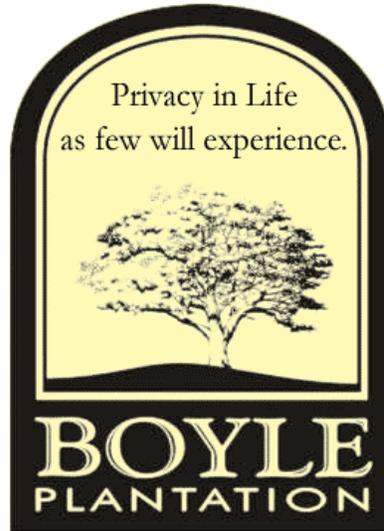


BOYLE PLANTATION HOMEOWNERS ASSOCIATION

# Community Design Regulations

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Date (When Approved by Majority of Owners)



Contains the design and building processes to be implemented at Boyle Plantation as agreed to by a majority of the Owners and recorded as an amendment to the Boyle Plantation Restrictive Covenants.

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Dear Owners and Prospective Property Owners:

We believe Boyle Plantation is a wonderful place to live! The Architectural Review Board (ARB) is an elected team of property Owners that share a deep concern for the quality of development and property maintenance at Boyle Plantation. The goal of the ARB is to make your building or remodeling process a smooth and pleasant experience, as well as establish standards for uniform compliance and protection of each Owner's investment, including maintenance of existing property, adhering to the Covenants, Restrictions and Community Design Regulations. These regulations have been designed to enhance the quality and character of our community and to protect the property values of all Boyle Plantation homeowners. We anticipate the attached Regulations will help clarify and expedite the process of your building, maintenance of existing property, or remodeling plan approval. We want you to know that we encourage input from everyone.

For existing Owners, it is important that you understand these Regulations before you start plans for remodeling and/or additions AND as they relate to the ongoing maintenance and upkeep of your home or lot.

For prospective Owners, it is important that you understand these Regulations before the purchase of a home site. Please take the time to thoroughly read these Regulations and share them with your architect and builder, as applicable. We look forward to working with you to assure that your home will be a welcome addition to Boyle Plantation.

## **1. FUNCTION AND PURPOSE OF THE ARCHITECTURAL REVIEW BOARD (ARB)**

The Boyle Plantation Architectural Review Board (BPARB) has been established in accordance with Paragraph 4 of the Restrictive Covenants dated April 3, 2002. Said Restrictions, recorded on April 6, 2002 in the RMC Office for Dorchester County in Book 4074 at Page 186 provide for an ARB to be put place in order to maintain ensuring development of new homes, remodeling and maintenance of existing homes and lots. These Regulations have been established to assist all property Owners in the planning and construction of their new homes and any improvements to existing homes. The entire administrative process is not atypical in high quality communities. It is a tried and true system developed over time based on experience. While these rather structured procedures are new to a number of us, we have found that they give both existing and prospective homeowners the best assurance that Boyle Plantation will continue to be the quality home-site to which we had all looked forward. We naturally expect these Regulations to be revised from time to time as our community grows and our needs change.

Within this booklet, you will find regulations and approval levels established by the ARB. Creativity is encouraged within the bounds of appropriateness. These Regulations are intended to establish a standard of environmental compatibility that will protect and preserve the natural character of Boyle Plantation. The Regulations provide the direction needed to reduce the visual and physical impact of building within Boyle Plantation. Homes built in accordance with the Design Regulations should harmonize with the natural character of our community, and preserve your privacy and investment, as well as the privacy and investment of your neighbors.

**THESE REGULATIONS DO NOT REPLACE AND ARE TO BE USED IN CONJUNCTION WITH THE BOYLE PLANTATION RESTRICTIVE COVENANTS, AND APPLICABLE AMMENDMENTS, AS FILED IN THE DORCHESTER COUNTY RMC OFFICE.**

### **Regulations**

The South Carolina Department of Health and Environmental Control Office of Coastal and Resource Management (SCDHEC-OCRM) approves wetland areas of construction. The wetlands as delineated on the “Plat of Boyle Plantation” and related storm water buffer zones detailed in the “Declaration of Restrictive Covenants for Storm Water Protection” have been established by SCDHEC-OCRM and require their concurrence for any amendment.

### **Permits and Regulatory Agencies**

In an effort to maintain continuity and adherence to regulations stipulated in the Covenants and Restrictions, all requests for wetlands review through a governmental agency, i.e. an OCRM request for wetlands “delineation” or “variance” (to allow improvements to wetlands), shall be submitted to the ARB for review of the merits of the request.

## **Local Regulation**

Building permits are issued and inspections are carried out by Dorchester County Planning, Zoning and Codes Department. In some instances, the Covenants and ARB Regulations in effect for Boyle Plantation may include additional restrictions.

After granting final approval, the ARB will provide you with an “Approval Letter” which needs to be obtained prior to obtaining a building permit issued by Dorchester County. The building permit and Approval Letter must be posted at the construction site and remain accessible during the entire construction process.

Upon completion of all construction, the ARB must be contacted to inspect the property. You will then be provided with an ARB Compliance Letter. Once this is obtained, you can pursue a Certificate of Occupancy (CO) from Dorchester County.

## **Enforcement Policy**

Board members, ARB members, or any Association member may report to the Association's Board of Directors incidents of potential non-compliance.

Upon receiving a complaint of potential non-compliance with these ARB Regulations, the ARB will investigate the complaint by conducting a site visit.

If the ARB determines that the complaint has merit, the homeowner will be notified in writing of the violation. The notification will include a description of the violation, the remedial action required to bring the property into compliance with the Regulations, and a deadline for achieving compliance with the Regulations.

