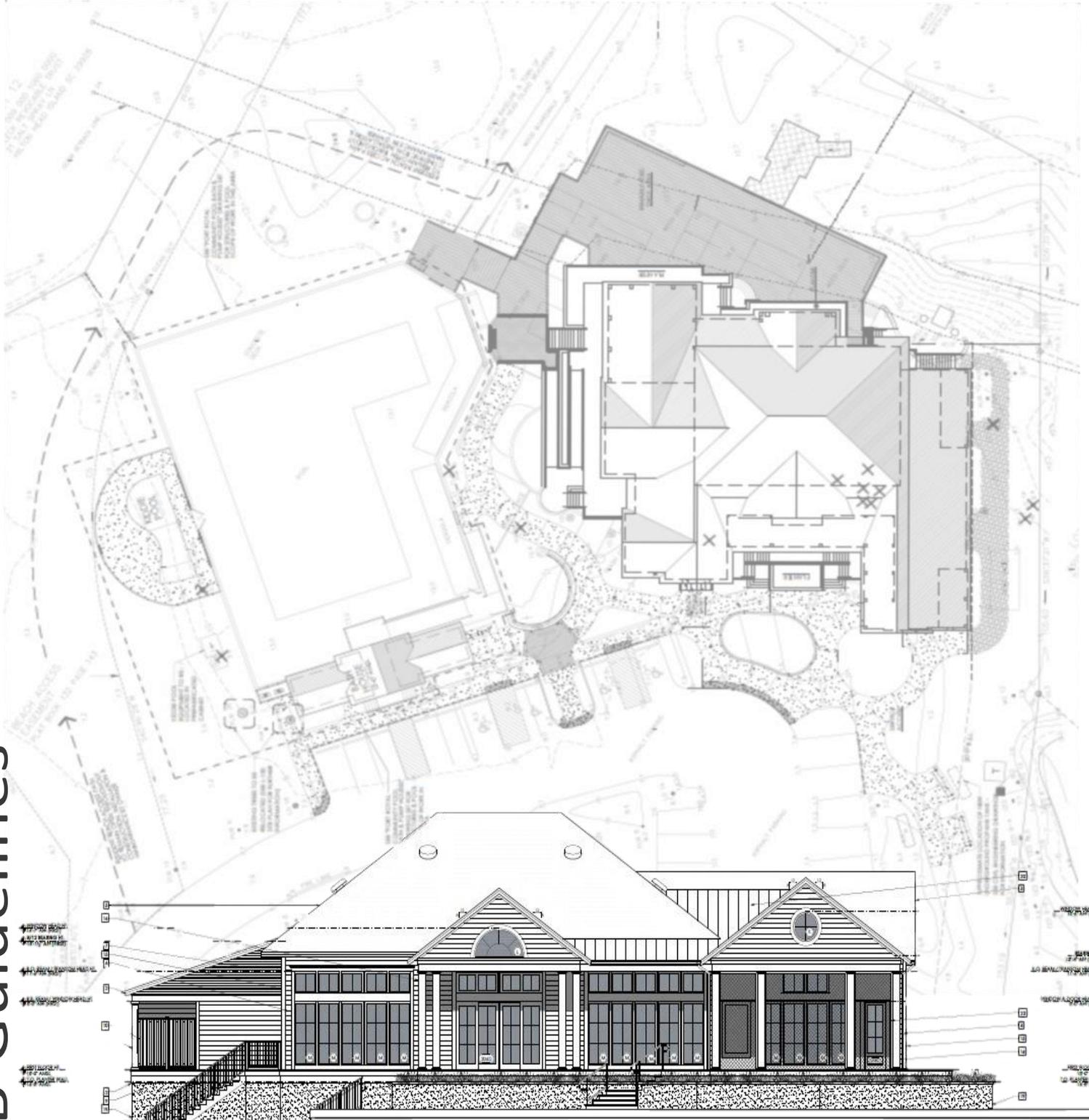




# Plans Approval Board



PAB Guidelines

# PAB Guidelines

September 15, 2021

# Forward

The Strategic Planning Task Force of 2020 reviewed the Port Royal Plantation Landowner Survey that was conducted in 2019. Included in that review was an evaluation of the Plans Approval Board (PAB). Overall, the performance of the PAB was deemed acceptable with the one exception - that the PAB Guidelines were considered confusing by many, particularly to landowners with little experience in dealing with a Plans Approval process. As such, the Task Force recommended to the Port Royal Plantation Board of Directors that the PAB Guidelines be revised to make them less confusing and more understandable. This 2021 revision is the result of that recommendation. You will find few changes to the actual Guidelines in this revision, but rather a more user-friendly product that is formatted in the same way that a landowner would actually use the information.

There are seven main sections in the new PAB Guidelines as follows:

1. **Section 1 – “PAB and Administration”**, describes the nature of, purpose, and processes for the Plans Approval Board (PAB).
2. **Section 2 – “What Projects Need to be Approved by the PAB”**, identifies what projects require PAB approval and which don’t. It is recommended that the PAB Administrator be contacted if there is any question whether something needs PAB approval or not.
3. **Section 3 – “Community and Design Standards”**, identifies all of the community standards and design guidelines that a project must meet.
4. **Section 4 – “Fees, Deposits and Fines”**, describes all of the application fees, escrow deposits and potential PAB violation fees a project may be subject to.
5. **Section 5 – “PAB Permit Application and Processing”**, details PAB application and submission requirements for a project.
6. **Section 6 – “Plan Review Procedures and Submission Requirements”**, identifies the review process for applications that are submitted to the PAB for approval.
7. **Section 7 – “Regulations During Construction”**, details construction site regulations and requirements while your project is in progress.

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# Section 1

## PAB and Administration

1. **Background** – The Plans Approval Board (hereinafter "PAB") was established in the Declaration of Covenants and Restrictions to guide and monitor the aesthetic development of Port Royal Plantation. The Association of Landowners of Port Royal Plantation Board of Directors (hereinafter "BOD") appoints PAB members and establishes PAB Guidelines, updating them on an as needed basis. These Guidelines constitute the parameters under which all projects are reviewed and spell out the application process along with the fee structure.
2. **Plans Approval Board Legal Basis** – The Port Royal Plantation PAB is established by the Association of Landowners of Port Royal Plantation, Inc. (hereinafter "Association") in accordance with the Declaration of Covenants, Restrictions, Charges and Liens" recorded in the Office of the Register of Mesne Conveyance for Beaufort County, South Carolina on March 4, 1973, Deed Book 209, Page 631 and subsequent amendments thereto and the "Protective Covenants and Restrictions" recorded in the RMC Office on March 4, 1973, Deed Book 209, Page 643. The Covenants require that "all proposed plans for any structure or structures whatsoever and any additions thereto and remodeling thereof intended to be placed upon the lands within the Plantation" shall be reviewed and approved by the PAB.
3. **Mission Statement** - The mission of the PAB is to ensure the orderly development of an aesthetically pleasing and harmonious residential community in Port Royal Plantation that preserves the natural beauty of the environmental setting, as well as the value of each property owner's investment.
4. **Plans Approval Board**
  - a. **Composition** – The PAB is composed of:
    - 1) A Chairman, who shall be a property owner or spouse of a property owner, selected for a one-year term, but may serve a maximum of two consecutive one-year terms
    - 2) Six property owners, or spouses of property owners, who have an interest in and some experience in activities related to construction
    - 3) An Architect consultant
    - 4) A Landscape Architect consultant
    - 5) An Administrator
    - 6) The Port Royal General Manager is an ex officio member of the PAB and may attend meetings.

- b. **Selection.** The BOD shall appoint members of the PAB as follows:
- 1) The PAB Chairman shall solicit interest in upcoming PAB vacancies from the community by using common communication channels such as the Trident, message board or e-blasts.
  - 2) Interested candidates shall fill out an application as determined by the PAB.
  - 3) The PAB shall interview interested applicants and forward a minimum of two candidates for each vacancy to the BOD for consideration. In addition to the names, the PAB shall provide a descriptive synopsis of the qualifications/attributes of the recommended candidates.
  - 4) The BOD will select PAB members from the list provided by the PAB. If the BOD desires, they may request the PAB send additional names for consideration.
  - 5) In addition to selecting new members, each year, at least three months prior to October 1st, the BOD will select a current voting member of the PAB to be the incoming Chairman to serve the upcoming term.
- c. **Terms.** Members of the PAB shall serve a term of three years beginning on October 1st and may be appointed for an additional three-year term, consecutively. They may not be reappointed to the PAB again until one year after their last consecutive term has ended. In the event a vacancy comes open prior to the end of a term, the BOD may appoint a Landowner to complete the term and determine the status of the shortened term.
5. **Voting** – Each member of the PAB shall have one vote, with the exception of the Architect, Landscape Architect, Administrator, and General Manager who do not have voting privileges. All actions and decisions of the PAB shall be passed by a majority of the eligible voting members. A quorum shall be a minimum of four eligible voting members.
  6. **Administration** – The Administrator coordinates the PAB activities and shall only issue a permit after approval by the PAB.
  7. **Interpretation and Severability** – Whenever possible, each provision of these Guidelines and Procedures shall be interpreted so as to be valid and effective under applicable law, but if any provision of these Guidelines and Procedures shall be prohibited, invalid, or unenforceable under any particular circumstances, that provision shall be ineffective only to the extent of the prohibition, invalidity or unenforceability without invalidating that provision under any other circumstances or invalidating the remaining provisions of these Guidelines and Procedures.

