

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

AFFIDAVIT TO RECORD

IN RE: Allenwood Owners Association, Inc

The attached documents are being recorded to comply with the South Carolina Homeowners Association Act, Title 27, Chapter 30, Section 110, et. seq., South Carolina Code of Laws (1976), as amended.

- 1. Architectural Review Board Standards and Procedures (Adopted 09-07-2023)

Allenwood Owners Association, Inc

By: *[Signature]*

Mark S. Kajane

(Printed name)

Its:

SWORN TO BEFORE ME

On this 10 Day of October, 2023.

[Signature]

Notary Public for South Carolina

My Commission Expires: 5/5/2025

Trista DiNovo
NOTARY PUBLIC
State of South Carolina
My Commission Expires 5/5/2025



**Allenwood Homeowners
Association, Inc.**

ARCHITECTURAL REVIEW BOARD
Standards and Procedures

Rules and regulations for the construction of buildings and property improvements are subject to all amended land use restrictions and standards as set forth in the Declaration of Covenants for the Single-Family detached lots and the Townhome lots as set forth in Articles 8 & 9 – Community Standards and General Covenants & Restrictions for all lots and dwellings within Allenwood.

Table of Contents

**Allenwood Homeowners Association, Inc.
1**

ARCHITECTURAL REVIEW BOARD 1
 1 (Architectural Standards Committee) 1
 Review Procedures 1

1.0 GENERAL INFORMATION 6

1.1 Objective/PHILOSOPHY 6
 1.2 AUTHORIZATION 6
 1.3 ABBREVIATIONS AND DEFINITIONS 6
 1.4 ARCHITECTURAL REVIEW BOARD (ARB) 7
 1.5 DESIGN DOCUMENTS 7
 1.6 TOWN BUILDING PERMIT 8

2.0 THE ARCHITECTURAL REVIEW BOARD 8

2.1 PURPOSE 8
 2.2 SCOPE 8
 2.3 OBJECTIVES 8
 2.4 COMPOSITION AND DUTIES 8
 2.5 MEETINGS 9
 2.6 QUORUM 9
 2.7 CONFLICT OF INTEREST 10

3.0 REVIEW PROCEDURES 10

3.1 PREFACE NEW CONSTRUCTION 10
 3.1.1 SUMMARY OF PROCEDURES 10
 3.2 REVIEWS AND SUBMITTAL REQUIREMENTS 11
 3.2.1 Required Documents 11
 3.2.1.1 Site Plan 11
 3.2.1.2 Additional Information Final Review 12
 3.2.2 Non-Binding Review Results 12
 3.2.3 Drainage Plan 12
 3.2.3.1 Floor Plans 12
 3.2.3.2 Roof Plan 12
 3.2.3.3 Elevation Drawings 12
 3.2.3.4 Wall Sections 13
 3.2.3.5 Details 13
 3.2.3.6 Specifications 13
 3.2.3.7 Landscape Plan 13

3.2.3.13	Color Samples	14
3.3	REVIEW PROCEDURES	14
3.3.1	Preface; Additions or Alterations	14
3.4	GENERAL INFORMATION FOR NEW CONSTRUCTION	15
3.4.1	Resubmittals & Design Conferences	15
3.4.2	Variances.....	15
3.4.3	APPEALS	15
3.4.4	PROJECT TIME LIMITS	16
3.5	REPLACEMENT AFTER DAMAGE OR DESTRUCTION	16
3.5.1	Single Dwelling	16
3.5.2	Major Disasters	16
3.5.2.1	Restore the property to unimproved condition and the application of ground cover	17
3.5.2.2	Demolition, total or partial, and debris removal prior to restoration	17
3.5.2.3	Restoration of the property to its condition prior to the damage with no exterior changes	17
3.5.2.4	Restoration of the Property with Proposed Exterior Changes and/Or Additions or Changes Required By Current Applicable Building Codes, Ordinances, Rules, Regulations or Guidelines	17
3.5.2.5	ARB Quorum	17
3.5.2.6	All Other Guidelines Shall Govern As Applicable	17
3.6	POST APPROVAL CONTROL (CHANGES)	17
3.7	NOTIFICATIONS	18
3.8	DEPOSITS	18
3.8.1	Escrows	18
3.8.2	Compliance	18
3.9	ARB FEES	19
4.0	ARCHITECTURAL DESIGN GUIDELINES	19
4.1	AESTHETICS.....	19
4.1.1	Building Maximum	19
4.2	Site Planning	19
4.2.1	Tree Removal	19
4.2.2	Drainage	20
4.2.3	Paving	20

4.2.3.1	Driveways	20
4.2.3.2	Entry Sidewalks	20
4.2.4	Finish Floor Elevation	20
4.3	MINIMUM SETBACK AND HEATED FLOOR AREA REQUIREMENTS	20
4.4	ROOFS AND ROOFING MATERIALS	21
4.4.1	Overhangs	21
4.4.2	Approvable Materials	21
4.5	EXTERIOR FINISH MATERIALS, DETAILS AND FEATURES	21
4.5.1	General	21
4.5.2	Acceptable Siding Materials	21
4.5.4	Finished Surfaces	22
4.6	EXTERIOR COLORS	22
4.6.1	General	22
4.6.2	Color Guidelines	22
4.7	RE-PAINTING	23
4.8	RE-ROOFING	23
4.11	GARAGES AND CARPORTS	23
4.11.1	Garages	23
4.11.2	Carports	23
4.11.3	Above Garage "Bonus" Rooms	23
4.12	SERVICE YARDS	24
4.13	EQUIPMENT ENCLOSURES	24
4.14	CHIMNEY TERMINATIONS	24
4.15	FOUNDATION TREATMENTS	24
4.16	FENCES AND BARRIERS	24
4.18	FREE STANDING STRUCTURES	25
4.19	WOOD DECKS	25
4.20	HURRICANE PROTECTION	25
4.21	EXTERIOR LIGHTING	26
4.22	KITCHENS	26
4.23	EXPOSED EXTERIOR STAIRS	26
4.24	SWIMMING POOLS	26
4.24.2	Barriers for Exterior Spas & Hot Tubs	27
4.24.2.1	Definition	27
	Acceptable materials, if appropriate, include:	27
	Unacceptable materials include:	27
4.24.2.3	Submittal Requirements	27

4.24.2.4	Barrier Encroachments	27
4.24.2.5	Compliance	28
4.24.2.6	Liability	28
4.25.1	Flags & Free-Standing Flagpoles.	28
4.25.2	Unit Air Conditioners	28
4.25.3	Solar Collectors	28
4.25.4	Wells	28
4.25.5	Sun Control Devices	28
4.25.6	Clothes Lines	28
4.25.7	Dog Runs/Pet Yards	29
4.25.8	Manufactured Enclosures.	29
4.25.9	Antennas/Satellite Dishes	29
5.0 LANDSCAPING GUIDELINES		
.....		29
5.1	Introduction	Error! Bookmark not defined.
5.2	Objectives	Error! Bookmark not defined.
6.0	ARB
FINES		
.....		29
7.0 RULES & REGULATIONS GOVERNING CONSTRUCTION & MAINTENANCE		
.....		30
7.1	INTRODUCTION	30
7.1.1	Contractor Documents	30
7.1.2	General	30
7.2	CONSTRUCTION HOURS	30
7.3	TRAFFIC LAWS/PARKING	30
7.4	Allenwood BUILDING PERMIT	31
7.5	SITE ACCESS AND PROTECTION OF HOA PROPERTY.....	31
7.6	SITE PREPARATION.	31
7.7	DRAINAGE CONTROL, EROSION CONTROL & ENVIRONMENTAL PROTECTION	
32		
7.7.1	Areas of Responsibility	32
7.7.2	Responsibilities during Construction	32
7.7.3	Responsibilities after Completion of the Foundation	32
7.7.4	Fines and Other Actions.	32
7.8	PROTECTION OF TREES AND NATURAL VEGETATION	32
7.9	TRESPASSING	33