If the homeowner fails to meet the compliance deadline, a “show cause” hearing shall be held before the Board of Directors or before an adjudicatory panel appointed by the Board. The purpose of the hearing will be for the offending homeowners to present evidence as to why they should not be fined for violating the Regulations. The ARB shall provide written notice of the hearing, including the location and the time and date of the hearing, to the offending homeowner. The hearing date shall be not less than ten (10) days from the date of the notice.

If the Board or the adjudicatory panel determines that the homeowner has failed to show cause as to why a fine for the violation should not be assessed against the offending homeowner, the fine as specified in Appendix A – “Enforcement Fee Schedule” will be assessed against the non-complying property. If the fine remains unpaid, a lien will be filed against the non-complying property to secure payment of the fine, and the lien will be foreclosed.

The offending homeowners will be immediately notified in writing of the Board or the adjudicator panel's decision with respect to non-compliance, including the amount of the daily fine that shall be levied for continued non-compliance and the date that the fine shall ensue.

The Association may seek a Court Order to stop construction and shall seek all reasonable attorney fees incurred by the Association in its efforts to enforce its covenants.

## **2. REVIEW STEPS**

The following descriptions set forth the different levels of review and required submittals for each. The ARB meets monthly and has thirty days from official receipt of the plans to either approve or disapprove the submittal. Applications that are incomplete (according to requirements as specified below) will be returned without review.

### **Conceptual Review**

This step is required to give conceptual approval to a tentative home plan. A site plan and elevations are required to be submitted with a footprint of the home, driveway and walkways and square footage. This review is intended to facilitate good communication between the property Owner, the Owner's architect and the ARB. This should aid the Owner in exploring an idea before investing too much time, money and effort in the formal design or submittal. Note: The homeowner must obtain the SCDHEC approved well and septic locations required by the preliminary review during this phase since it may have an impact on the home-site configuration.

### **Preliminary Review (Required)**

This step is required and will reflect the conceptual or "schematic" stage of development in your design efforts. The ARB will review the submittal to determine adherence to the Regulations and will, if appropriate, provide written suggestions and recommendations. This Review must include all of the following before consideration:

1. Preliminary Review Form - The Owner must fill out a "Request for Review" form, located in Appendix B as part of the submittal process.
2. Site Survey/Plan
  - a. Scale should be identified on drawing
  - b. Indicate tax map number, plat number and area of property
  - c. Title with name of owner
  - d. Property lines including wetlands delineation
  - e. Exact position of home, sidewalks, driveways (including gate and lighting fixtures) and improvements
  - f. Septic and well locations (submit copies of permits)
  - g. Show all easements and building setback lines

- h. Location and type of trees 6” or larger in diameter (as measured three feet from the ground)
  - i. Identify trees to be removed (labeled on-site with “yellow tape”)
  - j. North Arrow
3. Plans
- a. Two sets of plans which will be the basis for the drawings to be sealed by an engineer (i.e. study plans are acceptable).
  - b. Building elevations must show all four elevations with typical notations and dimensions, any screening types and locations, overall heights from grade to ridge or roof.
  - c. Floor Plans must include each level floor plan, including ground level; rooms labeled; all walls shown; all windows and doors with swings shown; HVAC enclosures; total heated/unheated square footage computation.
4. Building Stake Out (underbrush clearing will be approved as necessary by the ARB – only the area needed for staking the improvement is to be cleared – trees > 6” at 3’ above the ground are to remain even if in the footprint of the improvement – trees marked for removal will be reviewed by the Board of Directors and approval coordinated with the ARB review process)
- a. All boundary line transitions will be staked by a registered surveyor
  - b. On-site staking of house and any detached buildings, using orange tape outline and 4’ tall wood stakes
  - c. All decks, labeled
  - d. All screened porches, labeled
  - e. All covered porches, labeled
  - f. All driveways, labeled
5. Collect Review Fee

### **Final Review**

This step will provide final documentation for ARB review leading to issuance of approvals needed for the Owner to obtain building permits to begin construction. The review package must include all of the following materials before it will be considered:

- 1. Final Review Form - The Owner must fill out a “Request for Review” form, located in Appendix B as part of the submittal documents.
- 2. Site Plan must show all those items required for the Preliminary Review plus proposed new topography and verification that the site plan complies with the drainage plan as shown on the recorded subdivision plat.
  - a. The actual proposed house location and/or additional structures must be included.

- b. Location of water, electrical, underground propane tanks, sewage system and equipment.
  - c. Location, dimensions, materials for walks and drives
  - d. Location of HVAC unit(s) and trash enclosure with screening location and type
  - e. Electric meter location (not allowed on front of house) or front sides on house.
  - f. Lot coverage (percentage of house to include roof overhangs, decks, paved driveways, walks, stairs, etc.)
  - g. Tree and topographical information
  - h. Location of under-driveway pipe for drainage, if applicable
3. Plans must show:
- a. Revision(s) as required from the ARB's preliminary review letter
  - b. All exterior elevations (four minimum), completely noted and detailed
  - c. Final floor plans showing all pertinent information for a complete architectural plan
  - d. Building sections and wall sections with typical section from grade to roof; details as deemed necessary to completely define the structure; details of all exterior architectural woodwork
  - e. Structural Plans detailing foundation and framing plans
4. Planting/Landscape Plan
- a. Definition of beds to include variety, size, location and number of all plant materials and/or ornaments. Landscaping requirements will be no less than the amount of trees and shrubs set out by the Dorchester County Planning and Zoning Department. In the event landscaping requirement is removed by the County, Boyle Plantation requirements are as follows; 2 trees, 4 medium shrubs and 8 small shrubs. This requirement is subject to change and is in addition to any other landscaping requirement that has been imposed during the Preliminary Review process.
  - b. Note: All plantings must be completed before the construction deposit will be refunded
5. Specifications
- a. Must define materials to be used, such as siding, roofing, etc.
  - b. Paint Colors
  - c. Finishes
  - d. Doors and windows to be used
6. Color Samples - provide the following material/color samples:
- a. 4 to 6-inch siding sample, painted the representative color