## Section 2

### What Projects Need to be Approved by the PAB

1. All exterior projects in Port Royal Plantation require PAB review, approval and a PAB issued permit before any construction/work can commence. This pertains to any project to be accomplished upon land within the Port Royal Plantation Master Plan. Such projects include, but are not limited to:
  - a. Buildings, additions, walls, fences, garages, roads, driveways, walkways, parking areas, signs, patios, decks, external antennas, outdoor lights, propane tanks, electrical equipment, fixed sporting equipment, fire pits, gutters, freestanding flagpoles, service yards, arbors, fountains, statuary or any decorative structure, solar energy systems, major landscaping and swimming pools;
  - b. Dredging, filling, regrading, and drainage systems;
  - c. Altering the exterior of existing structures in any way including, but not limited to, repainting (whether or not a new color), reroofing, replacing windows or doors, including garage doors, replacement of wall siding, trim, decks, stairs, etc.;
  - d. Removal of live trees that exceed a diameter of six (6) inches measured at four and one half (4.5) feet above the ground, or groups of three or more live trees within three (3) feet of each other, each of which exceeds three (3) inches in diameter measured four and one half (4.5) feet above the ground. **Port Royal Plantation reserves the right to require tree mitigation for any trees that are removed.** The type and size of the replacement tree(s) shall be at the discretion of the PAB.
  - e. The following projects require Landscape Plans to be reviewed and approved by the PAB:
    - 1) New construction;
    - 2) Significant renovations and additions;
    - 3) Landscape modifications that affect more than 50% of any side of a residence or significantly affects the screening of the property, pool, or home.
  - f. Fairway Winds, Ocean Point, Seabreeze and Seaside
    - 1) These Guidelines shall apply to residential units in the Fairway Winds, Ocean Point, Seabreeze and Seaside subdivisions unless specific portions are superseded by Covenant restrictions specifically governing that subdivision.
    - 2) In the case of Ocean Point, final approval is only granted by the PAB after the Ocean Point Architectural Review Committee has approved the project in writing.
2. The following projects do not require PAB review and approval, however, if a dumpster is required for the project, a dumpster permit must be obtained:

- a. Projects limited to the interior that do not affect the exterior of the structure;
- b. Minor exterior repairs that are considered maintenance only and do not change the exterior aesthetics of the property.

# Section 3

## Community and Design Standards

These community and design guidelines include both the specific requirements of the "Declaration of Covenants and Restrictions of the Association of Landowners of Port Royal Plantation" and those requirements derived from the covenants for aesthetic harmony and compatibility with other structures in the Plantation, environment and topography. In addition to the specific requirements in these Guidelines, the proposed building and site development plans shall be evaluated for aesthetic considerations. Compatibility with the environment, neighboring buildings and site characteristics are major considerations in this evaluation. The Plans Approval Board has the authority to disapprove any submittal solely on the basis of aesthetics.

### 1. Building Size

- a. Only one single-family dwelling shall be constructed on any Port Royal Plantation residential lot. In no event shall the single-family residence be used as a multi-family dwelling or rooming house.
- b. The total floor area of the heated/air-conditioned space of the building shall be at least 1700 square feet, and two-story homes shall have at least 1500 square feet on the main floor. The minimum floor area shall also comply with any requirement specified in the owner's Deed.
- c. The maximum building "footprint" (which is the area contained within the projection on the ground of the outer edges of the building structures including overhangs, decks, service yards, porches, garages, etc.) shall be no more than 80% of the "buildable" area of the lot. The "buildable" area of the lot is defined as the total area within the applicable setbacks as described in Section 3.2.
- d. All residences shall have an attached, enclosed garage, with the exception of homes originally constructed without a garage. For newly constructed residences, the garage shall accommodate at least two automobiles. A garage added to an existing home shall be attached to the residence.
- e. Driveways and parking areas shall be paved with concrete, pavers, asphalt, brick or similar solid paving material. Dirt, gravel, stone dust, shells, pine straw, etc. are not acceptable. Sufficient driveway and parking areas shall be provided to accommodate at least two cars, in addition to any in the garage, without blocking access to the garage. There shall be no more than two driveway/parking area connections to the street. Design consideration shall be given to turning radii and free-form driveways.
  - 1) Any improvements which change the footprint of an existing unpaved driveway shall require the driveway to be brought into compliance with existing PAB Guidelines.

- 2) The guest parking area shall be 18-20 feet in width and 18-20 feet in length to accommodate 2-car parking.
  - 3) Any turn or curve in the driveway shall have a minimum radius of 15 feet.
  - 4) The width of the driveway shall be a minimum of 10 feet.
  - 5) A side entrance garage can be no closer to a side property line than 30 feet. Exception: when a side entry garage fronts a road, the garage may be built up to the applicable setback line.
- f. No buildings detached from the residence may be constructed on the lot.
- g. No walls or fences are allowed, other than:
- 1) those attached to the main building and within the buildable area;
  - 2) those allowed/required by specific subdivision rules; and
  - 3) fences along a property line adjacent to a golf course where golf cart traffic could enter the lot. Such fence shall be set back one foot from the golf course property line, shall be less than 18 inches high, and shall be of unobtrusive design like a single split rail natural wood fence.
- h. The maximum elevation of any point of the building (except a chimney) shall not exceed 36 feet above the Finished Grade Elevation (FGE). FGE is defined as the lowest point of the finished grade at the foundation perimeter. Exception – for those lots where the FGE is below the lowest floor elevation as required by the Town of Hilton Head, the maximum height shall not exceed 36 feet above that town required lowest floor elevation.
- 1) When determining the appropriate FGE for a lot, please reference the restrictions found in Section 3.3.b.

## 2. Property Line Setbacks

- a. The following definitions apply in the determination of Property Line Setbacks:
- 1) Setback Line - A line at a predetermined distance inside and parallel to a specified property line.
  - 2) Setback Area - The area between the specified property lines and the applicable setback lines.
  - 3) Vertical Construction - The projection on the ground of the outer limits of any structure, the highest point of which exceeds 18 inches above finished grade (includes, decks, service yards, porches, garages, etc.). Roof overhangs may extend up to 24 inches into the setback area.
  - 4) Horizontal Construction - Any structure with maximum height of 18 inches, or less, above finished grade.
- b. No vertical construction is permitted within the setback areas defined by the following setback lines:
- 1) 50 feet from a property line adjoining a golf course, lagoon, ocean, dune area, marsh, or historical site;

- 2) 35 feet from a property line abutting any roadway;
  - 3) 20 feet from all other property lines.
- c. No horizontal construction may be closer than five (5) feet from any property line, except that walkways and driveways may cross the property line in order to provide access to the street.
  - d. In areas where the first-floor elevation is significantly higher than the existing grade, requiring numerous steps at the entrance, the PAB may allow some part of the entrance stair hand railing to encroach into the setback area.
  - e. In certain areas of the Plantation, special setbacks are allowed because of small lot sizes or unusual lot shapes. The applicant shall contact the PAB to determine if these special setbacks apply to a particular lot. Where special setbacks do apply, the PAB shall provide the applicant the specific setbacks for that lot.
  - f. At the discretion of the PAB, the construction or placement of the following structures exceeding a height of 18 inches above finished grade are allowed within the setback area.
    - 1) Pole or post lights;
    - 2) Freestanding flagpoles no higher than 20 feet with no more than 1 flag line; See the Port Royal Rules & Procedures for other specific flag/banner regulations.
    - 3) Decorative entry posts near the driveway entry;
    - 4) Basketball goals;
    - 5) Firewood storage racks;
    - 6) Permanent seating no more than 21 inches high on decks and patios that are otherwise horizontal construction.
  - g. Play equipment compatible with the surrounding environment shall be constructed of material compatible with the home (wood or simulated wood) and in natural colors. Play equipment shall be placed directly behind a house and shall not be placed within 20 feet of any property line and shall be approved by the PAB.
  - h. Permanent fire pit containers shall be located more than 15 feet from any structure or combustible material. Constructed fire pits shall be at least 18 inches high, be no more than 24 inches high, have an internal area of no more than 25 square feet, and be completely enclosed by a non-combustible material such as steel, brick, masonry or stone lining the perimeter. To build an outdoor fire pit/fireplace, an application shall be submitted for a Permit with both the PAB and Town Building Division.

