

CROSSWINDS

ARCHITECTURE REVIEW BOARD
POLICIES, PROCEDURES
AND GUIDELINES

For Property Owners, Residential Construction,
Exterior Alterations, Additions,
Renovations and Pools

AUGUST 1, 2023

ADOPTED BY: Crosswinds Property Owners' Association

Introduction

A major concern in planning is the integration of the development with its immediate environment. Crosswinds believes that man-made improvements should, as much as possible, blend with nature rather than stand in stark contrast to it. The result is a development more pleasing to the eye and a more attractive community in which to live. All proposed construction should be planned with due consideration for the natural features of the particular building site. View opportunities, the preservation of specimen trees, addition of appropriate hardscape materials, and the relationship of the proposed structure to those on adjacent lots and roads should be taken into account in the siting of the proposed structure. On-site drainage retention, routing of drainage to existing collection points, collective/joint drainage plan with neighbors if necessary, avoidance of forcing water on roadways or on neighbor's properties is a paramount consideration.

To assure that these objectives are achieved and to ensure continuity of physical development such that future development will be compatible with existing development, Crosswinds has established a Architectural Review Board (ARB) for the purpose of examining and passing upon proposed plans for new construction and any additions to existing structures or remodeling thereof. No construction or operation may be commenced until the ARB has issued its written approval.

It should be noted that any construction now existing, but not conforming to these procedures, shall not be a blueprint for future projects. All lots are subject to the current Covenants and ARB procedures.

These procedures may be modified from time to time to ensure that the harmonious characteristics of Crosswinds are continuously maintained.

This document is divided into 2 sections. The first section is for property owners and contains policies and procedures for changes to the exterior of homes, community rules and forms. The second section addresses residential construction, renovations, exterior alterations, additions, and pools.

This document, dated August 1, 2023 supersedes all previous versions of the ARB Guidelines.

TABLE OF CONTENTS

Introduction.....	2
Section 1 Property Owners.....	6
1. Policies and Procedures for Additions or Changes to Home or Property...	7
1.1 Minor Work.....	7
1.2. Major Work.....	7
2. Community Rules.....	8
2.1. Garages/Driveways/Entry Elements.....	8
2.2. Guest Parking.....	8
2.3. Fences.....	8
2.4. Antennas/Satellite Disks and Accessory Structures.....	8
2.5. Pools.....	9
2.6. Landscaping.....	10
2.7. Landscaping Maintenance.....	11
2.8. Mailbox and House Numbers.....	12
2.9. Illegal Dumping and Burning.....	12
2.10. Signs.....	12
2.11. Traffic Laws/Parking.....	12
2.12. Contractor/Construction Work.....	12
2.13. Temporary Structures.....	13
2.14. Animals.....	13
2.15. Unsightly Conditions.....	14
2.16. Offensive Activity.....	14
2.17. Interval Ownership and Short Term Rentals.....	14
2.18. Docks, Landings and Boat-slips.....	15
2.19. Topography and Vegetation.....	15
2.20. Insect, Pest and Forest Fire Control.....	15
2.21. Mitigation Wetlands.....	15
2.22. Commercial Trash Pickup.....	15
2.23. Community Swimming Pool Rules.....	15
2.24. Garage Sales.....	16
2.25. Exterior Lighting.....	16
2.26. Propane Tanks.....	16
2.27. Roofs.....	17
2.28. Exterior Storm/Hurricane Shutters.....	17
2.29. Drainage Management on Properties.....	17
2.30. Periodic Neighborhood Inspections.....	17
2.31. Bulkheads.....	18
2.32. Exterior Paint Colors.....	18
3. Fines for Homeowner Offenses.....	19

4.	Forms.....	20
	ARB Approval Request Form.....	21
	ARB Tree Removal Request Form.....	23
Section 2 Construction.....		24
5.	Policies and Procedures for New Construction, Exterior Alterations, Additions, Renovations and Pools.....	25
5.1.	Projects Covered in This Section.....	25
5.2.	Plan Submission Procedure.....	25
5.3.	Submission of Preliminary Plan (Optional).....	26
5.4.	Submission of Final Plan Set (Mandatory).....	26
5.5.	Procedure for Approving Plans.....	27
5.6.	Inspections and Permits.....	28
5.7.	Changes to Project.....	30
5.8.	Owner and Contractor Responsibility.....	30
5.9.	Excessive Elapsed Time.....	30
5.10.	Schedule of Fees.....	31
5.11.	Return of Refundable Deposits.....	32
6.	Architecture Design Rules and Guidelines.....	32
6.1.	Minimum Square Footage of Interior Air-Conditioned Space, Excluding Garage.....	32
6.2.	Building Elevation and Height.....	33
6.3.	Site Positioning of Construction.....	33
6.4.	Foundations.....	34
6.5.	Materials.....	34
6.6.	Garages, Driveways, Guest Parking and Entry Elements.....	34
6.7.	Decks, Terraces, Patios and Porches.....	35
6.8.	Exterior Lighting.....	35
6.9.	Propane Tanks.....	36
6.10.	Service Yards.....	36
6.11.	Roofs.....	37
6.12.	Fences.....	37
6.13.	Antennas/Satellite Disks and Accessory Structures.....	38
6.14.	Grading and Drainage.....	38
6.15.	Pools.....	39
6.16.	Landscape.....	39
6.17.	Mail Box and House Numbers.....	41
6.18.	Exterior Storm/Hurricane Shutters.....	41
7.	Pre-Construction Phase Guidelines.....	41
7.1.	Site Preparation and Clearing.....	42
7.2.	Tree Protection.....	42
7.3.	Silt Fence.....	42
7.4.	Portable Chemical Toilet.....	42
7.5.	Dumpster.....	42

