

ISLAND WEST
ARCHITECTURAL REVIEW
POLICIES, PROCEDURES
AND
GUIDELINES

NEW RESIDENTIAL
CONSTRUCTION

December 12, 2014

ISLAND WEST - NEW RESIDENTIAL CONSTRUCTION
For Remaining 23 Lots Sold as a Group to DR Horton

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GENERAL POLICIES

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

- The property owner is the ultimate responsible party.

- Adherence to plans, as they are submitted and approved, is required. Changes to approved plans must be submitted and approved prior to site changes being made. NO EXCEPTIONS.
- Plans submitted are good for 12 months from date of HOA approval and 12 months to complete construction.
- Builder is responsible for providing water and electrical service at the job site prior to starting any work that requires their use. Water and electricity usage from neighboring properties is prohibited.
- Work may be performed Monday through Friday between 7:00 am and 7:00 pm. Saturday work must be quiet work only from 8:00 am to 5:00 pm. Noise or noxious behavior complaints from property owners will require the HOA to shut down the job and a penalty will be imposed. Work is not authorized on Sundays or national holidays.
- The construction site is to be kept in a reasonably clean and uncluttered condition at all times. Construction area is to be free of debris at the end of each day. Daily penalties may be imposed and/or job may be shut down if no agreement has been reached between builder and HOA in the agreed upon time. No burning or dumping is permitted in Island West.
- Materials must be stored on the building lot not the adjacent property. Access to building site by means of adjacent property is not permitted. If it is not possible to perform construction work without using common property for access, the applicant must request permission to do so from the HOA. Permission to use privately owned property must be obtained, in writing, from the owner and a copy provided to the HOA. Any damage must be repaired to its original condition.
- No parking on any common landscape areas.
- Noxious or loud music or behavior will not be allowed on the construction site. No fishing or hunting by construction workers is permitted. No pets of construction workers or any persons not associated with the job shall be allowed.
- The owner shall provide a temporary driveway entrance, with appropriate ground cover, connecting the lot to the street at one point, so as not to interfere with drainage along the street. Street pavement must be kept clean during construction. Costs of repairs and maintenance to off-site areas damaged in the construction process are the responsibility of the owner.

SCOPE OF HOA DECISIONS

The Covenants grant the HOA authority to approve or disapprove plans based on subjective or aesthetic judgments as well as on objective, quantities ground. Thus authority is limited only by the requirement that the architectural review process not be conducted in an arbitrary or capricious manner. It would be arbitrary or capricious for the HOA to apply substantially different standards to similar cases reviewed during the same period of time. HOA decisions are based on reasonable grounds consistent with the objectives of the Covenants, including, but not limited to, the following:

- Size (square footage, height, mass and scale)
- Site of structure, including setback requirements
- Aesthetic considerations of harmony and suitability of overall design including color and construction materials
- Landscaping and preservation of significant trees or unique vegetation
- Plot drainage
- Auxiliary amenities such as pools, spas
- Effect on neighboring properties
- Appearance of the property from roads, bike paths, or walkways

It is understood that any approval of a plan which, when built, is not considered desirable for future construction, shall not be considered a precedent requiring the HOA to approve similar plans on subsequent submissions.

THE REVIEW PROCESS

REVIEW PROCEDURE

One set of drawings and specifications for any proposed work in IW must be submitted to the IW HOA in a timely manner in order to be considered. All submittals and re-submittals must include an application stating what the submittal is for and the appropriate review fee.

Conceptual Design Submittal - Conceptual designs may be submitted if the property owner or architect would like comments on the concept before proceeding with the preliminary plan.

Preliminary Design Submittals - Preliminary submittals should include a completed, signed and dated application accompanied by the appropriate review fee and house plans with elevations.

Final Design Submittals - Final design submittals must adequately reflect to the HOA the true design quality of the proposed work. Submissions must include:

1. set of construction plans showing elevations and exterior material
2. detailed site plan including set-backs, drainage, and tree removal
3. complete landscaping plan
4. exterior paint and roof colors

The following calculations are required for Site Plan:

- Square footage of lot – Square footage of all impervious coverage on the lot.
- Show elevation above mean sea level (MSL) of finished floor of lowest habitable level of the house and top of the slab at garage.
- Label materials for driveways, walkways, decks, patios, etc.
- Show trees to be removed by marking with an “X”.
- Must include all buildings, structures, pools, fences and entry elements.
- Dimensions should reflect the closest point from the property line to the building foundation on all four sides of the house/garage.
- Plans are to include existing and finished grade lines in one foot intervals as well as spot elevations of sited home.
- Show silt fence locations with installation details.
- Show other erosion control devices such as check dams, if required.
- Show footprint and elevation of closest side of any vertical structure (over 18”) on adjacent lots.
- Show correct setback lines.