### **3. Filling, Grading and Drainage**

- a. No filling of natural lagoons, marshlands, or existing drainage ditches is permitted.
- b. Fill may be placed on a lot when building a new residence subject to the following restrictions:

- 1) When determining the maximum amount of fill dirt that will be permitted to be placed above original grade, the PAB will consider the topography of the site (existing grade elevation), the elevation of the centerline of the road, the elevations of adjacent properties and structures, the impact on drainage flow/control, the possibility of soil erosion, the impact on existing trees, and the separation distance between the proposed and existing adjacent structures. The actual amount of fill allowed on a given lot may also be determined by aesthetic impact.
  - 2) Such fill shall not exceed a 1-in-4 grade slope (25%) and shall not be placed closer than five (5) feet to any property line. In no case will the fill depth be greater than three (3) feet on average above existing grade, but the PAB may require lesser depths based on the considerations found in Section 3.3.b.1).
- c. Final grading of the lot shall avoid standing water by sloping toward available drainage, such as a lagoon, culvert, drainage ditch or swale along the road, and the grading shall be contoured to allow proper drainage along the street. If the depth of the swale needed to allow this drainage is excessive, then the driveway shall be fitted with suitable culverts (not less than 12 inches in diameter) at the applicant's expense, whether on his property or on adjacent Port Royal Plantation Common Property. Approvable culverts include HDPE plastic pipe and reinforced concrete pipe.
- d. The Grading and Drainage Plan shall properly tie into the Port Royal Plantation master drainage system and may not direct storm water run-off onto an adjoining property. No storm water, pool backwash or well overflow can be piped into any body of water. Surface run-off of a lot shall be detained in a catchment area before being directed towards any body of water. Storm water drainage systems shall be designed and built to meet all federal, state and local requirements and regulations.

#### **4. Landscaping**

- a. There is no deed restriction that guarantees views of a golf course, lagoon, beach or the Port Royal Sound; however, the PAB shall take into consideration when reviewing a landscape plan the plant size and the growth maturity of plants to reduce those that negatively impact neighboring views, thus, preserving the desirable views of all Landowners. Siting of individual trees and shrubs should avoid significant restriction of desirable views.
- b. Landscaping is required to enhance the beauty of the property, to screen items like service yards and parking areas, to restore areas damaged during construction and to provide a well-groomed look to the neighborhood. The following landscaping guidelines are provided:
  - 1) No bare earth areas are allowed; ground cover such as grass, pine straw, or mulch shall be used.
  - 2) In heavily treed areas, natural ground cover may be considered.
  - 3) Ground coverage by gravel, stones, or similar material is not permitted unless approved by the PAB. PAB approval will only be given for non-decorative functions such as erosion control, storm water management, etc. and will include the color and size of the stone as well as the specific site location(s) of the allowed stone.

- 4) All foundations (house, deck, garage, service yards, etc.) shall be fully landscaped on all sides. Foundations plants shall be a minimum of seven (7) gallon and provide a minimum of 50% foundation height coverage at installation.
  - 5) Planting beds shall be placed between the foundation and stairways, pools, pool decks, patios, driveways, and motor courts to soften the mass of the hardscape and structure.
  - 6) Site utility boxes shall be fully screened from the street with landscaping.
  - 7) Lawn and/or greenspace areas should be integrated into the front landscape plan in curved patterns to provide aesthetic appeal to the overall site and shall extend to the edge of the street or leisure path in areas that do not contain other planting beds. In addition to lawns, greenspace is defined as ground cover or plantings that maintain their color/foilage throughout the year. The PAB may grant exceptions to the requirement of having lawn or greenspace in the front of a property in areas where heavy shading makes growing grass or other greenspace materials impractical. Climate tolerant sod such as Centipede, Zoysia or St. Augustine shall be used in all lawn areas.
  - 8) Leaving some areas in their natural state may be appropriate. Natural state refers to a natural leaf ground cover. These areas shall still be kept free from weeds, vines and large debris.
  - 9) Seven (7) gallon is the minimum size for plants used away from the foundation. Three (3) gallon size may be considered for dwarf varieties or if placed in front of seven (7) gallon plant material to achieve a tiering effect.
  - 10) Native plants are encouraged that are deer resistant, drought tolerant, and winter hardy.
  - 11) Heavy foliage evergreen plants shall be used for all screening applications.
  - 12) The planting of sizeable trees may be required to mitigate second story heights. All such required trees shall be a minimum height of ten feet to twelve feet (10-12') and two inches (2") caliper.
  - 13) Plantings may not obstruct street/roadway site lines.
  - 14) All turf and plant material shall have irrigation.
  - 15) Mulch shall be pine straw or shredded wood/bark of a uniform texture and color. Designated natural areas may use a natural bed of leaves/pine straw as the mulching material.
  - 16) Direct light from landscape lighting shall not be visible from outside the property perimeter. General illumination of the exterior of the house is not permitted.
  - 17) Landscape path lighting and up lighting fixtures installed inside the setback area shall not exceed eighteen inches (18") in height.
5. **Roof Materials/Roof Pitch** – Acceptable roof materials include wood shingles/shakes, asphalt or fiberglass shingles of at least 280 pounds per square weight, clay tile of a natural color when appropriate to the design and metal when appropriate to the design, provided not excessively reflective and the finish will allow rapid weathering. Other roof materials may be acceptable, and will be considered, if proposed. The value of the average roof pitch, measured from the eaves to the ridge, shall not be less than 5-in-12 (23 degrees above horizontal).
6. **Antennas** – External antennas (including satellite dishes), weather stations and other such devices and structures affixed to any part of the residence are permitted provided they are sited to minimize visibility from adjacent residences, common properties and the beach to the extent possible while maintaining adequate reception performance. Devices that must be ground mounted to receive adequate reception shall be shielded from view with landscaping to the

extent practical. All such devices and structures shall be less than one (1) meter (39.37”) in any and all dimensions.

7. **Exterior Walls** – The only acceptable exterior wall materials include wood (but not plywood), simulated wood, stucco and brick (provided it is "used" or simulated "used" brick of subdued earth tones). Large vertical wall areas that are not broken by windows or doors shall be treated by some architectural feature to provide texture. The PAB shall review the material and color of the sides of chimneys for compatibility with the structure. Metal or clay chimney flues which extend above the chimney cap shall be screened by means of a standing seam metal windscreen or other decorative feature. Metal windscreens, except copper, shall be painted to match the chimney.
8. **Windows** – Window glass shall be plain or bronze or gray, but not colored, although small, decorative stained-glass windows appropriate to the design may be acceptable. Glass or glass with coatings or films shall not reflect over 50% of ambient external light.
9. **Hurricane Panel Systems** – Installation of Hurricane Panel Systems for the protection of individual homes during major storms and hurricanes is permitted within Port Royal Plantation. The installation or subsequent alteration of such systems to a home shall be submitted to the Plans Approval Board for prior approval. The following rules apply:
  - a. The headers and sills required to hold the panels in place may be permanently installed around windows, doors and other openings chosen for protection by the homeowner, and shall match the color of the surfaces on which they are mounted;
  - b. The removable panels may be installed on the home when Hilton Head Island falls within the NHC Track Forecast Cone of a named storm or numbered tropical depression. This is normally 5 days but if longer range forecasts indicate a significant probability of Hilton Head Island being impacted, the panels may be installed earlier as necessary;
  - c. Panels shall be removed from the home within 10 days after (1) passage of the storm or (2) official re-entry is authorized for the island, whichever is later (extensions of the removal period will be considered by the PAB on a case-by-case basis);
  - d. Hurricane Panel Systems may not be used for security or any other reason.
10. **Pools** - This section applies to swimming pools, lap pools, decorative landscape pools and spas.
  - a. All pools shall be of permanent in-ground construction. Above-ground pools are prohibited. Pools shall be set back at least 10 feet from the property line and within the side setback lines. The additional space provides ample room for landscape screening.
  - b. The preferred location of a swimming pool is directly behind the house. Front, side yard and rear corner locations may not be approved.
  - c. The location of the pool equipment shall be within a service yard attached to the house and in the buildable area.

- d. Landscape screening and/or low berms may be required to ensure privacy.
- e. Pool enclosures may only be built within the buildable area of the property.
- f. Diving boards and slides are prohibited.
- g. Fences may be permitted surrounding swimming pools, providing it is within the buildable area. These fences shall be attached at both ends to the home and shall be of a decorative steel or aluminum material, maximum 4 feet tall, with an open, and airy design, e.g., a wrought iron fence. The accepted colors are black or dark green. The fence shall be landscaped on the outside to minimize its appearance. Plant sizes shall meet all the landscaping criteria found in Section 3.4.b.