- b. 4” square sample of the roofing material
  - c. 4” to 6” square exterior trim
  - d. 4” to 6” square stucco sample, if applicable
  - e. All exterior colors of doors and windows
  - f. 4” sample of brick materials, as applicable
  - g. Driveway and walkway materials and color sample requirements are subject to material used.
7. Building Stake Out: *To be completed prior to ARB submittal, indicating:*
- a. On-site staking of house, using orange tape outline and 4-ft. tall wood stakes
  - b. All decks, labeled
  - c. All screened porches, labeled
  - d. All covered porches, labeled
  - e. Driveway, labeled
8. Collect Construction Deposit

### **Improvement Review**

As stated in Boyle Plantation Covenants, no building, driveway, pad, wall, fence, fountain, deck, swimming pool, spa, roof, exterior lighting, satellite dish, exterior painting, playground equipment (if not confined to the backyard), or any other improvement project of any kind shall be commenced or erected upon any residential lot without ARB approval. Any owner wishing to make an improvement shall submit a letter of intent to the ARB that describes the intent and purpose of the proposed improvement(s). In addition, the following will be submitted along with the letter of intent:

1. Improvement Review Form - The Owner must complete a “Request for Review” form located in Appendix B
2. Site Plan (with scale) must show:
  - a. Proposed location of improvement(s)
  - b. Location, dimensions, materials for walks and drives
  - c. Old vs. new lot coverage
  - d. Tree and topographical information
  - e. New landscape plan, if applicable
3. Drawings (with scale)
  - a. Footprint and elevations of existing and proposed improvements
  - b. Details to show the ARB the proposed improvement
4. Construction Deposit to be collected prior to approval

## **Review Fees and Deposits**

### 1. Review Fee – New Construction

The owner must submit a non-refundable ARB review fee of \$50. The ARB review fee is valid for a maximum of one year from the date submitted and is valid only for the originally submitted plans. It must be submitted with the Request for Preliminary Review form. The ARB will only review submittals from the owner of the property.

### 2. Review Fee – Improvements

The owner must submit a non-refundable ARB review fee of \$5. The ARB review fee is valid for a maximum of one year from the date submitted and is valid only with the plans submitted.

### 3. Construction Deposits (In addition to the Review Fee)

#### New Construction

1. Each property Owner shall pay a Contractor/Construction security deposit in an amount set by the ARB for assurance that they will comply with the approved plans and specifications and that their contractor will comply with the Contractor Rules and Regulations. The current Contractor/Construction security deposit is \$1,500.00 and is submitted with Appendix C – “Construction Application Form.”
2. The security deposit is refundable upon completion of work, installation of the approved final landscaping scheme and satisfaction of the requirements found in these Regulations and Covenants, less required deductions (see below).
3. Cost to repair any damage to the environment or property on Boyle Plantation that has not been fully reimbursed will be deducted from the security deposit. There are absolutely no refunds until all such damages are repaired. All landscaping, including any screening requirements, must be completed before refunds are given.
4. The non-refundable portions of the construction deposit are allocated as follows:
  - i. A road impact fee currently \$250 shall be withheld and placed in the Road Reserve fund. (Subject to increase)

#### Improvements

An improvement construction deposit of \$500 is required for improvements that require issuance of a Building Permit from Dorchester County. \$100 of this deposit will be non-refundable and placed in the Road Reserve Fund.

## **3. THE BUILDING PROCESS**

This section contains important information related to actual construction after the ARB grants final approval for new construction or improvements. The ARB’s goal is to have the actual construction of a new home or improvements being made to an existing home done in such a manner as to cause the

least impact to your neighbors and protect the environment at Boyle Plantation. Each Owner and contractor should read this section very carefully.

### **Before Construction**

After reviewing the ARB Review Process and receiving “Final” approval from the ARB, several steps must be taken before any lot clearing, material deliveries, or construction can begin:

1. County regulations require building and septic permits issued by Dorchester County Planning Zoning and Codes Department. For plans that have received final ARB approval, the appropriate county permits must be obtained within a period of 6 months from the date of receiving ARB approval. If construction has not started within 6 months then an extension will be required from the ARB.
2. Each contractor shall abide with the regulations and is expected to maintain professional conduct while working at Boyle Plantation. The contractor shall review these Regulations, along with the list of fines in Appendix A. Violations will result in fines, which will be deducted from the construction security deposit. Should the contractor’s actions result in cumulative fines greater than the construction security deposit, the Owner will be held responsible for the excess fines. In addition, for extreme situations (such as continuing, flagrant violations), the ARB has the right to pull the site-building permit until the security deposit is reestablished and/or the situation is resolved.
3. Refer to Appendix C for the Construction Application Form, which must be completed and submitted to the ARB prior to the start of construction.

### **Design Changes during Construction**

Each Owner, or the Owner’s representative, must request approval from the ARB for any proposed design change prior to the making of the change. Changes will require resubmission and final approval. Changes made during construction are not considered “improvements”. Changes that are made during the construction process must be pre-approved in writing by the ARB and are to be submitted on form “Design/Construction Change” – Appendix D.