DRAINAGE PLAN

- May be part of Site Plan or separate
- Must be same scale as Site Plan
- Must show the following:
 - * House and garage finished floor elevations
 - * Existing and finished grade lines at 1” intervals maximum extending 10’ inside the adjacent property lines
 - * Spot elevations minimum at corners of lot and at corners of house, and any other pertinent locations.
 - * Swales, berms with grades and directions of drainage.
 - * Culverts or other drainage structures as required.
 - * If there are significant elevation changes between the proposed site and adjacent lots then detailed drainage plans will be required.

FLOOR PLAN

- Must show the following calculations:
 - * Square footage of garage
 - * Square footage of covered decks, screen porches, etc.
 - * Square footage of open decks, railings, etc.

- Must show the following:
 - * All pertinent items, particularly items visible from the exterior of the house, including stairs, decks, patios, railing, planters, walls, doors, windows, skylights, etc.
 - * Materials for exterior decks, railings, etc.
 - * Complete dimensioning

ROOF PLAN

- May be part of Site Plan or separate
- Must show the following:
 - * Roof slopes
 - * Roof elements (skylights, chimneys, power ventilators, etc.)

BUILDING ELEVATIONS

Must show the following:

- All major elevations and other elevations which may not be visible on the major elevations.
- Vertical dimensions, including first floor and garage slab elevations above MSL, floor to floor dimensions and dimension from first floor to highest point of roof.
- Existing grade lines (dashed line) and finish grade lines (solid lines)
- Label exterior finish materials

DETAILS

Must include the following:

- Corner detail
- Columns and pilasters
- Banding and frieze details if not shown on wall sections
- Door and window head, jamb, and sill details (larger scale preferred)
- Door and window schedules - must list type, size and special features
- Other details as necessary to depict unique features

ELECTRICAL PLAN

Must show the following:

- All exterior lighting, switches, and electrical outlets
- Electrical meter location

LANDSCAPE PLAN

- Landscape plans must be approved before landscaping starts.

COLOR BOARD

The HOA requires:

- Paint chips showing exterior wall, trim, shutter colors and any other vertical construction
- Siding material and color
- Masonry or brick sample
- Roof samples including colors

FINAL DESIGN APPROVAL

No permit can be issued nor work started without HOA approval of the submitted design package. No trees are to be cut or clearing of any kind to proceed until after HOA approval. Trees to be cut shall be banded in red; trees to be protected shall be double banded in yellow.

CHANGES/MODIFICATIONS

Once HOA final design approval has been granted, it is expected that the home will be built per

the approved drawings. In the event a plan needs to be modified during construction, the change must be submitted to the HOA for approval. If the drawings are not submitted until after the change is underway or if the change is found during final inspection, additional review fees and penalties may result.

VARIANCES

A variance request, required for a unique site condition, must be filed no later than final submittal. Once the variance request has been received, the HOA will make a preliminary decision as to whether or not the request may be granted.

INTERMEDIATE INSPECTIONS

The HOA may conduct a survey of construction anytime during the construction process. The contractor will be notified of any issues/concerns resulting from the inspection.

As soon as the HOA is notified by the contractor or homeowner that a Certificate of Occupancy has been received, a final inspection will be performed. The inspection is to assure that the building is complete in accordance with approved plans, color and material samples, landscaping is in place and the house is ready for occupancy. Special attention will be given to surface water drainage, site cleanup, builder sign removal, and removal of waste materials on adjoining lots. Adjoining lots, sidewalks and curbs will be restored to their original condition prior to construction.

Final approval of the landscaping will not be granted unless the plant material is installed as detailed on the approved submitted landscape plan and also meets the requirements of the HOA guidelines, especially for foundation coverage. The HOA in its sole judgment, will determine at final inspection if the landscaping is adequate or if additional trees or plants are required.

CONSTRUCTION COMPLETION DATE

Construction of a new residence is to begin within 12 months of final plan approval by the HOA and be completed within one year. Requests for any extension of a completion date must be received in writing by the HOA prior to such completion date. Extensions may be granted at the sole discretion of the HOA.

CHANGE REQUESTS

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

EXCEPTIONS

FEES REQUIRED as AGREED UPON in MOU

WATER/SEWER

Water/sewer fees must be paid to Beaufort Jasper Water Authority and a copy of the receipt furnished to the HOA.