7.10 PORTABLE TOILETS 33
7.11 DUMPSTERS 33
7.12 SITE MAINTENANCE 33
7.13 HAULING 33
 7.13.1 Trash 33
 7.13.2 Fill Dirt. 34
 7.13.3 Spills Require Clean Up 34
7.14 CONSTRUCTION TRAILERS, VEHICLES, AND MOBILE EQUIPMENT 34
7.15 BURNING PROHIBITED. 34
7.16 PERSONAL CONDUCT. 35
7.17 DEMOLITIONS 35
7.18 FINES FOR VIOLATIONS: NEW CONSTRUCTION 35
7.19 FINES FOR VIOLATIONS: POST-CONSTRUCTION 37
TYPE OF POST-CONSTRUCTION VIOLATION AMOUNT OF FINE 37
7.20 APPEALS FOR CONSTRUCTION VIOLATION FINES 38

1.0 GENERAL INFORMATION

1.1 Objective/PHILOSOPHY

The objective of these regulations is to maintain a pleasing and marketable ‘curb appeal’ for Allenwood homeowners which includes consistency in architectural style, scale, materials, and details and approved colors for siding, trim, and doors.

Philosophy: In any private residential community such as Allenwood, certain rules and restrictions have been established to ensure that development can proceed in an orderly and well-planned manner. The developer determined the overall land plan and infrastructure and prepared the regulations and covenants used to control development.

Every two years the rules and regulations will be reviewed and updated. The Covenants protect the community from unattractive and irresponsible construction, thus enhancing the overall beauty and cohesiveness of the development, maintaining property values and protecting the natural environment.

1.2 AUTHORIZATION

In general, then, no exterior additions or modifications (including color) may be made to any residential structure, ancillary structure or property unless the plans and specifications have been approved in writing by the Architectural Review Board (ARB). The Committee (appointed by the Allenwood Board of Directors - HOA) will establish criteria and standards for architectural and design which affect the exterior appearance of buildings and landscape Precedence:

These regulations are based on provisions contained in Article VIII – Community Standards of the Allenwood declaration of covenants, restrictions and provisions for the Single Family Detached Lots and The Townhome Lots of Allenwood dated August 20, 2004. Review procedures & rules and regulations are established herein. After adoption, this document shall supersede all others previously published.

Interpretation and Severability:

Whenever possible, each provision of this document shall be interpreted to be valid and effective under applicable law, but if any provision of this document is 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 circumstance or invalidating the remaining provisions of this document.

1.3 ABBREVIATIONS AND DEFINITIONS

- Allenwood Homeowners' Association, Inc. – hereinafter referred to as HOA.

Board of Directors Board or **Board** - the governing body of the POA, elected by the property owners – hereinafter referred to as the BOD

- **Architectural Review Board.** The committee appointed by the BOD to oversee and implement the provisions of the Architectural Guidelines, Review Procedures, Rules and Regulations – hereinafter referred to as the ARB
- **COVENANTS** - All Amended Land Use Restrictions, Protective Covenants, Building Standards of the Allenwood Homeowners' Association, Inc., latest issue.
- **GUIDELINES** - The Architectural Guidelines, Review Procedures, & Rules and Regulations for the Construction of Buildings and Property Improvements, latest issue.
- **HORIZONTAL CONSTRUCTION** - Any part of the construction or site improvement that is eighteen inches (18") or less in height above the finished grade.
- **VERTICAL CONSTRUCTION** - Any part of the construction or site improvement, other than live landscaping, which is over eighteen inches (18") in height above the finished grade.
- **ADMINISTRATOR** - The Administrator of the ARB.
- **TOWN** - The Town of Hilton Head Island, SC.
- **SC** - State of South Carolina.
- **SETBACK LINE** - A line at a predetermined distance, within and parallel to a property line.
- **SETBACK AREA** - That area between the property lines and the required setback lines.

1.4 ARCHITECTURAL REVIEW BOARD (ARB)

The ARB is established to maintain the type of home design and colors appropriate to the community and to ensure that all projects meet the community's covenants and ARB guidelines. All required information must be submitted to and approved by the Architectural Review Board prior to implementation. This also applies to any additions, alterations, repainting, re-roofing, or major landscape changes. Section 2.0 of this document covers the specific functions of the ARB in detail.

1.5 DESIGN DOCUMENTS

The property owner as well as the architect, engineer, or designer are responsible for ensuring that all plans, documents, and submittals are prepared in accordance with these Guidelines and satisfy the Town of Hilton Head Island building code and all other governing codes, rules and regulations.

See the detailed requirements in Section 3.0 and the Summary of Procedures in Section 3.1.1 of this document. A building permit from the HOA or the Town of Hilton Head Island (if required) will not be issued until all design documents have been completed and approved.

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Submittal for final approval to the ARB must include a full set of working drawings, landscape plan, drainage plan, photos of property and adjacent areas and a color sample board, as applicable.

1.6 TOWN BUILDING PERMIT

For any project that requires a Town Building Permit, a copy of the Town Permit and all changes to the plans must be filed with and received by the ARB prior to the issuance of the HOA Building Permit.

2.0 THE ARCHITECTURAL REVIEW BOARD

2.1 PURPOSE

The ARB assures compliance with all provisions of the Covenants, Declarations, and Guidelines concerning architectural control by means of a review process and mandatory inspection procedures.

2.2 SCOPE

Review for approval the plans and specifications for new construction, additions, alterations and improvements of any kind to all property exteriors. This includes, but is not limited to, aesthetics, sitting, drainage, landscaping, exterior colors, roofing, painting, recreational equipment and tree removal.

The ARB will assist in the review, execution, and inspections of all HOA improvement projects on Common Properties and Restricted Common Properties. Approval by the ARB does not attest to the structural integrity of the submission or to its compliance with local building codes.

2.3 OBJECTIVES

The ARB controls and regulates all improvements to the homeowners' property in order to maintain and enhance the continuing quality of development and property values.

2.4 COMPOSITION AND DUTIES

The ARB is composed of a Chairperson who is a member of the BOD, along with three (3) members of the association. All positions will be appointed by the Board of Directors.

- All members of the ARB will be homeowners. Preference will be given to individuals who have knowledge and experience in building construction, landscaping and architecture.

- Up to three (3) qualified property owners may be appointed to serve as alternates in the absence of any of the three property owner members.
All members of the ARB must be in good standing with the association – No past due assessments or outstanding violations...

Each member of the Architectural Review Board shall have one equal vote, with the exception of the ARB Administrator who does not have voting privileges. The Chairperson shall only vote in the event of a tie on any issue or to make up a quorum. An alternate's right to vote is vested only when the alternate is replacing a member.

The ARB Administrator has the authority to approve or disapprove the following:

- All required or requested on-site inspections
- Tree removals
- Re-roofing requests
- Re-painting requests
- Direct broadcast satellite (DBS)
- Multi-point distribution service (MMDS) antennas
- Job site conditions
- Recreational equipment
- Minor repair and replacement to building and property

The ARB Administrator shall not approve any changes that do not comply with the administrative approval requirements of the ARB. No other changes can be made without the approval of the ARB.

2.5 MEETINGS

The workload at any given time determines the frequency of ARB meetings; however, the ARB must meet at least monthly. The ARB Administrator is responsible for the taking of minutes and the preparation of correspondence as a result of the deliberations of the ARB. A permanent record is kept of all proceedings. Deliberations of the ARB concerning individual projects are kept confidential until such time as a final determination has been made.