### **Contractor Regulations and Conduct**

1. The contractor is fully responsible for the actions of his employees and subcontractors, including compliance with speed limits within Boyle Plantation.
2. Workers are restricted to the job site and are not allowed to bring pets to the job site.
3. Hours of work in Boyle Plantation are 7:00 a.m. until 7:00 p.m. on Monday through Friday only, and from 7:00 a.m. to 6:00 p.m. on Saturday. **NO WORK IS PERMITTED ON SUNDAY AND HOLIDAYS. THIS APPLIES TO ALL CONTRACTORS.** Contractors, their employees, subs and all deliveries to the job site must follow the above schedule. Variances to these times will be approved on a case-by-case basis.
4. The holidays are: New Year’s Day, Memorial Day, and July 4th, Labor Day, Easter, Thanksgiving Day, and Christmas Day.

5. Contractors must be licensed in the State of South Carolina.
6. Loud music is prohibited.
7. No fishing or recreation (i.e., use of Boyle Plantation amenities by any contractors) is allowed. No motor driven vehicles are to be driven on the green or common areas of Boyle Plantation by any employees, contractors or home/lot owners unless such vehicle is used for maintaining the grounds.
8. No littering. Clean job sites must be maintained at all times. Each job shall be cleaned up and cleared of any debris every Friday afternoon.
9. Sanitary facilities at each construction site are required to have a temporary sanitary facility which is to be in place prior to commencement of any work, including land clearing. The entrance of the sanitary facility shall not face the street.
10. Burying of trash, debris or waste is not permitted.

Please note that the ARB has full authority, without notice, to remove violators and to stop work due to violation of these rules. Payment of fines does not allow any work in progress (outside of allowed hours) to continue. The "Final Approval" letter received by the Owner from the ARB serves as written notice regarding the Contractor Rules and applicable fines. The Owner is ultimately held responsible for violations and may be fined without further notice.

### **General Construction Regulations**

All construction at Boyle Plantation will be subject to observation by the ARB. Field inspections will be conducted on a regular basis; reports are reviewed monthly by the ARB on every residence under construction. Construction sites that are in violation of the Covenants and Regulations will be subject to fines as listed in Appendix A. These fines will be the responsibility of the Owner and will be deducted from the construction security deposit. Also, note the following:

1. ARB approval of architectural and landscape drawings will be valid for six (6) months prior to construction beginning. If construction does not begin within that time frame, re-submittal will be required. (The ARB may grant extensions due to adverse weather conditions or as other circumstances dictate.)
2. Absolutely no site clearing prior to ARB approval. Existing vegetation and wetlands must be protected with silt fencing or temporary fencing, as required, during construction.
3. The house location and footing trench must be verified to insure that the house is in the exact location as submitted on the ARB-approved plans prior to the pouring of the footings.
4. Boards or other materials shall not be nailed to trees during construction.
5. Construction is to be completed within one (1) year of issuance of the building permit. Extensions for valid reasons may be approved in writing by the ARB to avoid fines.
6. Vehicles must be parked so as not to block traffic or mail delivery.
7. Measures should be taken to prevent excessive mud and debris from being tracked onto the road and drainage swales.

## **Post Construction**

As a checklist, the following items must be completed before the construction deposit is refunded:

1. Complete construction within one year from issuance of the building permit.
2. ARB must be provided a copy of the Certificate of Occupancy w/in 30 days of issuance.
3. Construction debris removed from the site.
4. Dumpster and portable toilets removed from the site.
5. Mailbox installed. Mailbox must be approved by the ARB.
6. Temporary facilities and power pole removed from the site.
7. Repairs to street right-of-way and adjacent areas must be made.

## **4. MAINTENANCE OF EXISTING HOMES AND LOTS**

It shall be the responsibility of each Lot/Home Owner to prevent the development of any unclean, unsightly, or unkempt conditions of building or grounds on such Lot, which shall tend to substantially decrease the beauty of the neighborhood as a whole or the specific area. If a Lot/Home Owner shall allow the development of any unclean, unsightly, or unkempt condition of buildings or grounds or both, said condition shall be corrected by the Lot/Home Owner at the Lot/Home Owner's expense upon written request of the ARB.. Upon failure of said Lot/Home Owner to correct such condition within fifteen (15) days after the date of the written notice, fines will be assessed accordingly.

1. Bed and lawn areas must be maintained. Bedded areas must be kept weed free and clear of debris. Mulch/ground covering shall be applied periodically to maintain a neat, clean appearance. Dead plants must be removed and replaced with comparable sized plants if required as part of the landscaping buffering plan. Dead and/or diseased trees must be removed upon request and stumps removed to ground level. Lawn areas must be mowed regularly.
2. Upon written notice from the ARB, homes that are not in compliance with these design standards must be brought into compliance.
3. Garbage cans, woodpiles, hoses, bicycles, toys, water tanks, propane tanks, and other extraneous objects must be screened from view at all times.
4. No trash, rubbish, debris, junk, stored materials, wrecked or inoperable vehicles or similar unsightly items will be allowed to remain on any lot outside of an enclosed structure.
5. The Lot Owner is responsible for landscape maintenance of all Easements adjoining an owner's lot.
6. Rock driveways must be maintained at all times. Rock drive ways require a substantial border to keep the rock from spreading and becoming unkempt.

## 5. DESIGN REGULATIONS

### Use of Property

All lots shall be used as single-family residential building lots and no other use shall be permitted. No structure shall be erected, placed, altered, or permitted to remain on any Lot other than single family dwelling, and accessory structures customarily incident to the residential use of such Lots. Accessory Structures are: (garages, greenhouses, swimming pool houses) detached building or structure which is subordinate to the principle building (the home) on any lot will be used for purposes customarily incidental to the principle use, **but may not provide living facilities (cooking or food preparation facility)**. Maximum size of an Accessory Structure is 1000 total square feet per code. Accessory dwellings are not permitted.