BUILDING PERMIT

A copy of the Beaufort County Building Permit must be displayed at the construction site.

SITE REQUIREMENTS

- Roadways in Island West may not be obstructed by construction vehicles.
- A portable toilet facility must be positioned on the site, a minimum of 15 feet from street, with the door facing away from the street and adjoining houses. Toilet should be kept clean

- and odor free and must be removed promptly at completion of construction.
- A trash receptacle must be placed on the site a minimum of 15 feet from the street and emptied when full. Remove promptly at completion of construction. Full containers over a weekend or holiday are not permitted. NOTE: The HOA has the right to contract for cleanup, at owner's expense, should the contractor fail to maintain a neat and orderly work site.
 - The HOA requires installation of a silt fence to guard against soil erosion or water runoff onto neighboring properties.
 - A builder's/architect's sign may be placed on the property, maximum size 4' x 4' single faced with the sign face parallel to the street; setback is 10' from the street.
 - Post the Beaufort County Building Permit in a prominent area.

SURVEY/CERTIFICATE REQUIREMENTS

- A copy of the Certificate of Occupancy is to be provided to the HOA upon home completion.

36 FT. HEIGHT RESTRICTION

Island West has a 36 ft. mean height restriction above finished grade within 5 ft. of house. Caution should be exercised to ensure that the finished roof does not exceed the limit. A height survey certified by a registered surveyor is required for any structure dimensioned at 36 ft. or more.

INSPECTIONS

CLEARING

- Trees designated for removal, as shown on final approved site plan, are to be marked with red tape. All other tape is to be removed.

INTERIM

Throughout the construction period, the site will be inspected by designated HOA members.

FINAL

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

- Owner/contractor request for a final inspection.
- Copy of Certificate of Occupancy.
- Copy of As-Built Survey.
- Set of As-Built Elevations (if applicable).

UNDER-BRUSH REMOVAL, BUSH-HOGGING

- All debris/refuse from underbrush removal is to be removed from the property no later than 72 hours after commencement. Underbrush removal is to be scheduled so that no debris/refuse is left on the site over any weekend/holiday. No burning or dumping of any kind is permitted.

FILL/GRADING/DRAINAGE

- Grading and drainage shall be designed to ensure no storm water or roof water runoff is directed toward adjacent home sites, golf course, and Island West Golf Club property or directly into marsh areas. Runoff should be directed into swales or dry wells to prevent runoff onto any adjacent properties.
- In general, the areas of the lot that may be filled are limited to the area immediately under and around the house and adjacent driveway. This fill area should start transitioning down to

existing grade as soon as possible once beyond the building line. It should be anticipated that natural low lying areas will be preserved and that these low areas may retain water for several days following heavy rainfall.

- Cuts and fills should be designed to complement the natural topography. Grading should produce graceful contours, not sharp angles, and provide smooth transitions at the head and toe of the slope. No grading (cut or fill) should occur under the drip lines of large significant trees.

EASEMENTS

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

FENCES AND WALLS

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

POOL, SURROUNDING DECK

- Pool/surround deck setback must be within property setback lines, unless approved by Beaufort Co.
- Pool equipment, including heaters, tools and chemicals are to be located in an enclosed service yard. Underground propane tanks may be located outside the service yard, but must be a minimum of 10 feet from the property line. Pool backwash/drain hose is to be located in such a manner as to assure that water remains on owner's property. Flexible/collapsible surface hoses are not acceptable. Pump motor location is to provide minimal noise disturbance to adjoining properties.
- The HOA reserves the right to require complete landscape upgrade if the property does not meet current guidelines. Landscaping for pool additions should complement or enhance the existing property and should provide for landscape planting beds between the house/raised decks and pool deck to allow adequate foundation plantings to screen and soften the base of the house.
- Pool enclosures must be fenced or screened to a minimum of 4" height. Gates and doors must be self-closing and latching.
- A site plan showing exact location and complete construction details including waterfalls, raised spas, construction materials as well as a landscape plan are required.
- Siting of pools will be reviewed on a case-by-case basis.
- Top of pool construction may not be over two (2) feet above existing grade unless integrated into terraced construction with HOA approval.

HOT TUBS/SPAS

Hot tubs/spas must meet setback requirements and be adequately landscape. A permit is required. Installation may not begin until the HOA Notice to Proceed is posted.