2.6 QUORUM

All actions and decisions of the ARB shall be passed by a quorum of the eligible voting members, except during multiple disaster situations. A Quorum shall consist of a minimum of three eligible voting members. Refer to 3.5.2.5 for ARB Quorums during a multiple disaster. A simple majority of those casting votes in a quorum shall constitute the ARB decision.

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2.7 CONFLICT OF INTEREST

If an ARB member submits a project to the ARB for review or has a personal interest in a submitted project, the ARB member shall recuse himself from the meeting during the review, discussion and vote of that project and leave premises if appropriate.

3.0 REVIEW PROCEDURES

3.1 PREFACE NEW CONSTRUCTION

All owners, architects, engineers, designers, builders, contractors, and developers shall have received, read, and understood these guidelines and agreed to comply with them, as applicable, prior to submitting any proposal for ARB review. It is the responsibility of the owners, architects, engineers, designers, builders, and contractors to request these guidelines.

Submittals must be received by noon on Monday of the week of the ARB meeting date for inclusion in that month's agenda.

Mirror images or original plans will not be reviewed. Print copies only are acceptable.

While we encourage originality, architecture and appearance must still conform the established Allenwood community standards.

For extensive, complicated designs, the ARB recommends, and may require the submittal of a model and/or color rendering to help visualize the scope of the project.

Photographs of the property viewed from both the front (road) and the rear shall be included in the first submission for new construction. These photographs must clearly show the adjacent properties on each side whether improved or unimproved. It is strongly recommended that all submissions be prepared by a SC registered (licensed) architect or design professional.

Submittals prepared by owners acting as their own contractor are not recommended. These submittals may not be accepted unless prepared by a SC registered architect or, in the judgment of the ARB, a competent residential designer.

Submittals will not be accepted if, in the judgment of the ARB, the submittals do not meet established ARB criteria.

3.1.1 SUMMARY OF PROCEDURES

The applicable procedures listed below must be followed during the review and construction phases of the project:

- Preparation of Drawings
Application for Design Review
- ARB Submission Fee
- ARB Review of Plans (house drawings, colors, finishes, landscaping, drainage)
- Re-submittals and Appeals if required
- ARB Final Approval
- Signed Letter of Acknowledgment by Owner
- Signed Drainage and Tree Compliance Agreement by Owner
- Escrow Deposits. Owner and Builder
- Stakeout Inspection Approval
- Town of Hilton Head Building Permit Issued and Posted
- Allenwood Building Permit Issued and Posted
- Submit Changes, if any, for ARB approval
- In-Progress Construction Status Inspections
- Driveway and Road Drainage Inspections
- Final Grade Inspection
- Landscape Inspection
- Final Compliance Inspection
- Escrow Deposits Returned (less violation fines, if any)

3.2 REVIEWS AND SUBMITTAL REQUIREMENTS

3.2.1 Required Documents

The following documents are required for a Final Review:

3.2.1.1 Site Plan

- A tree and topographic survey no older than 3 years at Scale: 1/8" equals 1'-0" and sealed by a South Carolina licensed surveyor
- Property lines with measurements, coastal critical line (CCL), and average high water mark line, if applicable, dimensioned required setback lines, lot corner grade elevations, edge of road grade elevations, spot grade elevations at the center of the lot and midway along each property line, culvert invert elevations and the finished floor elevation of both the house, the garage and all horizontal construction.
- All trees to be removed indicated by an "X".
- Contours in one-foot increments of both the existing and the proposed new finished grades.
- Direction of drainage with spot finished grade elevations.
- A footprint of all new proposed vertical and horizontal construction located by dimensions from the property lines.

□

- Edge of the roof overhang shown as a solid line and the walls below as broken lines.
- Materials for the driveway, walks, patios, decks and decks indicated.
- Locations of all adjacent existing conditions including roads, leisure paths, open space, easements, lagoons, swales, ditches, bulkheads, retaining walls, designated wetlands, and open water.

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Locations of all adjacent existing structures and homes including finished floor elevation noted for each. □ Photographs as required by ARB Guideline 3.1.

3.2.1.2 Additional Information Final Review

The ARB has the option of requesting additional information that may be necessary to judge a Preliminary Review.

3.2.2 Non-Binding Review Results

The results of these reviews are for property owner, architect, designer, and general contractor information only and are in no way binding on the ARB to subsequently approve any other aspect of the project.

3.2.3 Drainage Plan

A Drainage Plan sealed and signed by a SC licensed professional architect, landscape architect, or engineer shall be submitted and shall contain the following statement:

The drainage indicated on this site plan is designed to meet the requirements of the master drainage system for this subdivision.

Drainage is directed to the common areas and away from adjoining lots.

The following shall also be clearly indicated – House and garage finished floor elevations, finished grade contours in one foot (1) increments, finished grade spot elevations at all lot corners and along property lines, swales, berms, and ditches with spot elevations and contours, direction arrows of drainage flow, spot elevations at the edges of all paving, any other control features that are applicable.

3.2.3.1 Floor Plans

Scale: ¼” equals 1’-0” fully and accurately dimensioned.

Floor plans should include all features, including stairs, patios, decks, porches, entry deck, landings, planters, walls, doors, windows, dashed “broken” lines of roof overhangs, location(s) of access stairs, skylights, and ceiling configurations.

3.2.3.2 Roof Plan

A Roof Plan is required for all submittals.

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3.2.3.3 Elevation Drawings

Where applicable and unless otherwise shown, the following details for elevation drawings should be provided at a scale of ¼" equals 1'-0": visible

Vertical story heights, floor elevations, sill and plate heights, maximum roof height from lowest finished grade, door and window heads dimensioned and existing grades and new finished grades shown

□ All exterior finish materials indicated by means of symbols, conventions, or notations and must be consistent with the Plans, Sections, and Details.

3.2.3.4 Wall Sections

Where applicable and unless otherwise shown, the following details should be provided at a minimum scale of 1" equals 1'-0".

□ Wall sections of the main house, garage, and any other wall elements should clearly depict the structural assembly of the house. Sections are usually from the bottom of the footing to the roof rafters including the cornice overhang. □ Sections should be fully notated and dimensioned for all components.

3.2.3.5 Details

Where applicable and unless otherwise shown, the following details should be provided at a scale no smaller than 1" equals 1'-0":

- Foundation and Piers
- Cornice and Gable Rakes: Overhang Dimensions, Materials and Dimensions
- Chimney termination: Dimensions and Material
- Corner trim: Dimensions and Material(s)
- Door and Window trim including head, jamb, and sill: Dimensions and Material(s)
- Porch and Deck Framing including posts, columns, railings and stairs
- Entry and other exterior stairs
- Columns and Pilasters
- Lattice detail: Dimensions and Spacing
- Louver detail
- Banding and Frieze details

3.2.3.6 Specifications

Any written specifications pertinent to and not otherwise shown should be notated or indicated clearly on the drawings.

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3.2.3.7 Landscape Plan

The landscape plan must be submitted as part of the Final Review and shall clearly indicate the following:

- Must agree with Drainage Plan drainage flow and finished grade contours
Show locations of all trees, shrubs, lawn, ground cover and other landscape features, berms, swales, and other drainage control features with spot elevations
- All trees and shrubs by species and planted sizes
- Lawn sod is required and must extend to the edge of the road paving and across the entire front between property lines.

3.2.3.13 Color Samples

Color samples of all proposed finishes and a front elevation or perspective at $\frac{1}{4}'' = 1'-0''$ scale rendered in color may be required with the Application for Final Design Review.

All finishes are to be displayed as follows. The combination of exterior finish samples shall be submitted on a single board no smaller than 8.5'' wide and 11'' long. Brick, pavers, mortar, and like masonry materials must also be submitted, if applicable. All samples must be of the actual materials including masonry products.