No building or structure erected on any Lot shall be used for any business purpose whatsoever nor for any combined business and residential use. Day care facilities are not permitted in Boyle Plantation.

### Site Design

#### **Site Development Regulations**

Successfully integrating your home into Boyle Plantation's natural environment is critical to preservation of the natural character of Boyle Plantation. Minimizing the impact of your home on the environment and on your neighbors is the primary objective of good site planning. Each home site at Boyle Plantation provides unique design opportunities and limitations. A proper site evaluation will begin with a survey of existing conditions. Any tree larger than 6" in diameter (as measured three feet from the ground) shall not be removed without approval from the Board of Directors which is obtained through the review/approval process administered by the ARB.

- a. A site can only be cleared once the ARB final review process has been completed and an Owner has received written approval from the ARB.
- b. No lot clearing, grading, filling or tree removal is allowed until construction plans have been approved by the ARB and a building permit has been issued. Specific underbrushing for the review process Stake-out will be allowed.
- c. The ARB has the sole and exclusive right to approve the precise siting of buildings and improvements on a lot.

#### **Site Plan**

The Site Plan usually represents the first definitive step that the prospective homeowner takes with a specific piece of land and the key elements of a brand new house in mind. A complete Site Plan includes several required elements. These requirements are as follows:

- a. The Site Plan must show the proposed location of the residence and all appurtenant structures on the lot. Buildings, driveways and garages must also be shown in outline form.
- b. The Site Plan must also show all setbacks to edges of roof overhangs, decks, stairs, HVAC equipment, utility areas, pools, fountains, paved surfaces, fences, pet enclosures, propane tanks, hot tubs, septic layout, well pumps, play equipment, and lot area.

### **Setbacks**

All dwellings shall be at least twenty-five (25') feet from the front lot line of each lot. All dwellings shall further be at least fifteen (15') feet from any side lot line of each lot and all dwellings shall further be a least thirty (30') feet from the rear lot line of each lot.

For the purpose of determining setbacks with the foregoing building line requirements, terraces, stoops, eaves, wing walls, and steps extending beyond the outside wall of a structure shall not be considered as part of the structure. All buildings and their location on the lots must also conform to the zoning regulations of Dorchester County or the applicable governmental authority and the laws of the State of South Carolina, where applicable.

### **Driveway Design**

The Owner or design professional must select the most desirable path for the driveway prior to site development. Road access points are limited to two per lot.

When locating the drive, avoid the root zones of trees generally at the tree canopy. Driveways, including guest parking and turnarounds, must be kept back at least ten feet (10 ft.) from all property lines and must be at least ten feet (10 ft.) wide. All driveways must be either paved or concrete at least eight (8') feet from the edge of the street. The remainder of the driveway will be one of the following; asphalt, concrete, rock or crushed stone. Biodegradable material driveways are not acceptable. Additionally, drive ways require a substantial border to keep the rock or crushed stone from spreading and becoming unkempt.

Where roadside drainage swales exist, a minimum 18-inch inside diameter drainage pipe shall be installed under the driveway to facilitate drainage. The swale cannot be filled in.

### **Walkway Design**

Walkways must blend with the natural environment and be constructed of hard material.

### **Fences and Walls**

All fences must be approved by the ARB using Appendix B – Request for Review. Each fence application will be reviewed on an individual basis. There is no guarantee the ARB will approve the fence in question. Fences and walls have negative impact on any community.

Unquestionably, any person's fence will be shared by his neighbors, even if the neighbors only have to look at the other side of it. An inconsiderately placed fence can "box" a neighbor

in or destroy his view and will therefore not be acceptable. Fences and walls must harmonize in character and color with the house. The finished side of fences must always face out from the lot. In short, fences will be the exception rather than the rule.

The following is a summary of where fences may be permitted:

- a. Proposed fences must be appealing. Chain link is not permitted.
- b. The specifications of the fence will have a minimum of 75% free open space to allow an open appearance. This can be waived for fencing in the back of the dwelling that is used as a privacy fence.
- c. Fences constructed on the rear and side of the dwelling shall not exceed six (6) feet in height. Fences constructed on the front-side of the dwelling shall not exceed four (4') feet in height.
- d. Swimming pool fencing must be submitted with the pool's site plan. The fence height for pool enclosures is regulated by the local building codes.
- e. Plantings may be required to mask the fence, especially when viewed from the road or other common area property. Fences shall be located off the property line such that it does not impede into the established drainage easements.
- f. Existing approved fences must be maintained in accordance with the current Regulations. Any alterations, modifications or painting to existing fences must have prior ARB approval.

### **Pools**

The ARB will review all proposed pools on an individual basis. Pools and equipment enclosures must relate architecturally to the residence and other structures regarding their placement, materials and detailing. No above ground pools or inflatable covers will be allowed. Landscaping must be provided to soften the impact of the enclosure around the pool and pool equipment. Pools, spas and hot tubs must fall within the setback requirements.

Pools must be enclosed by a fence of at least four feet in height or as dictated by the local building code. Fences shall consist of self-latching gates at all entrances. All lighting of the pool shall be shielded or directed to face away from adjoining residences.

