Number _____

TYPE OF BUILDING

Primary Residence Rental Commercial Second Home Spec Home Villa

BUILDING CONTRACTOR

Name _____

Address _____

Telephone Number _____

Emergency Telephone _____

South Carolina License # _____

Insurance Carrier _____

LANDSCAPER

Name _____

Address _____

Telephone Number _____

SUBCONTRACTOR LIST

Date		
General Contractor		
Job Location	Street:	Lot #

Trade	Subcontractor	Address	Contact	Phone
Site Work				
Concrete				
Masonry				
Metals				
Framing				
Exterior Trim				
Interior Trim				
Stucco				
Insulation				
Roofing				
Hardware				
Drywall				
Painting				
Ceramic Tile				
Carpet				
Vinyl				
HVAC				
Plumbing				
Electrical				
Specialties				
Other				
Paving				
Underground Utilities				

SETBACKS FOR FULL-SIZE LOTS

Variances are not granted without good cause.

		As Submitted	Variance (if any)	Reasons for Variance Request
HOME				
Front	35'	ft.	ft.	
Rear	50'	ft.	ft.	
Right Side	20'	ft.	ft.	
Left Side	20'	ft.	ft.	
POOL / SURROUNDING DECK / ENCLOSURE				
Rear	40'	ft.	ft.	
Right Side	20'	ft.	ft.	
Left Side	20'	ft.	ft.	

House setbacks are measured from the nearest vertical construction over three (3) feet in height and includes the service yard, mechanical HVAC platform, all decks, planters, landings, stairs, etc. A pool enclosure is a screen, courtyard, etc.

SETBACKS FOR PATIO LOTS

For Patio Lots, refer to the ARB Patio Guidelines for setbacks and variances.

SETBACKS	
VARIANCES	
REASONS	

EXTERIOR MATERIALS AND COLORS

Describe the colors and materials in detail, including the manufacturer or brand name and number. Be specific and include the following chips/samples:

- Paint and trim colors on a 8-1/2"x11" board
- Roof shingles on a white hard board

	Material	Color	Description
Siding (Wood)			
Siding (Masonry)			
Roof			
Fascia			
Shutters			
Front Door			
Exterior Doors			
Garage Door			
Windows			
Chimney			
Drive Paving			
Walk Paving			
Pool			
Pool Deck			
Dock			
Other			

ENCLOSED DWELLING AREA

	Heated		Screened Porch		Total
First Floor	_____ Sq.Ft.	+	_____ Sq.Ft.	=	_____ Sq.Ft.
Second Floor	_____ Sq.Ft.	+	_____ Sq.Ft.	=	_____ Sq.Ft.
Total Floors	_____ Sq.Ft.	+	_____ Sq.Ft.	=	_____ Sq.Ft.

The enclosed dwelling area is the total area enclosed in a dwelling and includes screened porch areas, if the roof of the screened porch is an integral part of the roof line of the main dwelling or if the screened porch is on the ground floor of a two-story dwelling. Even though they are attached to the dwelling, areas such as garages, boat sheds, patios, terraces, decks, open porches, and shed-type porches are specifically excluded. Minimum square footage must adhere to Shipyards Plantation Covenants.

SURVEY ELEVATIONS

Existing Grade Elevation at Center of Building Footprint above MSL	_____	Sq.Ft.
Proposed Fill / Grade Elevation above MSL	_____	Sq.Ft.
First Floor Elevation above MSL		
Subject Home	_____	Sq.Ft.
Home – Adjoining lot on left	_____	Sq.Ft.
Home – Adjoining lot on right	_____	Sq.Ft.
Maximum Roof Height		
Above First Finished Floor	_____	Sq.Ft.
Deck(s) Elevation above Finished Grade	_____	Sq.Ft.
Pool / Surrounding Deck – Elevation above Finished Grade	_____	Sq.Ft.

The Maximum Roof Height from the first finished floor to the highest peak is 32 feet for residences, provided that the first finished floor is at 14 feet for MSL. Chimney height is left to the ARB’s discretion if designed above the minimum building code requirements.

NEW CONSTRUCTION OR MAJOR RENOVATIONS

The following documents are required when the **APPLICATION FOR BUILDING PERMIT FOR NEW CONSTRUCTION OR MAJOR RENOVATIONS** is submitted. The ARB will not review incomplete submissions.