## **11. Colors**

- a. The exterior color of buildings should blend with the environment, not contrast with it. Thus, natural and muted colors shall be used. Significant contrasts between two or more colors on the building should be avoided. The PAB may consider contrasting colors on architectural features (shutters, windows trim/frames, rafter tails, etc.) so long as the contrasting colors are in keeping with the overall color palette of the house. White, off-white or light colors may be used for the frames, sash, mullions, muntins of windows, garage doors and limited areas of trim where appropriate to the overall color scheme and setting. All service doors, garage doors and arbors shall be color compatible with the primary color of the house. These color requirements apply to all exterior surfaces, including but not limited to, walls, roof, fascia, soffits, trim, doors, window frames, window mullions, roof protrusions such as plumbing and air vents, etc.
- b. Applications for repainting shall be filed and approved before repainting. All requests for repainting shall be accompanied by an approximate 6" X 6" sample of the color on the same material that will be repainted. Repainting the same color does not exempt the homeowner from supplying the sample, nor guarantee approval. The front entrance door may be painted or stained a color chosen by the property owner. Consideration should be given to the primary color of the home.

## **12. Service Yards and Utilities**

- a. One or more attached and enclosed areas (service yards) shall be provided to house garbage containers, heating/air conditioning equipment, drying lines, propane tanks, pool equipment, electric meters, generators, electrical switching equipment, cable hookups, etc. The design and height of the fence/wall of the service yards shall screen these items from exterior view. Exception: buried propane tanks do not need to be located in a service yard.
- b. Completely underground connection to water, sanitary sewer, electricity, telephone and TV cables shall be provided.

### 13. **Water Wells and Irrigation**

- a. Water wells for irrigation or potable (drinking water) wells are prohibited.
- b. Ground source heat pumps using a closed-loop system are allowed. The number and spacing of "wells" are not restricted as long as no water is extracted from or inserted into the aquifer.
- c. Connection of an irrigation system to any lagoon or drainage channel water source is prohibited.

### 14. **Solar Energy Systems** – This section applies to photovoltaic solar energy systems and solar hot water collector systems. Applications shall be reviewed on a case-by-case basis and written comment shall be solicited from adjacent Landowners.

- a. A detailed plan of the scope of the project shall be included with the application. This shall include a plan illustrating the solar devices as they will appear on the roof, both design and location, as well as photo representation of the solar devices.
- b. Consideration shall be given to neighboring properties and the glare/reflection that the panels may cause on nearby properties.
- c. Only roof mounted solar energy systems shall be allowed and systems can extend no more than 4 inches above the roof surface. The panels shall not extend above the roof ridge of the roof plane to which the panel is mounted.
- d. Plumbing, wiring or other connections shall not be visible and shall be done under the panels and be totally concealed from view. Wires or plumbing shall not run down the roof line or siding of a house.
- e. No device may be mounted on any side of a home or building facing a street.
- f. Tree removal and proper pruning is permitted in accordance with the PAB Guidelines for which application and approval is required.
- g. Panel alignment shall consist of a low-profile design which is placed in a geometrical layout which is square or rectangular, top to bottom and end to end.
- h. Panels shall not protrude from these patterns.

### 15. **House Numbers and Signs**

- a. Each residential property shall display a house number in a position that is plainly visible and legible from the street fronting the property. These numbers shall contrast with their background and be a minimum of 4 inches high with a minimum stroke width of 0.5 inches.
- b. Each residential property owner may install, without PAB approval, one small (less than 1.5 square feet) sign bearing the house number. The owner's name and/or street name may

be included. Ground mounted signs shall not exceed a height of 30 inches above grade.

- c. No other signs of any kind are allowed anywhere on the residential property or on nearby Port Royal Plantation Common Property unless specifically authorized by the PAB (except the temporary signs allowed during construction as described in Section 7.5).

**16. Construction on Common Property** – No construction on Port Royal Plantation Common Property is permitted except as follows:

- a. Driveways and parking areas may extend across the common property between homeowner's property line and the paved access road, i.e., the road right of way. All maintenance including, but not limited to, landscaping, driveways, lighting, etc. within the road right of way (or to the edge of the leisure path as applicable) is the responsibility of the landowner (exception – trees not planted by a landowner are the responsibility of the Association);
- b. For properties adjacent to the Marshes of Fish Haul Creek, owned by the Plantation as Common Property, docks may be constructed across the marsh to areas of water, as provided in the Association's "Tidal Creek and Marsh Dock Policy" adopted September 15, 1994, and amended August 18, 1999. These docks shall have no structure higher than the railing, shall project directly into the marsh, and shall include no boat storage above the level of the dock and shall not exceed 50 feet in length. The builder of the dock shall execute a "Revocable License Agreement" with the Association;
- c. Construction of beach walkovers may be permitted under the Beach Walkovers Policy revised and adopted by the Port Royal Board of Directors on August 15, 2001. Walkovers may only be constructed over the dune field at designated common property accesses. These designated points are the 19 common access points from Plantation roads to the coastal shoreline and the 12 limited common access points that lead from clusters of private homes. All such beach walkovers shall comply with all DHEC and Town of Hilton Head regulations, be approved by the PAB, and expressly approved in writing by the Board of Directors. The maximum width of walkovers is six feet and no other structures such as benches and platforms are permitted.

**17. Demolitions**

- a. When an existing home is demolished without approved plans for a new home, all structures, vertical and horizontal, shall be removed (i.e., swimming pools and spas, pool equipment, propane tanks, driveways, walkways, etc.).
- b. Upon completion of the demolition, the lot shall be fully restored by grading, leveling and covering all bare earth with pine straw or mulch.

**18. Changes in Lot Boundaries** – No Residential Lot or Family Dwelling Unit shall be subdivided nor its boundary line changed except with the written consent of the PAB. If properties are combined with PAB approval, the Association shall maintain the levy of the annual assessment for each lot as originally platted, whether improved or unimproved. A

property is deemed improved if any slab, sidewalk, driveway or part of building foundation is in place, and the assessment shall be levied accordingly.

19. **Exterior lighting** – May be provided to illuminate driveways, walkways and entryways, or to highlight landscaping features. Such lighting, however, shall be of low intensity and shall comprise a limited number of fixtures so as to avoid a gaudy or commercial appearance. Particular attention is needed to prevent post lights (or similar fixtures) from providing direct illumination toward neighboring homes. General illumination of the exterior of the house is not permitted. All exterior lighting, and interior lighting visible from the exterior, shall be shielded, directed and controlled by the homeowner so as not to disturb neighbors, street traffic or boating traffic. Higher intensity area lights are permitted for temporary illumination only and may be used for limited periods of time for emergencies and exterior access.

# Section 4

## Fees, Deposits and Fines

1. **Fees** – The following non-returnable fees are required to be submitted with the application:

a. New Construction:	\$2,000.00
b. Application for Variance	\$250.00
c. Demolition with no plans to rebuild	\$300.00
d. Demolition with plans to rebuild – New Construction fee shall be applied	
e. Addition (any physical alteration of the exterior envelope of the structure, and new swimming pools):	\$400.00
f. Pool enclosure addition	\$400.00
g. Enclosing existing screen porch with glass and doors	\$400.00
h. Replacement of siding material	\$400.00
i. Replacement and reconfiguration and/or change of material of driveway	\$100
j. Other alterations (visible external effect but no envelope change)	\$100.00
k. Interior Remodeling (Permit shall be obtained for trash container on site)	No Fee
l. Tree removal, exterior painting, roof replacement or other minor external changes (special application forms are available at the administration office)	No Fee

2. **Escrow Deposits**

- a. The following escrow deposit shall be submitted when the Letter of Acknowledgement and the Drainage and Tree Compliance Agreement is signed. The deposit shall be held by the PAB in an interest-bearing account and any interest accrued shall be for the benefit of the Association. The escrow deposit is to assure that the project is completed in accordance with the approved plans and specifications; that the job site is maintained in accordance with these Guidelines; that any property damage by the contractor is repaired; and that landscaping is provided in accordance with approved plans. The deposit shall be returned

upon satisfactory completion of all work, less any administrative fines as defined in Section 4.3.

1) New residence	\$8,000.00
2) Addition	\$2,000.00
3) Pool addition	\$2,000.00
4) Enclosing existing screen porch with glass & doors	\$2,000.00
5) Replacement of siding material	\$2,000.00
6) Replacement and reconfiguration and/or change of material of driveway	\$1,500.00
7) Other alterations (visible external effect but no envelope change)	\$1,500.00
8) Escrow Deposit for Dumpster	\$500.00

Note: Permits for trash dumpsters shall be issued for a period of three months only and any extension thereafter must be reapplied for.

b. If an existing home is razed or substantially stripped to foundation and framing, the project shall be defined as new and the escrow deposit shall be \$8,000.00.