3.3 REVIEW PROCEDURES

3.3.1 Preface: Additions or Alterations

In addition to other submittal requirements, a site plan not older than 3 years to be supplied along with a tree and topography executed by a licensed South Carolina surveyor. Site Plan for additions or alterations must be submitted as part of the final Review and shall clearly indicate the following:

- A new Site Plan showing the location of the existing structure with the proposed new work clearly indicated, locations of outside corners dimensioned from the property lines, required setback lines shown, and tree removals indicated or a notarized statement that no trees are to be removed.
- Photographs of the existing structure showing the areas of the new work clearly marked
- Indicate direction(s) of the photograph(s) on the Site Plan
- Floor Plan(s) and elevation at scale $\frac{1}{4}'' = 1'-0''$
- Details necessary to define the extent and intent of the proposed work
- All new work shall be clearly delineated
- Indicate any dismantlement (demolition) work required

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- For any project that requires a Town Building Permit, a copy of the Town Permit and all changes to the plans must be filed with the ARB prior to the issuance of the HHP Building Permit.

When additions that require the removal of existing landscaping, a new landscaping plan must be submitted which indicates proposed new or relocated plantings in the area of the new work.

3.4 GENERAL INFORMATION FOR NEW CONSTRUCTION

3.4.1 Resubmittals & Design Conferences

It is recommended that the property owner, architect, designer, or general contractor meet with the ARB Administrator to review the ARB's comments and suggestions prior to resubmitting any disapproved plan.

When resubmitting any project, all of the previous ARB Comments and Requirements must be responded to in written form, as well as all corrections, revisions, etc, delineated on all drawings. Failure to do so will be cause for rejection of the entire re-submittal.

After a project has been submitted for a review a second time and still has not received approval, the owner and/or the owner's representative (Architect or Designer) is required to make arrangements for a design review conference with assigned representatives of the ARB for the purpose of clarification of all ARB requirements.

No further submittals will be accepted by the ARB until after this conference is held and the ARB believes that the owner and/or the owner's representative have a clear understanding of the ARB requirement. A \$100.00 review fee may be required for each such conference.

3.4.2 Variances

The ARB has the authority to and may occasionally grant certain variances when there is valid justification and where the variance does not have a negative impact on the adjacent properties or the neighborhood.

All variances from these Guidelines, which are requested, must be indicated on the Application for Design Review with substantial justification narrative.

The ARB Administrator cannot grant a variance.

If, during a design review, the ARB discovers a variance that has not been requested, the submittal may be disapproved.

The ARB cannot grant a variance to a Covenant.

No variance can be granted which does not comply with codes, ordinances, rules or regulations of any governing authority.

3.4.3 APPEALS

If the ARB disapproves a design review or a change from the approved plans during construction, the owner may submit amended plans to comply with the ARB comments.

Within ten days from the date of the ARB notice to the owner of its disapproval of a Design Review or change of approved plans, the owner may make a request in writing for a hearing before the ARB at its next scheduled meeting.

If after the ARB hearing the owner disagrees with the outcome, the owner may then appeal to the HOA Board of Directors for further review. This appeal must be in writing and within ten (10) days of that hearing.

After reviewing the facts, the HOA Board may then either affirm or reject the ARB decision. In any other case, the HOA Board decision will be final.

3.4.4 PROJECT TIME LIMITS

New Construction Projects must begin within ninety (90) days after the ARB Final Review Approval, after which a new application and appropriate fee will be required.

New Construction Projects must be completed and have ARB Final Compliance Approval within one (1) year of the ARB Final Review Approval.

Exceptions may be granted by the ARB contingent on the receipt of a written request for an extension with an acceptable justification, prior to the expiration of the time limit.

Additions and Alterations must be completed within sixty (60) days of the ARB Final Review Approval unless an approved extension has been granted, in writing by the ARB.

3.5 REPLACEMENT AFTER DAMAGE OR DESTRUCTION

3.5.1 Single Dwelling

In the event of damage or destruction by fire or other casualty to any dwelling, if the Owner of such Single Family Dwelling Unit elects not to repair or rebuild the damaged or destroyed Single Family Dwelling Unit, such Owner shall clear away the debris of any damage to improvements or vegetation and leave such Single Family Dwelling Unit and the Lot upon which it is located in a clean, orderly, safe and slightly condition within seventy-five (75) days of the damage or destruction.

Should such Owner elect to repair or rebuild such Lot or Single Family Dwelling Unit or other improvements, such Owner shall repair or rebuild such Lot or dwelling or other improvements to substantially the same condition as existed prior to the damage or destruction, unless otherwise permitted by the ARB. Such work must be in accordance with all applicable provisions of this section, ARB guidelines and all applicable zoning subdivision, building, and other governmental regulations. All such work, repair, or construction shall commence within seventy-five (75) days following such damage or destruction and shall be carried through diligently to conclusion as per ARB regulations.

3.5.2 Major Disasters

In the instance of a major disaster affecting multiple properties, defined as the destruction of or major damage to three or more properties caused by hurricane, flood, tornado, wind or fire, the following modified procedures shall apply:

3.5.2.1 Restore the property to unimproved condition and the application of ground cover

Upon the receipt of a written Application, the ARB Administrator will issue a permit marked "CLEAR LOT". No fee is required.

3.5.2.2 Demolition, total or partial, and debris removal prior to restoration

Upon receipt of a written Application, the ARB Administrator will issue a permit marked "DEMOLITION ONLY". No fee is required. In the case of a partial demolition, a set of marked drawings shall be submitted clearly showing the portion(s) to be demolished.

3.5.2.3 Restoration of the property to its condition prior to the damage with no exterior changes

Upon receipt of a written Application stating "NO CHANGES", the ARB Administrator will issue a permit marked "NO CHANGES". No fee is required.

3.5.2.4 Restoration of the Property with Proposed Exterior Changes and/Or Additions or Changes Required By Current Applicable Building Codes, Ordinances, Rules, Regulations or Guidelines

All applicable ARB review procedures apply. Refer to Section 3.0 in its entirety. Fifty Percent (50%) of the current, applicable ARB fee is required with the Application.

3.5.2.5 ARB Quorum

When Design Reviews are required, the ARB quorum requirements may be maintained per Article 2.6. At the discretion of the ARB, current Alternate members may be utilized to compose a quorum.

3.5.2.6 All Other Guidelines Shall Govern As Applicable

3.6 POST APPROVAL CONTROL (CHANGES)

If any changes to the approved plans involving the exterior of the structure or the site are contemplated during the course of construction, documentation and a request for Design Review must be submitted to the ARB prior to the execution of any changes.

If a variance is involved, the variance shall be described and justified on an amended Application for Design Review.

Any non-approved changes or violations discovered during on-site inspections will be subject to fines as scheduled and may require restoration to the approved plans.

3.7 NOTIFICATIONS

Any written correspondence stating a pending contingency or requirement of the ARB shall remain in effect until complied with and shall apply until the final compliance inspection is completed.

The ARB Administrator will provide the following notifications to the parties concerned:

- Concept Comments Only
- Preliminary Approval/Disapproval
- Landscape and Drainage Plans, Colors, and Final Approval/Disapproval
- Construction violations with fines stipulated
- Appeal decisions
- Change Approval / Disapproval

3.8 DEPOSITS

3.8.1 Escrows

The owner will deposit the following escrow with the ARB prior to issuance of an Allenwood Building Permit.

All deposits will be refunded, less any fines levied during construction, and final compliance inspections have been completed and approved by the HOA's ARB Administrator.

- For new construction or demolition, a deposit of \$5,000.00 per unit with a maximum of 7 units is required;
- For significant additions or alterations requiring foundation work or installation, a deposit of \$3,000.00 is required;
- For major alterations, a deposit of \$2,000.00 is required; For minor alterations, a deposit of \$500.00 is required;

3.8.2 Compliance

All prime contractors are required to provide a one-time deposit of \$5,000.00 for new construction or demolition and \$2,500.00 for lesser projects. A one-time escrow deposit

of \$1,000.00 for landscapers is required. This deposit is the prime contractor's assurance that all rules and regulations will be followed. The deposit is returned, less any fines levied, upon notification that the prime contractor has ceased all building activity and all projects are complete and in compliance. No further Building Permits will be issued until a full compliance deposit is in effect.