SITE PLANS	
1.	Use scale of 1/8" = 1'
2.	Use Tree and Topographic Survey by a registered land survey as a base noting all trees five (5') feet or larger in diameter, measured at four (4') feet above grade by species and size. Clearly indicate trees to be removed with an "X."
3.	Show all property liens and elevations of lot corners / culvert inverts / edges of roadway.
4.	Show final grading / drainage plans. Prevent standing water by sloping to available drainage and assure no runoff to adjoining properties.
5.	Show exact locations (entire aide outline) and first finished floor elevations of existing buildings on all adjoining lots.
6.	Show location of amenities, such as water, golf course, ocean line, etc.
7.	Show location of service entry to property for water, electricity, telephone, service yard, and mechanical platform.
8.	Show location of builder’s sign, permit posting sign, trash receptacle, and portable toilet.
9.	Show exact location of buildings and all required and actual setbacks (front, rear, and sides) measured from nearest vertical construction over three (3') feet in height.
10.	Show driveway to be concrete with a minimum setback of five (5') feet from the property line. A turnaround / back-up area is required. Asphalt is discouraged.
11.	Show exact location, size, and all actual setbacks from rear and side property lines of the pool, future pool, and surrounding deck / enclosure. Complete construction details are required.

BUILDING PLANS	
1.	Use scale of 1/4" = 1'
2.	Show exterior elevations / foundation grading on all sides
3.	Show floor plans - Front entry garages are discouraged.
4.	Show service yard and mechanical platform for HVAC equipment
5.	Show foundation plans and complete construction details
6.	Show typical wall section and complete construction details
COLOR BOARD	
1.	Use white hard board approximately 8"x11" in size
2.	Adhere chips of all key materials and colors to the board and label each chip
PHOTO SHEETS	
1.	Color photographs (4"x6") of the front and rear of buildings on adjoining lots are required on the forms provided.
2.	Color photographs (4"x6") of the front and rear of subject lot are required on the forms provided.
LANDSCAPE PLANS	
1.	Use scale of 1/8" = 1'
2.	Show types / sizes / spreads of existing trees and plants
3.	Show types / heights / gallon sizes / spreads of plants to be installed. Coordinate height of trees / plants with elevation of the home. Include the plant schedule on the plan.
4.	Show the approximate size of plants at maturity drawn to scale. The use of mature / well-established plant material is strongly encouraged. The size of plant material should conform to American Nurserymen's Standards.
5.	Show a "North" arrow and flow of surface water using drainage arrows.
6.	Show details of any site construction not on the architectural plans, such as lighting, stepping stones, benches, walls, etc.
7.	Show the location of irrigation clock and manual / electric valves. Note the type of irrigation system.
9.	The Landscape Plans are due with the preliminary / final approval submission and will be accepted no later than the following ARB meeting.

PHOTO SHEET

Subject Lot – Front

Subject Lot – Rear

PHOTO SHEET

Subject Home – Exterior Elevation
Front _____ Rear _____ Right _____ Left _____

Subject Home – Exterior Elevation
Front _____ Rear _____ Right _____ Left _____

PHOTO SHEET

Adjoining Lot / House on Left

Lot # _____ Street Address _____

Adjoining Lot / House on Right

Lot # _____ Street Address _____

ONSITE INSPECTIONS

STRING inspection by ARB member or SPOA staff	Call the ARB office at 843/785-3310.
BATTER BOARD inspection by ARB Architect.	Call the ARB office at 843/785-3310.
FRAMING inspection	When ready to call Town, call the ARB office at 843/785-3310.
FINAL inspection	When ready for Certificate of Occupancy, call the ARB office at 843/785-3310.

This application is to be completed in its entirety and signed by all parties prior to the issuance of a Shipyards Plantation ARB permits. By signing below, all parties acknowledge receiving, understanding, and accepting the guidelines and policies as set forth above and certify that all information provided on this application is true and correct.

AGREED:

Property Owner	_____	Date	_____
Contractor	_____	Date	_____
Architect	_____	Date	_____
Landscaper	_____	Date	_____

APPENDIX 5 SHIPYARD PLANTATION BUILDING & WORK PERMIT

Shipyard Plantation Serial No. _____

BUILDING & WORK PERMIT

To be posted with valid Beaufort County permit when necessary.

Lot Location _____ Approved Materials _____
Property Owner _____
Contractor _____ ARB Approval _____
Emergency Phone No. _____

Permit No. _____ Issued: Date / / By _____

This permit expires one year after the above date of issuance and must be reissued if construction has not started. The Covenants require completion of construction with one year after construction has started.