DECKS, PATIOS AND TERRACES

- The design of decks, patios and terraces must be coordinated with the design of the residence. These spaces add a great deal to the outdoor "livability" of a home and can provide a high degree of privacy when bordered by dense natural vegetation and/or appropriate landscaping.
- Grade level patios and decks are subject to the same setback requirements as swimming pool decks

DRIVEWAY

- Driveway setback is a minimum of 5 feet from the property line (includes road right-of-way

- area).
- All driveway/parking areas are to be paved.
 - Material for driveway must be concrete.
 - A culvert under the driveway may be required.
 - Space for parking at least 2 vehicles on the site must be provided.
 - Driveway entrance gates are not permitted.

PARKING AREAS

Parking areas incorporated with driveways.

RESIDENCE

DESIGN PHILOSOPHY

- Architectural design should ensure that location and configuration of structure are visibly harmonious with the terrain and vegetation of the home site and with surrounding home sites and structures.
- Every residence should be a carefully planned addition to its natural setting. The residence should provide interest and be compatible with neighboring homes. Generally, the street address governs setbacks.
- The aesthetic appearance of a residence depends greatly on the articulation of the siding, roofing, decks, and fenestration, etc. Fences or walls are to be used to enclose service areas and HVAC units. Details at the soffit, fascia, foundation, corners, windows and decks should have common elements that help unify the appearance.
- The mass and bulk of a structure, as it relates to the site and neighboring homes, can be greatly affected by the design of the home and, therefore, design concepts relating to areas such as roof form, foundation height, finished floor, and fenestration to address “mass and bulk” are required. Examples of some of these design concepts are: incorporating a roof line between the first and second floor elevation areas; breaking up roof line; setting the second floor elevation back from the first floor elevation in all or some areas; breaking up the elevations with areas that set “back” or set “forward” of the main elevation; placing heated space over a garage area at mid-level as opposed to raising the entire first finished floor to accommodate a garage area under the entire house; use of verandahs and porch areas, breaking up the stairway areas, and use of planters. To further accomplish the foregoing, and as part of the aesthetic review, there has been adopted target requirements that exterior walls of living area above the first living level that face a street will be set back at least 75 degrees from the first living exterior wall, and that the second floor heated square footage will not exceed the first floor heated square footage.
- Repetitive house designs are unacceptable. Exterior architectural designs should be compatible with and complimentary to the respective site and neighboring homes.

RULES AND REGULATIONS

- Homes designed to completely fill the building envelope of a lot (the area defined by the setback guidelines as listed below) or to be contiguous to (“touch”) entire areas of each respective setback line are considered to be incompatible with the natural setting of the Island West community and, in most cases, strongly discouraged.
- Maximum roof height allowed is 36 feet. Exposed metal flues are not permitted. Prefabricated chimney flue caps shall be screened with a metal or other non-combustible material shroud.
- Only one detached single family residence unit not to exceed 3 habitable stories is allowed on each site. The finished first floor elevation must meet FEMA requirements.
- Exterior walls are to be of stucco or other approved material. Vinyl or aluminum siding is not acceptable. Vinyl shakes or board and batten is allowed with HOA approval of original submission.

FOUNDATIONS

The enclosure of a raised foundation must receive the same careful attention to detail and finishes as the main portion of the house. Foundation walls are to be stucco or similar material. Exposed wooden/round pilings are not acceptable. The raised foundation must be fully enclosed with a foundation wall or a combination of foundation wall, louvers, etc. Lattice is not acceptable. The exterior wall of the raised foundation is to be the same color as the remainder of the house or match other house trim.

SETBACKS

- Setbacks are measured from the nearest vertical construction, 3 feet or greater in height.
- Minimum setbacks from respective property lines are as followed as recorded with Beaufort County.

GARAGES

A second story over the garage is permitted provided the garage is attached to the residential unit by an enclosed roofed corridor or similar structure. The peak of the garage roof is to be at the same height or lower than the peak of the house roof.

SERVICE YARD

- An attached service yard is required to contain pool equipment.
- Service yards should be designed to complement the house. Lattice or similar see through material is not acceptable. Overlapping siding, stucco or louvers are acceptable.
- Service yards must meet setback requirements.
- Landscaping around the perimeter of the service yard is required.

COLOR SELECTION

- HOA written approval of color selections, for all exterior features on a residence, is required prior to installation.
- “Chips” of all color selections, including picture of and color selection for front entry door, need to be labeled and submitted for approval on white hard board approximately 8” x 11”. All stucco color selections are to be submitted on stucco. A “chip” is not acceptable.
- Larger samples, when required, are to be submitted separately and in addition to the color board. These larger samples of the exterior color and finish of all materials proposed for the building are to be submitted on actual samples of materials proposed for use. These samples are most important to both the owner and the HOA in evaluating the eventual appearance of the house as color chips often vary greatly from actual applications.