3.9 ARB FEES

A nonrefundable fee must accompany the Application for Design Review, if applicable. Preliminary submissions require the final review fee. No submittal will be accepted for ARB review without the required fee paid as follows:

- Single family homes or Townhomes – \$500.00
- Covered additions & alterations -- \$100.00
- Minor alterations \$100.00
- Additions (uncovered), decks, wells, hurricane shutters, sidewalks, driveway extensions, barriers, etc. – \$100.00
- Demolition (50% or more of structure) – \$500.00
- Repaint or reroof with color changes if Board approval required – \$100.00 otherwise no fee
- Concept or site concept review – new home -- \$100.00
- Re-inspections caused by owner or general contractor – \$100.00 (This applies to requested on-site inspections, each occurrence.)
- Re-submittal of landscape plan after final approval and/or new landscaper – \$100.00

4.0 ARCHITECTURAL DESIGN GUIDELINES

4.1 AESTHETICS

The ARB has the authority to judge submittals solely on the basis of aesthetics, including but not limited to style, siting, massing, proportions, rooflines, fenestration, exterior finishes, details, features, colors, and compliance with the design philosophy of the ARB. All structures must follow the Town of Hilton Head rules.

4.1.1 Building Maximum

Maximum building sizes are not established; however the ARB will consider the bulk and mass of the structure and may, at its sole discretion, disapprove a submittal that is inappropriate for the site. Since bulk and mass is a volumetric perception, second story living spaces (including bonus rooms over garages) shall also be included in the decision.

4.2 Site Planning

4.2.1 Tree Removal

No trees measuring three inches (3") or more in diameter at a point two feet (2') above the original grade shall be removed without proper justification and approval of the ARB. The final decisions on tree removals will be made at the time of the stakeout inspection. Care should be exercised to protect all other trees from equipment damage and/or filling. Barriers and tree wells should be used for protection. Unauthorized removals will be fined and may require mitigation.

Avoid the removal of any tree in the road right-of-way for driveway access where possible. HOA approval will be required.

4.2.2 Drainage

Final grading shall be contoured to prevent any standing water and to prevent any run-off onto adjacent properties and shall be directed to the nearest available swales, ditches, culverts, and lagoons to the front and rear of the lot.

4.2.3 Paving

4.2.3.1 Driveways

Driveways shall be hard paving such as concrete, textured concrete, brick, or concrete pavers. Asphalt, Pine straw, gravel, shells or other loose materials are prohibited.

All driveways are to be located as far from an intersection as possible.

Off-street parking must be provided for at least two (2) vehicles on hard surface paving excluding in-garage parking.

4.2.3.2 Entry Sidewalks

Entry sidewalks shall be hard surface paving and shall be curved (meander) wherever possible.

4.2.4 Finish Floor Elevation

The finish floor is considered to be either the top of the first floor concrete slab or, in the case of a framed floor system, the top of the first floor sub-flooring.

The minimum first floor elevation of any habitable area shall comply with the required Base Flood Elevation (BFE) and town building codes

Most areas require a minimum BFE of fourteen feet (14') above mean sea level (AMSL); however, certain areas that are prone to high tide surges require a higher BFE. A finish floor elevation above the BFE will be considered in relation to the finish floor elevations of adjacent structures and the visual impact on the neighborhood.

4.3 MINIMUM SETBACK AND HEATED FLOOR AREA REQUIREMENTS

Minimum setbacks are not established by covenant but by the Town of Hilton Head. The ARB reserve unto itself the right to control the site of any structure constructed within Allenwood at its sole discretion may alter certain setback to provide aesthetic continuity within a neighborhood in review of all applications consideration is given to the following:

- Ecological constraints S
- Site topography
- Location, finished floor elevation, visual impact of proposed and adjacent structures.
 - Location of significant trees Views

4.4 ROOFS AND ROOFING MATERIALS

4.4.1 Overhangs

Roof and gable rake overhangs shall be appropriate for the proportions and style of the house and consistent throughout the design.

Overhangs shall be measured from the outside face of the sidewall framing in the horizontal plane of the soffit, excluding fascia trim, as follows:

- Main Roof: Not less than twelve inches (12")
- Major Gable Rakes: Not less than eight inches (8")

4.4.2 Approvable Materials

The following are approved materials for roofs:

- Asphalt/Fiberglass Shingles: Architectural, Laminated, Class A, minimum 30-year warranty. Recommend fungus/algae resistant. Standing Seam
- Others: Judged on the basis of compatibility with house design and location

4.5 EXTERIOR FINISH MATERIALS, DETAILS AND FEATURES

4.5.1 General

Exterior finish materials and feature details such as entrance porticos, bay windows, etc. shall be appropriate and in harmony with the design of the structure and shall be consistent throughout. A variety of different details and strong identifying features will not be approved.

4.5.2 Acceptable Siding Materials

Exterior materials must conform to the standards and aesthetic harmony of Allenwood including vertical or horizontal wood siding, stucco, Hardiplank (or similar material), brick, and rough-sawn, smooth wood trim or Vinyl. All exterior surfaces must be included in plans and approved by the ARB.

4.5.4 Finished Surfaces

All exterior surfaces eight inches (8") or more above the finished grade shall be finished with an appropriate material. Formed concrete, concrete block, or other masonry, except brick, shall have a stucco finish. Paint finish is not acceptable on concrete or masonry surfaces.

4.6 EXTERIOR COLORS

4.6.1 General

No exterior color shall be applied to any new or existing construction without the approval of the ARB or administrator. For new construction, colors, and samples must be included for final review.

Submit colors for the following:

- Roofing
- Wood Siding and Trim
- Stucco Siding and Trim
- Fascia
- Soffits
- Columns Pilasters
- Quoins
- Front Entry Door and Trim
- Exterior Doors
- Garage Doors
- Windows
- Shutters and all other visible details.

Garage doors shall match the adjacent siding color all others must be approved by ARB.

All colors shall be compatible with those within the visible area and shall not be visually predominant, within the context and character of the neighborhood.

The above also applies to any subsequent exterior additions, alterations, or repainting.

4.6.2 Color Guidelines

Muted, nature-blending colors are preferred. The use of the color white is discouraged. Actual samples, viewed under outside-light conditions, both in sun and shade, should be used as criteria in selection. Avoid using small color chips as the basis for selection.

4.7 RE-PAINTING

No repainting procedure is to commence until ARB approval notification is received in writing. Color samples required.

4.8 RE-ROOFING

Prior to the installation of any new roof, the property owner or licensed contractor must submit an Application for Design Review to the ARB or Administrator.

The requirement for Exterior Colors, Section 4.6, previously stated, shall apply.

For Asphalt/Fiberglass Roof Shingles, also refer to Sections 4.4.3 and 4.6.2.

4.11 GARAGES AND CARPORTS

4.11.1 Garages

All new residences shall have an attached, enclosed garage or provisions for under-house garaging. Existing garages shall be retained or replaced.

Under-house garages shall be visually enclosed and provided with doors.

Freestanding garages may not be approved.

4.11.2 Carports

Carports are not permitted.

4.11.3 Above Garage "Bonus" Rooms

An above-garage bonus room element shall not be a predominant feature of the overall design. It shall blend with the main portions of the house in style, massing, proportions, and rooflines. Avoid poor proportions, i.e. two-story bonus room element versus one-story house.

The highest roof ridge or peak shall not exceed the height of the highest point of the roof of the main house and the roofs shall be connected.