### **Miscellaneous**

- a. Boats, campers, bicycles, golf carts, trailers, ATVs and all other recreational or utility equipment must be stored in the garage, backyard or otherwise visually screened on all sides in order to lessen the visual impact. Otherwise, these items must be stored off-site. No front yard storage. The aforementioned items must not exceed 27 feet in length. Screening must be approved by the ARB.
- b. Construction trailers, horse trailers, mobile homes, school buses, equipment, vehicles with more than 6 wheels or more than three (3) axles, travel trailers, tow trucks, flatbed trucks, panel trucks or other like equipment, or other commercial vehicles shall not be stored or parked on any Lot, or on any street adjacent to the Lot.

- c. No external TV antennas will be allowed within Boyle Plantation. These must be located in the home's attic.
- d. Satellite dishes (maximum of 36" diameter) will be allowed. The dish must be placed in an inconspicuous place and screened with evergreen planting so as to be virtually invisible to neighbors and from the streetscape. Location and screening must be approved by the ARB prior to installation.
- e. Trees and distinctive flora must not be removed, destroyed or radically pruned without the prior written permission of the Board of Directors. No lot clearing, filling, grading or tree removal is allowed until plans have been approved for construction by the ARB and a building permit has been issued. Routine cleaning and removal of underbrush via bush-hogging is permitted. (Note: Bush-hogging is defined as clearing of underbrush and fallen limb removal).
- f. The only signs permitted on the Lots are those reading "For Sale", contractor signage during the period of construction, or appropriate real estate signage. All signage must be specifically approved in writing by the ARB. Signs shall not exceed six (6) square feet in area.

## **Building Design**

### **Design**

The ARB does not favor any one particular style or period of architecture but merely promotes designs that successfully integrate your home into this unique environment and neighboring home surroundings. All sides must be considered in a similar fashion as homes are seen from many vantage points.

Two-story walls without windows, extensions or rooflines to break up an area are definitely discouraged. It is imperative that a home blends in and compliments the character of the existing streetscape. Repetitive use of the same house plan is not accepted at Boyle Plantation. The ARB discourages the same brick color and/or siding color as on adjacent homes or on other homes on the same street. The focus on streetscape is important when designing your home.

### **Building Size & Height**

The lot size, surrounding residences, and the natural environment will dictate building shape and height. Trees strongly influence the ambiance of Boyle Plantation, and it is important that the visual impact, as well as the well being of the trees be considered.

Houses will have a minimum heated square footage of 2,000 sq. ft.

The ARB will not approve a submittal which crowds its site and is out of context with other structures in the area.

Boyle Plantation requirements are as follows:

- a. Garage door entry will be on the side of the dwelling or the rear of the dwelling. No front entry garage door is allowed. Detached garages must maintain the same architectural design and material of the house and must comply with the entrance views regarding the street. Garage placement for corner Lot dwellings should face away from the two roadways.
- b. The front of the house must be parallel with the road and face the roadway that is its legal street address.
- c. Homes must have at least a 32" minimum crawl space. Slab on grade construction for the primary and/or entrance to living area is not accepted. Basements are not allowed.
- d. Height of houses not to exceed Dorchester County Planning, Zoning and Codes Department restrictions.

### **Exterior Treatments**

Elements of building treatments, such as exterior materials, details and colors must be considered for the overall aesthetic appearance of the home. Door and window penetrations as well as corners and horizontal joints in siding should be trimmed and detailed. Fascias and soffits are areas where detail should be added.

- a. Foundations must be to scale and cannot be too massive. Foundation walls must be determined by a water table band (i.e., wood trim work or a brick banding, etc.).
- b. Exterior treatment siding must be contiguous; i.e., the front façade must be the same as the entire house.
- c. Fascia, including rakes, must have at least an 8" board.
- d. Roof pitches play an important role. Absolutely no flat roofs are allowed over a main structure. The minimum allowable roof pitch for a gabled roof is 6/12 and for a hip roof is 5/12. Porch roof separate from the main house roof can be as low as 3/12 pitch.
- e. Chimneys must have windscreens on all caps since exposed metal flues are not permitted.
- f. All fireplaces located on exterior walls that have offsets or otherwise look like fireplaces from the outside must have a chimney that extends above the roofline. A fireplace may not terminate under a soffit and/or have its own roof and must extend to grade.
- g. On homes with front porches, the porch depth must be in scale with the home. The ARB reserves the right to require a change in depth for any porch that seems out of scale. All porch columns that are 8 or more feet in height shall have a minimum diameter or square of 10".

### **Materials and Colors**

Exterior materials and colors should blend in with the natural surroundings and compliment neighboring homes; thus creating a pleasing streetscape. It is the intent of the ARB to prevent adjacent houses from having similar colors that detracts from the uniqueness of the community. All color samples for finished exterior must be painted on a sample of the siding and submitted to the ARB during the Final Review Submission. Final approval of the color will only be granted after the ARB has reviewed a 4-foot by 4-foot patch painted prominently on the house (this also applies to pre-finished siding) prior to the house being painted or installing the pre-finished siding. In such cases that multiple exterior colors (such as for siding

and foundation) are planned, each color must have a 4' X 4' patch painted or applied for approval.

- a. Chimney caps, electric meters, conduits, drains, etc. must be painted to blend in with the surrounding materials.
- b. It is imperative that all front porch columns, entablatures, all related wood pickets and hand/foot railing be painted and that the finish color compliments the exterior finish of the home.
- c. Siding materials that are not acceptable are vinyl, asbestos shingles, concrete blocks, cinder blocks, aluminum and plywood. Preferred siding materials are brick veneer, stone, stuccoed masonry, concrete siding (hardiplank), and brick. No diagonal siding installation will be allowed.
- d. All foundation walls must have either stucco, stone or brick finish. All homes must have solid foundations.
- e. Roofing materials can be standing seam, v-crimp, slate, cedar shakes, or composite shakes. Architectural fiberglass shingles are only permitted if they weigh at least 275 lbs. per square and have a minimum warranty of 30 years.
- f. Decking material can be pressure-treated wood or "Trex"-type material and may be approved to remain unfinished. Screening material for screened porches must be a black or charcoal in color. A "screen tight" method is only accepted if it is detailed correctly to its applied column.
- g. Gutters and downspouts should be designed to be compatible with the architectural character of the house and its color.