ROOF

Samples of roof materials are to be included at the top of the color selection display board. HOA approval is required prior to installation. No vents, skylights, etc., should project above the front plane of the roof. Roof vents are to be painted to blend with the roof.

LANDSCAPE PLAN

- The plan is to show locations of all existing landscape and improvements. The location of new plants is to be in relation to the building’s elevations and design to achieve a cohesive and harmonious setting.
- Sod is encouraged to the edge of the street. Property owners are responsible for landscape maintenance of this area.
- Inclusion of an irrigation system is mandatory.
- Use of mature plants is strongly encouraged. Native plants that are deer resistant, drought tolerant, and winter hardy are encouraged.

EXTERIOR ELEMENTS

AWNINGS

- Awnings may only be installed on the rear of residence with HOA approval.
- Only fade-resistant, solid color fabric awnings may be installed. Awning color should be compatible with the exterior colors of the house.

FLAG POLES

Flagpoles are permitted but not within 20' of the curb line, with a maximum height of 20' above natural grade.

LIGHTING

- All exterior lighting must be approved by the HOA prior to installation.
- Location of exterior lighting and type of fixtures shall be shown on site plan and elevations. Cut sheets should be furnished and coded to their location on the plan with the final application.
- All exterior lighting shall be installed so as not to disturb neighbors or street traffic.
- Exterior lighting may be provided to illuminate driveways, walkways or entryways, or to highlight landscape features. Such lighting shall be of low intensity.

The HOA has the right to contract for cleanup, at owner expense, should the contractor fail to maintain a neat and orderly work site.

PENALTIES AND POST CONSTRUCTION REVIEW FEES

Any changes to the final drawings, once approved, that occur during the construction process will be reviewed without additional cost if submitted before the change is implemented. If changes are not submitted prior to construction and/or found during final inspection, the contractor and homeowner are subject to additional fees and loss of refundable deposits. Any penalties that occur during the construction process will also be deducted from the owner and/or contractor's deposit.

NON-COMPLIANCE

If the contractor fails to complete the home according to the approved plans, the HOA will issue a lien against the property to cover the costs of completing construction that does not meet the approved plans.

FEE SCHEDULE as PREVIOUSLY AGREED UPON in MOU

SCHEDULE OF PENALTIES

The following is a schedule of penalties that may be levied when a property owner or general contractor violates the covenants or guidelines. Monetary penalties will be deducted from the escrow deposit (refundable deposits) paid by the building contractor and/or property owner, as appropriate. If the amount of the refundable deposits fall below 50% of the initial required deposit they must be replenished to the full initial amount by the contractor/owner.

A STOP ORDER OR OTHER ACTIONS MAY ALSO BE TAKEN FOR SERIOUS, REPETITIVE, OR UNCORRECTED VIOLATIONS.

MINOR OFFENSES

\$100 FIRST OFFENSE

\$500 SECOND OFFENSE

\$1000 THIRD OFFENSE AND SHUTDOWN OF SITE

IF A MINOR VIOLATION IS NOT CORRECTED WITHIN 48 HOURS OF NOTIFICATION, THE PROJECT WILL BE SHUTDOWN UNTIL THE VIOLATION IS CORRECTED.

- Failure to keep site clean
- Loud music or yelling
- Adjacent lots unclean
- Working during unauthorized house or non-working days
- Failure to maintain silt fences
- Failure to maintain tree protection
- Children or pets at work site
- Open fires
- Failure to provide port-o-johns or dumpsters
- Failure to screen port-o-johns and dumpsters
- Parking on trails, cart paths, sidewalks or adjacent lots
- Other offenses determined to be minor by the HOA

MAJOR OFFENSES

Major offenses may cause job shutdown, but will also result in the automatic loss of a portion or all of the refundable deposit.

- Failure to repair damage to existing ROW, curbs, walks \$500.00 Minimum
- Changing of exterior design or appearance of house without review and approval or failure to build according to approved plans
- Installation of landscape without approval \$500.00 Minimum
- Failure to install landscaping after 60 days \$500.00 Minimum
- Occupation of home before final approval of exterior and landscaping
- Other offenses determined to be major by the HOA \$500.00 Minimum

APPEAL PROCESS

The builder may appeal any decision by contacting the designated HOA representative.

REVISIONS

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

FAILURE TO COMPLETE THE HOUSE IN ONE YEAR

If a house is not completed to the point of occupancy within one year additional fines may be imposed.

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