An increased setback of the walls of a bonus room may be required in order to reduce the impact on the street and/or adjacent structures. Access to a bonus room shall be only from the interior area of the dwelling.

4.12 SERVICE YARDS

Please refer to section 4.16 below for approval and submittal guidelines.

4.13 EQUIPMENT ENCLOSURES

Please refer to section 4.16 below for approval and submittal guidelines.

4.14 CHIMNEY TERMINATIONS

Chimney terminations must be decorative.

If metal windscreens are used, they must be standing-seam design and may be copper, aluminum, galvanized steel, or terne metal.

Aluminum and galvanized windscreens shall be painted to be compatible with the color of the chimney.

Masonry or masonry-look chimneys need not use metal windscreens if the chimney termination design is decorative and a low silhouette metal flue cap is used.

4.15 FOUNDATION TREATMENTS

In the case of a framed floor system, the space between the finished bottom on the main floor framing and the finished grade, between foundation piers or support posts, and all openings in masonry foundation walls shall be visually closed. This includes open spaces under decks and outside stairs.

The following are acceptable methods:

- Lattice panels with closely spaced slats, 1-1/2" maximum openings and a minimum of 3/8" thick x 1-1/2" wide slats
- Horizontal wood louvers
- Others reviewed on an individual basis
- All exposed raw concrete or masonry surfaces that are eight inches (8") or more above finished grade shall be finished with stucco or other suitable material.

Painted concrete or masonry surfaces are prohibited.

4.16 FENCES AND BARRIERS

All fences and barriers must first be approved by the ARB and conform to acceptable standards as established by the ARB.

- All contemplated installations must be submitted to the ARB for review.
- The ARB will judge each request for fences and barriers will solely on aesthetics and on a case-by-case basis.
- Submittals shall include:
- Application for ARB Review
- Exterior elevation drawings at 1/4"=1'-0" scale with all proposed permanently fixed posts, gates and fence section components clearly shown in position and to scale
- Photographs of the exterior facades affected with the locations of all permanently fixed components marked thereon
- Sample or clearly delineated catalog cuts of the proposed system
- Sample of the proposed color on the actual material
- The aesthetics of the fence or barrier shall be appropriate for the design of the structure and be as unobtrusive as possible.
- The color of the permanently fixed components shall match the color of the surface to which they are attached.

4.18 FREE STANDING STRUCTURES

A freestanding structure includes, but is not limited to, gazebos, pavilions, front entry features, trellises, pergolas, and arbors are prohibited without ARB approval.

Please refer to section 4.16 above for approval and submittal guidelines.

4.19 WOOD DECKS

Wood decks are considered to be vertical construction if any part is more than eighteen inches (18") above the finished grade.

Railings, stairs, fixed benches, and planters are considered to be a part of the deck and must comply with the rules for vertical construction.

All vertical surfaces must be painted to match a house color as appropriate.

4.20 HURRICANE PROTECTION

Manufactured hurricane protection systems may be permitted for the covering of openings in the exterior walls of dwellings subject to the following:

- All contemplated installations must be submitted to the ARB for review.

- The ARB will judge each request for hurricane protection solely on aesthetics and on a case-by-case basis.
- Submittals shall include:
- Application for ARB Review
- Exterior elevation drawings at ¼"=1'-0" scale with all proposed permanently fixed window and door protection components clearly shown in the open position and to scale
- Photographs of the exterior facades affected with the locations of all permanently fixed components marked thereon
- Sample or clearly delineated catalog cuts of the proposed system
- Sample of the proposed color on the actual material
- The aesthetics of the hurricane protection shall be appropriate for the design of the structure and be as unobtrusive as possible.
- The color of the permanently fixed components shall match the color of the surface to which they are attached.
- For new construction, the hurricane protection shall be built in to appear as part of the house trim.

Hurricane protection components shall not be used in the closed position to secure a dwelling during an owner's absence other than after an official declaration of hurricane watch or the threat of a severe tropical storm.

Openings in a dwelling utilizing hurricane protection shall be uncovered or opened as soon as possible after the storm has passed and re-entry into the Plantation is permitted.

4.21 EXTERIOR LIGHTING

Exterior lighting may be utilized to illuminate driveways, walks, entries, and landscape features. All landscape lighting should be included as part of the landscape plan and located within the property lines.

Landscape fixtures must be mounted low to the ground, be low intensity, and be limited in number.

House-mounted floodlights are permitted for temporary illumination only and are to be used for limited periods of time for emergency and exterior access.

Wall mounted lamps are permitted, but must be low intensity, mounted near doorways only and limited in number.

All lighting shall be shielded, directed, and controlled to prevent annoyance to neighbors.

4.22 KITCHENS

No more than one (1) full-service kitchen, equipped with major appliances, is permitted per dwelling.

4.23 EXPOSED EXTERIOR STAIRS

Exterior stairs that would be the primary access to the second floor or bonus room area are prohibited.

4.24 SWIMMING POOLS

Swimming pools are prohibited in the Allenwood community.

4.24.2 Barriers for Exterior Spas & Hot Tubs

All proposals must be submitted to the ARB for review.

4.24.2.1 Definitions

Acceptable materials, if appropriate, include:

- Wood or metal pickets
- Wrought iron type metal
- Balusters within rigid balustrade framing
- A combination of stucco or masonry elements with visually open wood or metal sections

Unacceptable materials include:

- Standard chain link with pipe framing
- Metal or plastic slats, boards, or panels
- Privacy Fences – fences with heights in excess of four (4) feet.

4.24.2.3 Submittal Requirements

Submittal requirements include: Please refer to section 4.16 above and the following guidelines.

- A dimensioned site plan showing the locations of the following:
- Property lines
- Setback lines
- The house in relation to the deck, fence or barrier
- The proposed location of the deck, fence or barrier
- A vertical section and details of the barrier if site-built or illustrative literature if prefabricated, manufactured components

- Samples of actual materials with proposed color finishes
- Landscaping – Clearly indicate the locations of all existing and proposed new plantings. Specify sizes and species.

4.24.2.4 Barrier Encroachments

Barriers are considered vertical construction.

Barriers may not encroach into required setback areas. If, in the judgment of the ARB, encroached on an adjacent property, the request will be denied.

4.24.2.5 Compliance

It shall be solely the property owner's responsibility for compliance with all other applicable codes, rules, regulations, or insurance company construction and safety requirements.

4.24.2.6 Liability

Neither the HOA nor the ARB shall be held liable in any way for any ensuing legal litigation pertaining to barriers.

4.25.1 Flags & Free-Standing Flagpoles

An application must be submitted to the ARB for review and approval prior to installation.

The location of the flagpole must be within property lines. Poles shall be no higher than twenty feet (20') from finished grade to the top of the pole.

Flags shall be no larger than three feet by five feet (3' x 5').

4.25.2 Unit Air Conditioners

Visible through-wall or window-mounted units are prohibited.

4.25.3 Solar Collectors

Solar collectors may be approvable.

4.25.4 Wells

Wells are not allowed within the Allenwood community.

4.25.5 Sun Control Devices

Metal awnings are prohibited.

Fabric window awnings may be approved if compatible with the house design and of a solid color that blends with the house color(s). Stripes may not be approved.

Deck, patio, and terrace awnings may be approved if the above conditions are met.

4.25.6 Clothes Lines

Visible clothesline, poles, or devices for clothes drying are prohibited.

4.25.7 Dog Runs/Pet Yards

Enclosures must be approved by the ARB. Please follow the guidelines listed in sections 4.16 and 4.24.2.3 above.

4.25.8 Manufactured Enclosures

Definition: structures which are primarily composed of prefabricated, pre-finished or repainted, metal or plastic components such as structural members, wall or roof panels, doors, windows, glass or screening and which are assembled on site.

These types of structures are not permitted in the Allenwood community.