### 3. Administrative Fines

a. The PAB shall assess administrative fines for PAB violations. A PAB Violation is defined as:

- 1) Failure to obtain PAB approval for any exterior improvements that require PAB approval.
- 2) Deviation from a PAB approved plan without PAB approval through the Change Request process.
- 3) Failure to follow any other guideline, procedure, rule and/or timeline found in the PAB Guidelines.

b. Any Landowner in violation of any PAB guideline, procedure, rule or any of its provisions shall be subject to an administrative fine of up to **\$1000.00**.

c. In addition to any fine assessed, the PAB may require mitigation of the violation.

d. The PAB reserves the right not to entertain any further application(s) nor address any pending application(s) by any Landowner while a violation remains unsatisfactorily resolved and any fine, penalty or fee remains unpaid.

e. Construction related Fines. The PAB shall deduct the following fines from the escrow deposit for the following construction related violations:

- 1) Failure to provide trash containers and a portable toilet; failure to maintain a legible Building Permit prominently posted at the site, visible from the street; improper signage; overfull trash containers; improper behavior by construction workers; failure to secure trash/litter/debris at the end of each day; being on site after 6:00 p.m. without permission; creating a fire; creating a nuisance (See Section 7) - **\$250.00 per incident**. Continuing violations may result in the shut-down of the project until compliance;
- 2) Start of tree removal, demolition, grading or excavating, or any construction without a valid Port Royal Plantation Building Permit - **\$1,000.00**. This violation warrants possible expulsion of the offending contractor from any construction work within the Plantation;
- 3) Exterior plan or specification (including color) change not requested but found during construction (See Section 5.8) - **\$250.00**;
- 4) Variance not requested but found during construction (See Section 5.83.5) - **\$250.00**;
- 5) Inspections requested by the contractor or owner and work found to be incomplete - **\$250.00 per occurrence**.
- 6) Retention by the PAB of such administrative fines from the escrow deposit shall not in any way relieve the owner and building contractor of further liability for non-compliance.

# Section 5

## PAB Permit Application and Processing

1. **Application** – The first step in getting an approved PAB permit is to submit the appropriate permit application. A copy of these Guidelines and the following permit applications are available either on the Port Royal Plantation website or from the PAB Administrator:
  - a. Application for Building Permit
  - b. Application for Variance
  - c. Application for Tree Removal
  - d. Application for Exterior Painting/Roof Replacement
2. **PAB Administrator** – The PAB Administrator is located in the Association Administration Building, 10 Coggins Point Road, telephone 843-681-5114, ext. 103. All applications and fees shall be presented to the Administrator.
3. **Permit Processing** – The PAB normally meets on the first and third Tuesday of each month. The agenda for every PAB meeting is finalized the week before the meeting. To be included in the agenda, a completed permit application and associated fee (if applicable) must be submitted to the PAB Administrator no later than Monday, the week before the meeting.
  - a. Submit a completed permit application along with plans and, if necessary, additional documentation.
  - b. An application fee must accompany all permit applications where appropriate (See Section 4.1).
  - c. The PAB reviews the project and, in accordance with the Guidelines, approves or disapproves the project.
  - d. Minor projects may be inspected for compliance with the Guidelines by a single PAB member in the field and a permit issued after such accelerated review.
  - e. If a project is disapproved, the PAB may request more information and/or design changes and this process may continue until either the project is approved or an impasse is reached which results in disapproval.
  - f. Approval of a project (Major or Minor) results in the issuance of a permit by the PAB Administrator. If applicable and prior to starting work, the applicant must pay an escrow deposit to the PAB Administrator (See Section 4.2).

- g. When a property owner makes application with the PAB for additions or alterations to the property and there is an existing violation, (whether a Covenant violation or a PAB violation) the existing violation shall be satisfactorily corrected prior to a Permit being issued for the new addition or alteration.
  - h. When a home goes under contract for sale, the seller and/or realtor shall notify the PAB Administrator of the pending sale and a walk-around inspection is conducted by the PAB to determine whether there are any existing Covenant or PAB violations. If there is a PAB violation and, at the time of the inspection, the violation is not identified or reported to the buyer's and seller's attorneys, that violation is considered an approved variance at the time of closing. The violation/approved variance shall not restrict the new owner's ability to obtain a permit for additions or alterations to the property.
  - i. Notification of a project's status is formally sent to applicants immediately following the review and determination by the PAB.
  - j. Any project disapproved by the PAB may be appealed to the BOD (See Section 5.6).
  - k. The actions of the PAB shall in no way relieve an applicant from complying with all other applicable codes and/or the requirements of any other regulatory agency having jurisdiction over Port Royal Plantation.
  - l. A PAB permit is a prerequisite to a Town of Hilton Head Permit. Town of Hilton Head Permits are required on all Major Projects and some Minor Projects such as reroofing.
  - m. Construction upon common areas must be approved by the Board of Directors other than the exceptions noted in Section 3.16, Construction on Common Property.
4. **Project Approval and Permit Issuance – All applications shall be approved in writing and a Port Royal Plantation Permit issued before work can begin.**
- a. After satisfactory review and approval of the application, the complete plans (including landscape), other required forms, and related correspondence, the PAB shall prepare an approval letter detailing each step in the construction process. Enclosed with this letter shall be the Letter of Acknowledgement and the Drainage and Tree Compliance Agreement. After execution of these documents, receipt of the Escrow Deposits, if applicable, and successful completion of the Tree Removal Inspection as defined in Section 6.4.a., if required, the PAB shall issue a Port Royal Plantation Building Permit. The permit, in addition to all other required building permits, is the authority to proceed with clearing, grading and foundation forms placement. Permitting of further work shall be in accordance with Section 6.4.b., Required Benchmark Surveys, and Section 6.4.c., Driveway Inspection.
  - b. The permit shall be prominently posted at the site, visible from the street, along with the Town of Hilton Head Island Building Permit.

- c. Construction work shall start within ninety (90) days of the date of Port Royal Plantation Building Permit and be completed within one (1) year of the permit date. Additions shall be completed within six (6) months of permit date.
- d. If a project is disapproved, a letter citing the reasons for disapproval shall be sent to the applicant. The applicant may resubmit revised plans that are in compliance with the PAB's letter. No additional fee is required for this submittal. The applicant may appeal in accordance with Section 5.6.
- e. A complete set of the plans and specifications, the Application for Building Permit, other required forms and related correspondence, as approved by the PAB, shall be retained in the PAB files. These documents are the basis for subsequent site, work-in-progress and final inspections by representatives of the PAB. It is the policy of the PAB to inspect each building site regularly for construction progress and compliance with the approved plans and specifications.

## 5. Variances

- a. Variances from the Guidelines are discouraged but may be granted under certain circumstances. Each variance request shall be identified and requested separately on the Plantation's Application for Variance Form and shall include sufficient information and facts to support the PAB granting of the variance request. The fee for each Application for Variance is \$250.00.
- b. The PAB may grant the variance if it determines the applicant has demonstrated all of the following:
  - 1) Strict enforcement of the building guidelines would result in an unreasonable hardship on applicant's land which is unique to applicant's land and is generally not shared by other properties in the vicinity.
  - 2) The unreasonable hardship to the property was not caused by the applicant.
  - 3) Granting the variance would not negatively affect surrounding properties (effect on drainage, architecture of neighborhood, etc.).
  - 4) The spirit and intent of the guidelines would not be offended by the granting of the variance.
- c. The PAB shall schedule a hearing on any variance request. Notice of the variance being requested and date of hearing shall be prominently posted at the site, visible from the street, at least three weeks prior to the date of the hearing. Details of the project and variance shall be available at the Administration Office for review. In addition, for setback variance requests exceeding two feet the same notice shall be sent, at least three weeks prior to the date of the hearing, by regular mail (with proof of mail), to the owners of record of properties located within 300 feet of the subject property. Any Plantation property owner may appear at the hearing and shall be given the opportunity to comment on the variance being considered. Any Plantation property owner may submit written comments about a variance request at any time to the Plans Approval Board.

- d. Any person aggrieved by a decision of the PAB on a variance request may appeal to the BOD. An “aggrieved person” is defined herein as the applicant, or any owner of property located within 300 feet of the subject property who has protested granting of the variance request, either in person at the variance request hearing or in writing prior to the hearing. The appeal shall be made in accordance with the appeal provisions of Section 5.6.