### **Service Area Requirements**

Boyle Plantation Covenants require that every home have an enclosed service area (suitable for garbage containers, bicycles, etc.).

- a. All homes must have an enclosed garage. Carports in lieu of garages are not permitted.
- b. Garage doors, as a general rule, must face away from the street. Side or rear entrance garage doors are generally required; however, in some cases, the natural conditions of the site may not warrant this. The ARB will review such situations on a case-by-case basis and will make recommendations accordingly.
- c. HVAC compressor units shall not be located on the street-side of a home. It is preferred that such items be located discreetly. HVAC units must be screened from view from the street and side lots by using brick, stucco or a comparable ARB approved screening method. The top of this wall must be at least 8 inches taller than the top of the compressor unit. The 8" requirement may be adjusted by the ARB on a case-by-case basis if the height will interfere with the aesthetic contour and look of the property. This adjustment must be specifically approved in writing on the plans or via other written correspondence.
- d. Pac Unit (not window) air condition units may be approved for finished rooms over the garage (unit not facing the street) on a case-by-case basis. During construction, provisions for the Pac Unit must be accounted for (i.e., shown on the review drawings).

- e. All electrical meters must be screened with plantings and may not be located on the front façade or front side of house. They must also be painted to match the walls to which they are attached.

### **Appurtenances**

The construction or erection of all types of playground equipment, trampolines, swing sets, swimming pools, spas, fences, fountains, retaining walls, landscaping/exterior lighting, and other recreational facilities must be submitted to the ARB for review and approval prior to installation.

- a. Flags may be flown from staffs that are mounted to houses or garages.
- b. Playground equipment must not be placed beyond the width of the house so as not to be viewed from the street. A landscape screen is required.

### **Landscape Design**

It is most important that the elements of landscape and building unite to form a single attractive entity. The ARB requires that all exterior lighting be designed in such a way as to preclude direct sight of the source of the light from beyond the property lines. Flood and spot lighting is disorienting to neighbors and should be considered in the design process.

### **Landscape Standards – Shall meet the requirements of the Dorchester County Planning, Zoning and Codes Department.**

NOTE: Trees and distinctive flora shall not be removed, destroyed or radically pruned without prior written permission of the Board of Directors. This approval will be included in the ARB review process of Appendix's B and C. No lot clearing, filling, grading or tree removal is allowed until plans have been approved for construction by the ARB and a building permit has been issued. Routine cleaning and removal of underbrush (bush hogging) is permitted.

## Appendix A – ENFORCEMENT FEE SCHEDULE

Effective ??????, 2007

1. Nonconforming Job Sign	\$100 / Day
2. Minor Damage to Protected Trees (tree remains viable and relatively unchanged in appearance)	\$100 / Tree
3. Severe Damage to Protected Tree (health/viability of tree is severely threatened), Assessment Plus Replacement if Necessary	\$500 / Tree
4. Unauthorized Tree Removal	\$500 / Tree
5. Damage to Natural Areas / Right of Way	\$500 / Occurrence + Repair
6. No Sanitary Facilities	\$50 / Day
7. Littered Construction Site	\$50 / Day
8. Vehicles or Dumpsters Parked on Road Right of Way	\$50/Vehicle/Occurrence
9. Dumpster Overflowing Greater than 72 Hours	\$50 / Day
10. Building Materials or Equipment on Road R-O-W or Adjacent Property	\$50 / Occurrence
11. Vehicles Parked on Adjacent Property	\$50 / Day
12. Unauthorized Minor Site/Building Plan Change	\$500
13. Unauthorized Major Site / Building Plan Change	\$1,500
14. Damage to or Unauthorized Pruning of Flora or Trees on Adjacent Property	\$250
15. Failure to Complete Construction (New Home or Major Alteration to Existing) after One Year	\$250 / Month
16. Poorly Maintained Property (See Maintenance of Existing Homes & Lots Section) (per first 90 days, then monthly thereafter):	
a. Exterior of Building	\$200
b. Landscaping, Natural Areas	\$200
c. Driveways	\$100
17. Unauthorized Dumping of Trash and Debris in Containers on Building Sites for which the Contractor has no Responsibility	\$250 / Occurrence
18. Damage to Roadways Not Repaired	\$100 / Day
19. Contractor / Sub-Contractor misconduct	\$250 / Occurrence
20. Building without a Building Permit	\$1,000 / Occurrence
21. Building without ARB Approval - (Note: If such unauthorized construction continues, after receipt of written notice, additional fine(s) will be assessed.)	\$1,500 (first written notice)
22. Sunday and Holiday work and non-authorized working hours	Warning \$100 / 2nd notice; \$200 / additional occurrence
23. Unauthorized filling of drainage swales	\$500 + correction

**The ARB will assess fines on a case-by-case basis; BPHOA's Board of Directors has the authority to pursue legal action, if necessary. Legal action may include liens filed against the property at the RMC Office and with the lender. All legal and collection costs will be charged against the property/Owner.**

**The ARB reserves the right, with the Board of Directors' approval and direction, to correct the deficiency, and charge the related cost back to the Owner.**