4.25.9 Antennas/Satellite Dishes

No transmission antenna of any kind may be erected anywhere on the property unless approved in writing by the ARB. No direct broadcast satellite (DBS) antenna or multi-point distribution service (MMDS) antenna larger than one meter in diameter may be placed, allowed, or maintained upon any portion of the property, including a Lot. Only DBS and MMDS antennas one meter or less in diameter and over the air television broadcast service antennas may be installed in accordance with the Federal Communications Commission (FCC) Rules and Regulations and the HOA covenants.

Location, size, and color must be submitted in writing to the ARB for administrative approval.

5.0 LANDSCAPING GUIDELINES

After the completion of construction, all properties shall be landscaped. The landscape design shall be appropriate and adequate for the size, shape, topography, and location of the lot and shall complement the design of the dwelling as well as the context of the neighborhood.

The landscaping must coordinate with the approved drainage plan. After the house construction is complete and before any landscape work may begin, all planned fill must be in place and the final grade established. Failure to adhere to this provision may result in fill being removed at the owner's expense and fines levied.

6.0 ARB FINES

Failure to comply within specified time frames will include the following fines:

- The ARB reserves the right to assess a property owner \$100.00 for each day the exterior of the house is not complete, including landscaping, beginning twelve (12) months after final ARB approval unless an extension has been requested in writing and approved by the ARB.
- The ARB reserves the right to assess a property owner \$100.00 for each day of unauthorized occupancy, that is, occupancy of a house prior to:
 - The issuance of a Certificate of Occupancy by the Town
 - The completion of the exterior of the home in all respects, including landscaping and drainage
 - Compliance inspection

7.0 RULES & REGULATIONS GOVERNING CONSTRUCTION & MAINTENANCE

7.1 INTRODUCTION

7.1.1 Contractor Documents

All contractors and subcontractors must provide the ARB with copies of the Contractor or Business Licenses.

All copies must be current with up-to-date renewals on file. No Allenwood Building Permits will be issued without this documentation. Conducting business in the community without meeting this requirement will result in a stop work order and be subject to a fine.

7.1.2 General

The compliance thereof is mandatory by all property owners, general contractors, subcontractors, material suppliers, and maintenance services. Violations may result in denial of access to Allenwood. Contractors are liable for damage to road, utility infrastructure, and the landscape on both private and common property including road rights-of-way.

Allenwood, assumes no liability for the loss or destruction of any contractor's vehicle, trailer, construction equipment, or materials on or from any property within the Community.

7.2 CONSTRUCTION HOURS

Construction is permitted only between 8:00 a.m. and 7:00 p.m. Monday through Friday from 9:00 a.m. and 5:00 p.m. on Saturday. No work of any type is permitted on Sunday, Thanksgiving Day, Christmas Day, or New Years Day.

Emergency maintenance services may be allowed access on Sundays and holidays with proper authorization from the HOA.

7.3 TRAFFIC LAWS/PARKING

The parking of vehicles and trailers shall be limited to the job-site property. The road right-of-way may be used for parking only when on-site space is not available.

Caution shall be exercised to avoid damage to the road right-of-ways.

Any damage to the road right-of-ways shall be restored to the original condition at the completion of the project.

Under no circumstance shall parking interfere with the flow of traffic or cause hazardous traffic conditions.

7.4 Allenwood BUILDING PERMIT

The following requirements are necessary to obtain an Allenwood Building Permit:

- All assessment payments must be up-to-date.
- Compliance deposit paid. Refer to Section -----
- Subsequent Allenwood Building Permits will not be issued unless all previous fines have been paid and the appropriate compliance balance is maintained.
- Architectural Review Board final approval of plans
- Town Building Permit
- For additions and alterations, a copy of the Town Building Permit to ARB, if required
- Payment by the owner of a all escrow deposits for new construction, alterations and for minor projects

Permits must be posted on the project site near and easily visible from the road, protected from the weather and maintained on the site until project completion.

A full set of approved project plans must be maintained on the job site.

7.5 SITE ACCESS AND PROTECTION OF HOA PROPERTY

Whenever possible, the access to the construction site between the edge of the road pavement and the front property line shall be no more than twenty feet (20') wide and is limited to one (1) entrance only.

Whenever possible, the site access shall be in the same general location as the permanent driveway entry.

In the case of ditches or swales, the grade elevations must be maintained to prevent any blockage of the drainage system. The installation of a culvert may be required. If a permanent culvert is to be installed, the permanent culvert shall be in place prior to any site preparation.

Any damage to the road pavement, curbing, or the road right-of-way caused by construction activity must be restored to the original condition before the project will be considered complete. Failure to comply with the above requirements during construction may result in fines levied and/or other action.

7.6 SITE PREPARATION

No lot can be cleared, no site prepared, or any other construction activity started without a Town Building Permit and an Allenwood Building Permit posted.

Water and electric services must be installed on-site prior to the need for these services. The water meter must have a hose bib connection. The temporary electric meter must feed receptacles adequate for the use of all power tools.

The use of water and electric services from adjacent residences is prohibited.

7.7 DRAINAGE CONTROL, EROSION CONTROL & ENVIRONMENTAL PROTECTION

7.7.1 Areas of Responsibility

Prior to and during all construction activity, including the clearing and filling of the lot, the following protective actions must be taken and maintained:

- Water Drainage Control
- Soil Erosion Control
- Road Pavement and Curb Protection
- Road Right-of-Way Protection
- Tree Protection

7.7.2 Responsibilities during Construction

During construction, the general contractor is responsible for preventing drainage and soil erosion onto any adjacent property whether private or common.

Soil erosion shall be controlled entirely within the construction site property lines in such a manner as to prevent the erosion of soil onto any adjacent properties, roads, or into any community drainage system, waterway, marsh, or lagoon.

7.7.3 Responsibilities after Completion of the Foundation

After completion of the foundation work, the general contractor shall establish the finish grade at the perimeter of all new construction no less than eight inches (8") below any wall finish. Earth should be sloped at a gradient of no less than 2:12 to a minimum of ten feet (10') on all sides of full-sized lots and at the front and rear of patio lots. Drainage restrictions also apply at the sides of patio lots. When house construction is complete and before any landscape work may begin, all planned fill must be in place and the lot brought to final grade.

7.7.4 Fines and Other Actions

The failure to control drainage and erosion may result in fines levied or other actions as well as the cost of all required restoration work.

7.8 PROTECTION OF TREES AND NATURAL VEGETATION

Only those trees indicated for removal on the approved Site Plan can be removed. Caution should be exercised to protect all other trees and natural vegetation from equipment damage and/or fill dirt cover.

7.9 TRESPASSING

All access areas, parking, storage of materials, location of dumpsters, and portable toilets must be confined to the permitted lot. The use of private properties, common property, or open space is prohibited.

7.10 PORTABLE TOILETS

A portable toilet may be placed on each new construction site. The portable toilet must be located in an inconspicuous area, within the lot property lines, as far away as is feasible from the street and adjacent properties, and as near to the structure as possible. The door must face toward the construction. Clean and sanitary conditions must be maintained at all times. Sanitation contractors may not display telephone numbers or advertising.

7.11 DUMPSTERS

Each project that generates debris must provide a commercial dumpster at all times. It must be located within the lot property lines and cannot be placed on the road right-of-way or on any adjacent private or common property. It must be emptied prior to

exceeding capacity. The dumping of construction debris is prohibited within the community

7.12 SITE MAINTENANCE

Materials must be stored in an orderly manner on site. Contractors are required to make frequent clean-ups of construction materials, trash, litter, etc. always leaving the area neat and clean at the end of each workday. When the Island is placed under Hurricane Watch by the Emergency Management Team, contractors will begin preparation to secure all job sites. Be prepared to remove dumpsters and portable toilets. By the time the Island is placed under a Hurricane Warning all dumpsters will be out of the community or covered tightly with tarpaulins, the portable toilets will have been removed or been strapped to a substantial tree and all materials will be bundled so as not to fly around and cause damage to neighboring properties.