## 6. Appeals

- a. The applicant has the right to appeal any adverse decision on the Application for Building Permit or a variance request to the BOD. The appeal shall be made within 15 days from the date written notice of the PAB’s decision was mailed to the applicant. Copies of this notice shall be sent to all “aggrieved persons”. The appeal shall be in writing, contain the basis of the appeal, and a statement requesting the action to be taken by the BOD. A hearing, open to all Landowners, shall be scheduled by the BOD within 60 days from the date a timely appeal is received.
- b. PAB decisions on variance requests may also be appealed to the BOD by “aggrieved persons” as defined in Section 5.5.d. Variance appeals shall be received by the BOD within 15 days from the date written notice of the PAB’s decision was mailed to the applicant. Only appeal applications containing the following information shall be considered: name and address of the person filing the appeal; evidence that the person filing the appeal is an “aggrieved person”; the decision being appealed; the grounds of the appeal; and the action requested to be taken by the BOD. A hearing, open to all Landowners, shall be scheduled by the BOD within 60 days from the date a timely appeal is received-

## 7. Emergency Permit Procedures – In the event of a major disaster effecting multiple properties, the Board of Directors may approve, for a limited time, the following modified procedures:

- a. **Demolition of a residence with no immediate plans to rebuild.** Upon receipt of a written application, the PAB Administrator shall issue a Demolition permit. The written application shall be submitted within 90 days of the occurrence of damage. Demolition procedures found in Section 3.17 shall be adhered to and the demolition shall be completed within 90 days of the permit date unless an extension is requested and approved by the PAB Administrator. No fee is required.
- b. **Demolition with the intent to rebuild with new construction.** If new construction plans have been submitted and approved by the PAB, demolition shall be included in the new construction permit. If new construction plans have not yet been approved, a Demolition Only permit shall be issued. The application for a Demolition Only permit shall be submitted within 90 days of the occurrence of damage. Demolition shall be completed within 90 days of the Demolition Only permit date and the requirements of Section 3.17 shall be adhered to unless new construction is scheduled to begin within 30 days of the demolition date. No fee is required for the Demolition Only permit and standard new construction fees apply for the new construction.
- c. **Restoration of the property to its condition prior to the damage with no exterior changes.** Upon receipt of an application stating “No Changes”, the PAB Administrator

shall issue a permit marked “No Changes”. Minor changes from previously existing conditions (such as window/door changes) may be included in this category at the discretion of the PAB Administrator. No fee is required.

- d. **Restoration of the property with proposed exterior changes and/or additions or changes required by current applicable building codes, ordinances, or guidelines.** All applicable PAB review procedures and fees apply.
- e. In all cases, a landowner may take appropriate actions as necessary without PAB approval to prevent further damage to their property. Such actions may include the removal of downed trees or trees leaning more than 15 degrees, tarping of the roof, covering broken doors and windows, etc. Note: Landowners shall obtain and retain photo documentation of trees leaning more than 15 degrees.
- f. The PAB shall prioritize damage approvals over other pending approvals and shall work closely and cooperatively with each affected landowner, including the scheduling of additional meetings as necessary, to restore a safe and secure living environment.

## 8. **Changes and Post Approval Control**

- a. If any changes to the approved plans and specifications involving the exterior of the structures or the site are desired during construction, documentation of such changes shall be submitted to the PAB for approval on the Change Request Form (obtained online or from the PAB Administrator). If the change constitutes a variance from the Guidelines, an Application for Variance shall be included with applicable fees. No work on an exterior change is permitted until the request is approved in writing.
- b. If any construction not shown on the approved plans and specifications is discovered prior to project closure, such changes shall be submitted to the PAB on the Change Request Form, along with revised or marked-up plans defining the change. An Administrative Fine of \$250.00 shall be applied. If the change constitutes a variance to the Guidelines which was not specifically authorized by the Port Royal Plantation Building Permit, it shall be submitted on the Application for Variance. The standard Variance Application fee of \$250.00 shall be charged. Construction on that section of the structure that involves the change and/or variance shall cease until the PAB renders its decision. If the PAB disapproves the change and/or variance, it shall be corrected.

# Section 6

## Plan Review Procedures and Submission Requirements

The following Plan Review procedures generally apply to new construction and other major projects only. As always, if there are questions about what is required for a particular project, please contact the PAB Administrator.

1. **Levels of Review** – The following three levels of review are available to landowners. Not all levels of review are required before a project is approved and a permit issued.
  - a. **Conceptual Review** – If an applicant, prior to detailed plan preparation, has a concern about the acceptability of any planned architectural features, structural layout or site development under the Guidelines, a conceptual description may be submitted to the PAB for informal evaluation and comment. This approach may avoid costly plan revision and delay during the approval process. There is no fee for a conceptual review.
  - b. **Preliminary Review** – If the applicant is concerned about the acceptability of the project design, a preliminary review may be requested by submitting an Application for Building Permit form, with the appropriate box checked, along with the full fee. The submission shall include a site plan, at an appropriate scale, showing: the required setbacks; the footprint of all structures dimensioned to the property lines; the tree survey; existing grade elevations; and sketches of the building elevations. The preliminary review shall be conducted at a regularly scheduled PAB meeting. This preliminary review is for information purposes only and is in no way binding on the PAB to subsequently approve any facet of the project.
  - c. **Final Review** – All documents as required in Section 6.2, Submittal Requirements, must have been received by the PAB Administrator before the Final Review can be completed.
2. **Submittal Requirements** – One (1) paper copy of the documentation described below and approved digital or PDF version shall be submitted to the PAB. All documents shall include the name and contact info for the responsible party (designer, architect, surveyor, engineer, contractor, etc.) and shall be retained by the PAB. **Documents shall be submitted no later than Monday, one week prior to the Tuesday meeting.**
  - a. **As-Built Survey** – For all additions and renovations, a certified as-built survey at a scale of 1/8-inch, with all setbacks drawn, shall be submitted.
  - b. **Site Plan** – A site plan based on a certified survey at an appropriate scale for a 24x36-inch sheet is required showing:
    - 1) Topographical one-foot contours and lot corner elevations of the original grade, and any applicable government restrictions;

- 2) All trees over 6-inch diameter measured at 4.5 feet above the ground; groups of three or more trees within three (3) feet of each other, each of which exceeds three (3) inches in diameter measured four and one half (4.5) feet above the ground, the tree species, and those trees which are proposed to be removed indicated by an “X”;
  - 3) The required setback lines along with the extreme edges of all proposed vertical construction (over 18 inches above final grade) including, but not limited to, the building and its roof overhangs (roof overhang perimeter to be indicated by solid lines and the foundation perimeter by dashed, broken lines), porches, decks, service yards, fences, heating/air conditioning equipment, etc., dimensioned to the property line;
  - 4) Major features on adjacent properties including the edges of vertical construction, roads, paths, marshes, lagoons, ponds, dunes, swales and culverts (with sizes and inverts), golf courses, any applicable government restrictions, etc.;
  - 5) All proposed horizontal construction (less than 18 inches above final grade) including driveways, parking areas, paths, walkways, planters, pools, decks, patios, etc.;
  - 6) The location of any other fixed structures, not directly related to the residence, sited on the property;
  - 7) Service entry to lot for water, electricity, telephone, cable TV; sanitary sewer connection;
- c. **Grading and Drainage Plan** - A Grading and Drainage Plan shall be at a minimum scale of 1” = 10’ and be prepared and sealed by a licensed South Carolina Professional Engineer, Architect, or Landscape Architect experienced in drainage and grading. Drainage and grading plans are required for all new home construction and may be required for home additions, large landscape changes, pool additions and renovations that include the removal of landscape, include foundation work or has a change in property elevations. The Grading and Drainage Plan shall be submitted to the PAB Administrator for PAB approval. Drainage and Grading Plan(s) shall include the following:
- 1) Existing and proposed contour lines.
  - 2) Drainage flow indication with arrows showing runoff away from adjoining property and directed to roads and graded catchment area(s).
  - 3) Contour lines for swales, catchment area(s), and level spreaders at a contour interval less than 1 foot.
  - 4) Spot elevations to clearly indicate feasibility of drainage runoff.
  - 5) Location and construction details of silt fence, level spreaders, seepage trenches, and any other seepage devices for containing runoff.
- d. **Landscape Plan** – Landscape Plans are meant to enhance the beauty of individual properties, soften and screen the appearance of elevated foundations, service yards, parking areas, large building masses, swimming pools, etc., taking into account the appearance of the home from the street, lagoons, waterfront, golf course, and neighboring properties. The landscape plan is to be designed and submitted to the PAB Administrator on a site plan utilizing the appropriate scale and incorporating the tree survey, topographic information, building footprints, and horizontal construction (stepping stones, paths, benches, fountains, statues, etc.) and will include the following:

- 1) The plan is to show size, species, and locations of all existing landscape and improvements, the location and type of all exterior lights, and all berms by location and elevation.
  - 2) Plants shall be drawn to scale of their approximate size at maturity according to American Nurseryman's Standards.
  - 3) A plant schedule is to be incorporated on the Landscape Plan showing associated plant symbol/abbreviation, common name, botanical name, size (height, spread, and container size), and quantity used.
- e. **Architectural Plans** – Fully dimensioned architectural plans on a 24X36-inch sheet at a scale of 1/4 inch per foot are required including:
- 1) Floor plans with computation of heated/air-conditioned area (in sq. ft.) by floor and for the total building, including indication of the roof overhang perimeter by dashed, broken lines;
  - 2) All elevations shall show a schedule of colors, keyed to the elevation drawings. Each of the features shown on the elevation drawings shall indicate the specific color and material;
  - 3) Elevation views of all sides showing treatment of all exterior surfaces, finished main floor elevation, other floor elevations, maximum building roof height above the main floor, original and final grade levels and a statement of the Base Flood Elevation (BFE) required for the lot;
  - 4) Typical construction details including wall sections, dimensioned roof overhangs, trim, lattices, service yard and privacy walls, etc.;
  - 5) Each exterior elevation shall be drawn commencing from the finish grade and proceeding up. The finish grades shown shall correspond to those indicated on the grading plan;
  - 6) Complete definition of any other structures (planters, decorative columns, pole lights, pool, water-fall, etc.) to be erected whether attached or separate from the main building. If any part of a pool or spa projects 18 inches above grade, an elevation drawing is required;
  - 7) In the case of additions to existing structures, the specific addition shall be clearly defined in the construction drawings. The addition shall be identified in the complete and up to date floor plans and elevation drawings. This may be accomplished by "clouding" or "cross-hatching" the new portions.
- f. **Exterior Colors and Materials**
- 1) **New Residence Construction.** For new residence construction, approval of exterior colors and materials is a two-step process.
    - a) Preliminary approval for colors and materials will be provided at the time of project approval. Samples shall be provided to the PAB Administrator of materials, colors and finishes of all exterior construction (siding, soffits, fascia, trim, roof, window frames, mullions (muntins/grilles/grids), doors, chimneys, roof projections, exposed foundation, brick trim, pavers, etc.). Samples shall be the actual material and color to be used and shall be about 6X6-inch in size with the exception of bricks

and pavers for which color photos may be provided. Paper samples are not acceptable.

- b) Final approval for color and materials on new construction will only be given after a color board is placed on site sometime after the completion of framing and prior to any requested material/color being used. This board should be a minimum of 4 feet by 6 feet and show all colors and materials. A Color Board specification sheet can be found in Exhibit A at the end of this document, online or obtained from the PAB Administrator. The PAB Administrator shall be notified when the Color Board has been placed on site to ensure the expeditious consideration by the PAB.
- 2) **Smaller Scope Projects.** Smaller scope projects such as re-paints, administrative fines, remodels, new roofs, etc. shall follow the preliminary approval procedures found in Section 6.2.f.1)a) above. In most cases, the samples provided will be sufficient to allow the PAB to make a final determination of acceptability. The PAB may, however, require that the requested materials and/or colors be shown on site. An example would be a re-paint where the PAB believes a small sample (2' X 2') of the new color(s) needs to be evaluated on the house.
3. **Required Inspections/Surveys** – It is the contractor’s and owner’s responsibility to layout and construct the project according to approved plans. During the course of construction, the PAB and/or its representatives shall regularly inspect the site to ensure that work is proceeding in compliance with the approved project plans and documents, and that construction site requirements are met. Additionally, the following inspections and surveys are required to ensure that the approved plans are followed. Pay close attention to the timing of when each inspection survey is required.
- a. **Tree Removal Inspection**
    - 1) After project approval, escrow payment, submittal of the signed Letter of Acknowledgement, and the Drainage and Tree Compliance Agreement, and at the request of the PAB, the applicant shall have all trees approved for removal tagged with ribbons. Ribbons shall be removed from all other trees.
    - 2) The applicant shall contact the Administrator for an inspection of the tagged trees.
    - 3) Once the inspection is complete and the tagged trees have been approved for removal, the Building Permit shall be issued, validating the site for clearing and batter board or forms placement.
  - b. **Required Benchmark Surveys** – The PAB requires Benchmark Surveys from a certified surveyor to ensure the work being done is in accordance with the approved plans. The PAB shall require the following surveys to be provided to the PAB Administrator in accordance with the construction progression:
    - 1) **Foundation Survey:** The foundation survey shall be submitted to the PAB Administrator prior to construction of the first floor. The foundation survey shall match the approved site plan.
    - 2) **First Floor Elevation:** The first-floor elevation shall be submitted upon completion of the top finish (plywood) of the first floor. This is typically required for flood

elevations. Note: For an elevated house, a first-floor elevation and foundation survey can be submitted at the same time.

- 3) **Roof Ridge Survey:** The roof ridge survey shall be submitted upon completion of the finish roof material. The roof ridge is to be taken from the highest peak of the house (excluding the chimney).
- 4) **As-Built Survey:** The as-built survey shall be submitted upon completion of the project and shall include the house footprint, all hard surfaces (decking, patios, walks, driveways, walls, etc.), swimming pools, etc.

**c. Driveway Inspection**

- 1) When the applicant has completed preparations for the pouring or laying of the driveway, the applicant shall contact the Administrator for an inspection of the driveway drainage swale and/or culvert for elevations, sizes and materials. Forms or lines on the ground shall clearly delineate the areas to be paved.
- 2) The driveway shall not be poured or laid until the PAB approves the layout and drainage by signing the "Driveway Permitted" line on the Port Royal Plantation Building Permit.

**d. Final Inspection and As-Built Survey**

- 1) When the applicant has completed the project, including landscaping, in accordance with the Port Royal Plantation Building Permit, the applicant shall submit a letter to the PAB signed by the owner (or owner's agent) and the builder, certifying that all permitted work has been completed in accordance with the plans and specifications, and any amendments thereto, approved by the PAB. A copy of the Certificate of Elevation, the Town of Hilton Head Island Certificate of Occupancy, and an As-Built Survey shall also be submitted to the PAB. The as-built survey shall include the house footprint, all hard surfaces (decking, patios, walks, driveways, walls, etc.), swimming pools, etc.
- 2) If the PAB concurs that all permitted work has been completed in accord with approved plans and specifications, the Escrow Deposit, less any administrative fines assessed (See Section 4.2), shall be returned to the applicant.
- 3) If the PAB finds that the permitted work was not in compliance with the approved plans and specifications, the PAB shall issue a letter to the applicant stating the reasons for non-compliance. The applicant shall correct the deficiencies and resubmit a letter certifying completion.

# Section 7

## Regulations During Construction

### 1. Permits

- a. All contractors shall obtain decals or day permits from Port Royal Plantation Security for all vehicles that are used on the Plantation.
- b. No tree removal, clearing, grading, excavating or filling in preparation for construction, nor any construction is permitted without a properly executed Port Royal Plantation Building Permit (and a Town of Hilton Head Island Building Permit where applicable).
- c. All Building Permits shall be prominently posted at the site, visible from the street, securely fastened and protected from the weather.

### 2. Utilities – The contractor is responsible for providing water and electrical service at the job site prior to starting any work that requires their use. Obtaining water or electricity from neighboring houses is prohibited.

### 3. Property Use

- a. The contractor, subcontractors, and all personnel and equipment shall remain on the job site lot at all times while within Port Royal Plantation. The contractor is not permitted to use or trespass upon neighboring lots or Port Royal Plantation Common Property, except for the property between the access road and the property boundary. The contractor shall construct a temporary driveway entrance of compacted earth or gravel connecting the lot to the road at one point, graded so as not to interfere with drainage along the road, in order to minimize any damage to the edges of the roadway. Any damage to roads, trees, shrubs, signs or other property within Port Royal Plantation caused by contractor or subcontractor personnel or equipment shall be restored at no expense to the Association.
- b. The access roads to all construction sites shall be kept clean. All earth, debris, etc. shall be removed by sweeping or washing on a daily basis. Any spills (debris, soil, concrete, petroleum products, paint, etc.) shall be removed immediately after each occurrence.
- c. If it is not possible to perform the construction work without using Common Property for access, the applicant may request permission to do so from the PAB. Permission to use privately owned property shall be obtained in writing from the owner and provided to the PAB.
- d. It is the responsibility of the Owner to restore any adjacent property, approved for access or otherwise damaged, to its original condition prior to requesting a Final Inspection of the project.

#### **4. Temporary Structures and Construction Equipment**

- a. Temporary structures may be placed upon the lot during construction with prior written consent of the PAB. The PAB's consent shall be based upon the applicant's proof of the need for the structure and the acceptability of its configuration. The temporary structures shall at no time be used for living quarters and shall be removed upon completion of construction of the building.
- b. Small construction equipment, such as power tools, tool boxes, generators, etc. may be left at the site. Larger equipment such as earth movers, vehicles, trailers, etc. may not be left overnight unless specifically authorized by the PAB.
- c. Neither the BOD, the PAB nor any of their employees shall be held liable for the loss of any temporary structures, tools, materials or equipment from any project site.