**Appendix B – REQUEST FOR REVIEW**    DATE \_\_\_\_\_ Lot Number \_\_\_\_\_

New Construction     Improvements     Preliminary Review     Final Review

Boyle Plantation Architectural Review Board, P.O. Box 50369 • Summerville, SC 29485 •

**Boyle Address:**

<p><b>Owner</b> _____</p> <p>Mailing Address _____</p> <p style="text-align: right;">Zip _____</p> <p>Phone _____</p> <p>Fax _____</p>	<p><b>Architect/Engineer</b> _____</p> <p>Mailing Address _____</p> <p style="text-align: right;">Zip _____</p> <p>Phone _____</p> <p>Fax _____</p>
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<p><b>Contractor</b> _____</p> <p>Mailing Address _____</p> <p style="text-align: right;">Zip _____</p> <p>Phone _____</p> <p>Fax _____</p>	<p>Septic Permit No. _____</p>
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**CHECKLIST**

? Final Stake Out	? Dimensioned Site Plan
? Construction Drawings	? Color Selection/Samples
? Specifications	? Full Color Rendering
? Exterior Specifications	? Grading & Drainage

**Changes to Property**

**FENCING**

Design Type _____	Color _____
Material _____	Location _____
Height _____	Length _____

**SETBACKS & HEIGHT**

Front \_\_\_\_\_

Sides \_\_\_\_\_

Back \_\_\_\_\_

Height \_\_\_\_\_

**BUILDING SQ FOOTAGE**

1st Floor Heated Sq. Ft. \_\_\_\_\_

2nd Floor Heated Sq. Ft. \_\_\_\_\_

3rd Floor Heated Sq. Ft. \_\_\_\_\_

Frog \_\_\_\_\_

**Total Heated Sq. Ft** \_\_\_\_\_

Garage \_\_\_\_\_

Other \_\_\_\_\_

**ROOMS**

Bedrooms \_\_\_\_\_

Bathrooms \_\_\_\_\_

**EXTERIOR**

Foundation \_\_\_\_\_

Walls \_\_\_\_\_

Trim \_\_\_\_\_

Roofing \_\_\_\_\_

Windows \_\_\_\_\_

Doors \_\_\_\_\_

Garage \_\_\_\_\_

Front Door \_\_\_\_\_

Paved Areas \_\_\_\_\_

**Type**

**Manufacturer**

**Color**

**ARB ACTION**

Approved     Disapproved

\*Please complete all Owner, Architect, and Contractor information to ensure accurate correspondence.



**Appendix C – CONSTRUCTION APPLICATION FORM (Cont)**

**AGREEMENT**

I, \_\_\_\_\_, as **property owner**, will ensure that my contractor conforms to all of the regulations set forth by Boyle Plantation. I also verify that I have read the ARB Regulations and that the proposed improvements will be constructed in strict accordance to the plans submitted and approved by the ARB. Any failure on my part to do so will entitle the ARB to deduct part of all of my deposit as well as any other remedy provided by law or contract.

and

I, \_\_\_\_\_, as **contractor** for the above described construction project, will ensure that my workers, subcontractors and I conform to all of the regulations set forth by Boyle Plantation. I also verify that I have read the ARB Regulations and that the proposed residence will be constructed in strict accordance to the plans submitted and approved by the ARB. Any failure to do so will entitle the ARB to deduct part or all of the security deposit as well as any other remedy provided by law or contract.

Furthermore we acknowledge and agree that

1. We will maintain a clean construction site at all times and install a job sign, commercial dumpster, and job toilet in conformance with ARB Regulations.
2. We are responsible for the conduct of all workers performing services on this project at all times while they are engaged by us.
3. We understand that when accepting a construction pass to enter, all workers and vehicles are subject to be searched to help prevent theft of materials and equipment.
4. As the Deposit will be held in a non-interest bearing account, I understand that it shall be returned after Final Inspection approval with no interest added.
5. Any monies paid out by Boyle Plantation Homeowners Association for the correction of changes not approved by the ARB, the cost of work necessary to improve the appearance of untidy sites, or the cost to repair any damage to the road right-of-ways, roads, road shoulders, or utilities will be deducted from the Deposit.
6. The ARB's review and approval are limited to aesthetic considerations. ARB approval does not relieve the owner or contractor of responsibility for compliance with all municipal, state, or federal laws that may be applicable. ARB approval does not constitute any opinion or representation by the ARB that the plans comply with these requirements.

This Application, Deposit, and Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

By \_\_\_\_\_  
Witness Property Owner

\_\_\_\_\_  
Witness Contractor

Application approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by

By \_\_\_\_\_  
Witness Boyle Plantation ARB

**Appendix D – DESIGN/CONSTRUCTION CHANGE**

Date \_\_\_\_\_

Boyle Plantation Architectural Review Board, P.O. Box 50369 Summerville, SC 29485

Case # \_\_\_\_\_

**Project Address:**

<b>Owner</b> _____	<b>Architect/Engineer</b> _____
Mailing Address _____	Mailing Address _____
_____	_____
Zip _____	Zip _____
Phone _____	Phone _____
Fax _____	Fax _____

<b>Contractor</b> _____	<b>Landscape Architect</b> _____
Mailing Address _____	Mailing Address _____
_____	_____
Zip _____	Zip _____
Phone _____	Phone _____
Fax _____	Fax _____

**Proposed Change**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Reason for Change**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This Design/Construction Change made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

By \_\_\_\_\_  
Signature (Property Owner)

**ARB Comments**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ARB ACTION     Approved     Disapproved    \_\_\_\_\_  
Signature (ARB Official)