7.13 HAULING

7.13.1 Trash

Any vehicle transporting construction debris or site clearing material must be enclosed or equipped with a tarpaulin or netting to adequately cover and protect the load from spilling during transport. The load must not extend beyond the width of the truck bed.

7.13.2 Fill Dirt

Hauling of fill dirt must be in a suitable vehicle equipped solely for this purpose. A fill dirt load may not exceed one foot (1') in height above the side rails of the vehicle, at the center of the load, and must be tapered to the sides of the vehicle in such a manner as to prevent spills.

7.13.3 Spills Require Clean Up

Should any spill occur the contractor involved is responsible for the clean up of the street and other affected areas immediately following the spill. Should this not be feasible, contact must be made to POA security to inform them of the spill and an approximate time for clean up. Failure to do so will result in a fine levied plus costs incurred for HOA clean up of the spill.

The clean up of concrete trucks and equipment after concrete delivery may be done only on the construction site. Road right-of-ways and other property must not be used for this purpose.

Any concrete, gypsum, mortar, tar, asphalt, oil, or any other petroleum product spilled on roads, road right-of-ways, or any property other than the construction site must be removed immediately. Roads must be washed so that no residue remains.

7.14 CONSTRUCTION TRAILERS, VEHICLES, AND MOBILE EQUIPMENT

The ARB shall approve all trailers to be placed on the construction site.

No trailer, vehicle or mobile equipment shall remain on site overnight. All must be removed from at the end of each workday, unless permitted by the ARB.

The trailer shall not be parked on the lot so as to block entry of security or emergency vehicles.

No trailer, vehicle, or mobile equipment shall be parked on any HOA or adjacent private property.

Trailers must have State registration if required by Law.

The HOA is not liable for any theft of or vandalism to any trailer, vehicle, or mobile equipment.

7.15 BURNING PROHIBITED

Burning of construction debris or open warming fires is prohibited.

7.16 PERSONAL CONDUCT

Proper personal conduct is expected from all workers. No loud music or language is allowed. Any sound, other than that of customary construction activity, that can be heard from adjoining properties will be considered a nuisance and is prohibited.

Children under sixteen (16) years of age and pets are not permitted on any construction site.

The existence of firearms either on a person or in a vehicle is prohibited.

7.17 DEMOLITIONS

- An application must be submitted to the ARB for Administrative approval. There is no fee.
- An ARB Permit is required to be posted prior to Demolition.
- All Construction Guidelines shall be in effect as applicable. Refer to guidelines Section 7 above
- Barricade Protection shall be erected around trees, natural growth and other locations as directed by the ARB.
- No trees or natural growth shall be removed unless approved by the ARB.

- In the case of total demolition, all utilities shall be terminated at the entry onto the property prior to demolition.
- Minimize air-borne dust by means of wetting-down the area.
- All debris must be removed from the community. Loads must be covered, Refer to Guidelines Section 7.13
- All vertical and horizontal construction shall be removed from the site as applicable.
- In the case of total demolition, the lot must be restored to unimproved condition by means of grading and ground cover. No bare earth areas shall remain.
- If a partial demolition is proposed, drawings must be submitted clearly showing the area(s), which will be demolished.
- The property may remain un-restored no longer than thirty days (30) after the completion of demolition.
- Any buried pipes or propane tanks must be removed.

7.18 FINES FOR VIOLATIONS: NEW CONSTRUCTION

The following is a schedule of fines that may be levied when a property owner or a general contractor violates the covenants or guidelines. Such fines will be deducted from the escrow deposit or general contractor compliance deposits as appropriate. A stop order or other actions may also be taken for serious and/or repetitive violations.

TYPE OF CONSTRUCTION

VIOLATION AMOUNT OF FINE

Clearing of site or unauthorized tree removal without approval or obtaining an Allenwood Building Permit is \$2,000.00 per violation. This violation could warrant expulsion of the general contractor and denial of further construction within the community.

Construction does not conform to plans as approved by the ARB \$1,500.00 per violation. The violation could warrant expulsion of the general contractor and denial of further construction within the community. The general contractor may have to restore to the approved plans.

Failure to build, finish and landscape in accordance plans as approved by the ARB Fines up to amount of escrow deposit, plus the possibility of expenses

Work not completed in twelve (12) months (Extensions may be requested in writing but must be approved by the ARB) \$100.00 per day.

Failure to control water drainage and/or soil erosion control \$100.00 to \$1,000.00 per violation, plus restoration costs.

Damage to road pavement, curbs, and road right-of-way \$500.00 per violation, plus restoration costs.

Trespass onto adjoining lots or HOA property by personnel, vehicles, equipment, material storage, alterations, etc. \$100.00 per violation, plus restoration costs, and plus \$100.00 per day until compliance.

Failure to provide adequate trash receptacles or failure to keep site clean of debris, the \$100.00 per violation, plus \$100.00 per day until in compliance.

Failure to provide portable toilet \$100.00 per violation, plus \$100.00 per day until compliance

Failure to turn off exterior lighting \$100.00 per violation

Loud music, language, or inappropriate personal behavior \$100.00 per violation

Non-complying and/or improperly placed signage \$100.00 per violation

Improper hauling of trash \$100.00 per violation, plus clean-up costs

Spills on roads or road rights-of-way \$100.00 per violation, plus clean-up costs

Open fires \$250.00 and up per violation

Pets, children, or unauthorized personnel on construction site \$100.00 and up per violation

Fishing in lagoons Warnings and up to \$300.00 per violation

7.19 FINES FOR VIOLATIONS: POST-CONSTRUCTION

Fines, as specified below, for violations of the Covenants or the Guidelines may be applied for any changes not issued an ARB permit. This shall apply to any existing improved property or dwelling, including, but not limited to, the following:

TYPE OF POST-CONSTRUCTION VIOLATION AMOUNT OF FINE

Re-roof and Exterior Repaint \$100.00 - \$500.00

Tree Removals (over 3” diameter) \$500.00 per tree, plus mitigation

Enclosed Additions (attached or freestanding) \$500.00-\$1,000.00

Exterior Alterations or Additions (Windows, Doors, Walls, Fences, Siding, Trim, Porches, Entries, Dog Runs, Service Yards, Pergolas, Awnings, Equipment Enclosures,

Lighting \$100.00-\$1,000.00

Porch Enclosures \$500.00-\$1,000.00

Patios and Walks (Concrete or Masonry) \$50.00-\$500.00

Decks \$100.00-\$1,000.00

Exterior Stairs to Second Level, if primary \$1,000.00, plus removal

Driveway Changes or Additions \$500.00-\$1,000.00

Landscaping (Ornamental fountains, Waterfalls, Pools, Statuary, Trellises, Stationary or Mobile Ornaments, Lighting, etc.) \$500.00-\$1,000.00

Additional Recreational Equipment \$100.00--\$500.00

The above applies to both additional and replacement work.

The scope of the change and its impact on the surroundings will be taken into consideration in determining the actual amount of fine within the specified limits.

The ARB may also require the removal of any unapproved work and the restoration to the original condition(s) or other mitigation.

Other fines may also be applied, as applicable, as specified for New Construction. Refer to Section 7.18.

The ARB has the authority to adjust or waive the amount of any fine to compensate for mitigating circumstances.

7.20 APPEALS FOR CONSTRUCTION VIOLATION FINES

An appeal of a violation fine may be submitted in writing to the ARB. An explanation of circumstances and appropriate justification should be included in the appeal. The ARB will forward a written response within thirty (30) days of receipt of the appeal.

This applies to both New Construction and Post-Construction.