#### **5. Site Maintenance**

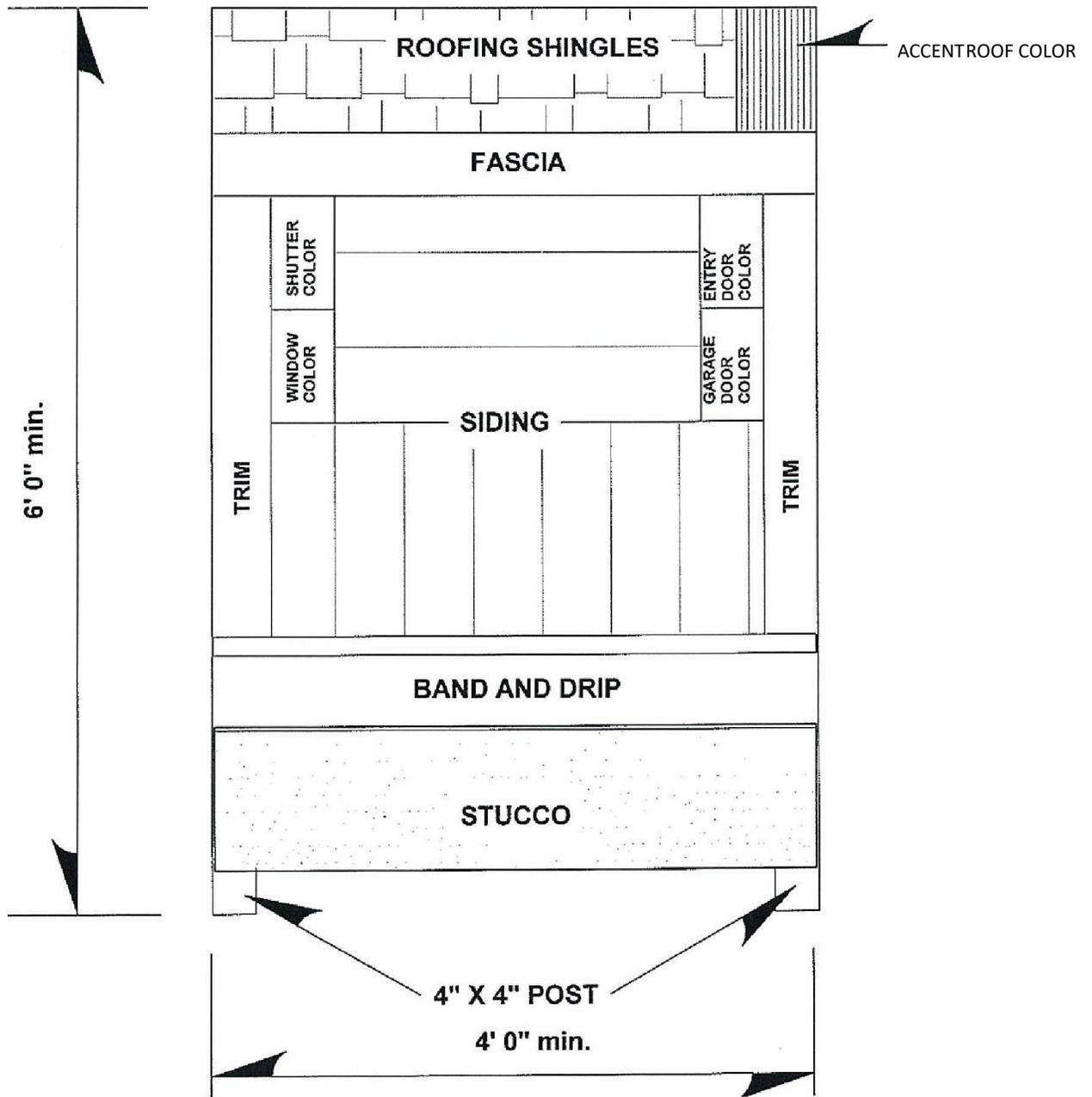
- a. The site shall be kept clear of debris, litter and trash by using at least one small trash container and one large container. The container(s) shall be placed on the construction site only. Trash shall be placed directly into these containers, and at the end of each day the owner/contractor shall assure that any loose litter/trash on the site or adjacent property is placed in the containers and shall cover the containers. The containers shall be emptied as often as necessary to assure trash does not spill or blow out. Material shall not be visible above the top of any large container. All such trash, debris and litter shall be removed from the Plantation. No dumping of any kind is permitted within the Plantation.
- b. All vehicles used to haul trash, fill dirt, debris, building materials, etc., shall be equipped with a net or cover to contain loose material and loaded so as to prevent all spillage. If spillage does occur within the Plantation, it shall be promptly removed by the owner/contractor.
- c. No trash burning or fires of any kind, no fishing or hunting and no nuisance such as loud radios or loud profane language is permitted within the Plantation. All construction workers and their equipment are to remain on the project site at all times. No animals or pets of construction workers, nor any persons not employed on the job, shall be allowed on the Plantation.
- d. A portable toilet shall be provided at the construction site by the applicant and shall be placed in an unobtrusive location, on the construction site only, subject to any codes of the Town of Hilton Head Island.
- e. No signs are permitted on the site except one sign for the contractor and one sign for the architect/designer. These signs shall be located adjacent to the access street, facing the street, and shall not be erected until a Port Royal Plantation Building Permit is posted, and removed as soon as construction is complete. Such signs shall not exceed six (6) square feet in area.

- f. The owner of a home not immediately occupied after construction shall be responsible for properly maintaining the house and grounds until occupancy.

## 6. Contractor Rules

- a. Contractor access is only allowed between 7:00 a.m. and 6:00 p.m. Monday through Friday. Work is not permitted on weekends or holidays. A list of recognized holidays is available at the Administration office. All contractors SHALL be off the premises no later than 6:00 p.m. Emergency exceptions for weekend work may be granted only if approved in advance by the General Manager or Director of Security. Exceptions for extreme emergency situations requested after business hours and/or on a weekend may be granted by the on-duty officer or shift supervisor.
- b. Owners are responsible for their contractors and contractors are responsible for the actions of their employees and subcontractors.
- c. All work materials shall be kept within the site and maintained in a neat and orderly manner. Open trash piles are prohibited. Construction debris SHALL be contained in dumpsters or hauled off the site daily. At the end of each day, the owner/contractor shall assure that any loose litter/trash on the site or adjacent property is placed in the containers and shall cover the containers. A separate trash receptacle shall be placed on the construction site for any food containers/debris and shall be covered at all times.
- d. All motor vehicles – including those belonging to the contractor, subcontractors or suppliers, and workers’ personal vehicles – shall be parked off-street and only on the project property. Where conditions do not allow such to occur, the builder shall arrange **in advance** for an alternative jointly with Port Royal Plantation Security and neighboring property owners. The contractor and property owner are responsible for seeing that all workers and suppliers obey all traffic and security regulations of Port Royal Plantation. All contractors driving on Association owned roads shall show a valid driver’s license, current certificate of insurance and vehicle registration.
- e. Any damage done to roadways, walkways, leisure paths, golf cart paths, or to adjacent properties during the course of a project – and no matter whether caused by the contractor’s employees or equipment or by those of subcontractors or suppliers – shall be repaired by the contractor, to meet the Association’s approval.
- f. Tree protection requires the contractor to encase all trees to be saved with sufficient fencing to ensure that the roots, as well as the trunk, are protected from damage and the soil is protected from compaction within the drip line.
- g. Drainage shall be controlled on the lot during construction.
- h. Site preparation includes placing a bed of basecoat (use of rock, wood chips or hay at the entrance to the property) of at least four feet from the road, to help maintain the edge of the road and reduce dirt/mud on the road. Any mud, dirt or debris on the road shall be cleaned up, to include broom and/or vac-truck.

- i. A temporary debris (silt) fence shall be placed along all property lines that face a body of water, drainage channel or marsh. Debris fencing may also be required in other areas where excessive silting and/or runoff becomes an issue during construction. Debris fencing shall remain in place throughout the term of the construction project.
- j. A portable toilet shall be placed on site during the construction process, and the door shall face the construction site, not the street.
- k. All construction work shall be completed within the timeframe shown on the Port Royal permit.
- l. The Port Royal PAB Guidelines and regulations shall be strictly enforced during the construction process. Any violation of the regulations shall result in penalties or fines against the escrow deposit. If the escrow deposit is exhausted prior to completion of the project, the Association shall issue a stop work order until the deposit is brought back to the full amount remitted prior to construction. Damage or violations done that are beyond the deposit shall be the responsibility of the Landowner.



NOTE: USE ACTUAL CONSTRUCTION MATERIALS

## PORT ROYAL PLANTATION JOB SITE COLOR BOARD

\* The above is a representative diagram only. If more or fewer colors/materials are required, please adjust the Color Board as necessary.

Exhibit A

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