7.6.	Illegal Dumping or Burning.....	42
7.7.	Utilities.....	43
7.8.	Signs.....	43
8.	Construction Phase Guidelines and Rules.....	43
8.1.	Site Protection, Traffic Laws and Parking.....	43
8.2.	Utility Vehicles and Construction Equipment.....	44
8.3.	Construction Rules.....	44
9.	Schedule of Penalties.....	46
9.1.	Minor Offenses.....	46
9.2.	Major Offenses.....	47
10.	Forms.....	48
	Application for Approval of Construction.....	49
	Plan Submission Checklist (ARB USE ONLY).....	52
	Final Checklist (ARB USE ONLY).....	53
	Revision History.....	54

SECTION 1 PROPERTY OWNERS

1. Policies and Procedures for Additions or Changes to Home or Property

Any changes or additions that a homeowner desires to make to the exterior of their property, whether it be to the building or yard, requires approval by the Architectural Review Board (ARB) of Crosswinds. There are different procedures for major work, such as the addition of a pool or addition to the home versus minor work, such as painting the exterior, roof replacement, changes to landscape, addition of solar panels to the roof or addition or change of hardscape. This section details the policies and procedures required to obtain approval. When in doubt, please check with the ARB.

1.1. Minor Work

Minor work includes, but is not limited to, the following project types:

- a. Painting the exterior of the home (fees required)
- b. Replacing the roof (fees required)
- c. Replacement of greater than 25% of a landscape (fees required)
- d. Addition or changes to hardscape such as patios, fire pits, pavers, raised beds, driveway or sidewalk replacement (fees required)
- e. Addition of solar panels to the roof (fees required)
- f. Window replacement (fees required)

To request approval for this type of project, there is a form to fill out titled ARB Approval Request. This form can be found later in this section under paragraph 4, or on the Crosswinds page of the IMC Website. The form shall be emailed to phil@imchhi.com at IMC or mailed to IMC, along with any fees required. A copy should also be emailed to the ARB at ARB@Crosswindspoa.org. Once the form is received by the ARB along with confirmation of any fees required, the ARB will review the request and send their decision by email. If approval is granted, work can proceed.

Property owners are responsible for advising any contractors used for their project of the work hours for the community which are 7:30 A.M. to 6:00 P.M. Monday-Friday and 9:00 A.M. to 5:00 P.M. on Saturday. No work may take place on Sundays or holidays.

Once work has been completed, the ARB shall be notified that the property owner is ready for an inspection. If the project passes inspection, the ARB shall notify IMC that any deposits made can be returned to the property owner.

1.2 Major Work

Major work includes, but is not limited to, the following project types:

- a. Addition of a pool
- b. Adjustments, modifications or additions to exterior of home

The approval process for this type of work is much more involved and there are fees required. Please see Section 2 - Construction for details on larger projects.

2. Community Rules

In accordance with the Crosswinds Declaration of Covenants, the POA Board of Directors has the authority to establish reasonable rules and regulations concerning the use of Lots, Dwellings, Easement Areas, Open Space, Common Property and facilities located thereon. This summary provides an overview of the Association Rules as per the Crosswinds Declaration of Covenants, and the Crosswinds Architecture Review Board Policies, Procedures and Guidelines. It is not intended to replace these documents or to be a complete listing of all regulations.

2.1 Garages/Driveways/Entry Elements

- a. Parking is permitted on driveways and in garages only. No on street parking except in the case of occasional gatherings at a home in which case the time is not to exceed 4 hours.
- b. Boats, trailers, recreational vehicles and similar vehicles shall be stored in an enclosed garage and not be exposed to view.
- c. Reflectors of any type shall not be permitted.
- d. No elements, other than mailboxes, shall be located in the easement between the curb and the property line.

2.2 Guest Parking

Guests shall park in the driveway of the home they are visiting. In cases where the number of cars exceeds the capacity of the owner's driveway, any excess cars shall be parked in available guest parking spaces only. Overnight parking is not permitted in the guest parking spaces unless the home being visited does not have room to accommodate guests. If a property owner is having a large gathering, temporary parking on the street for up to 4 hours is permitted.

2.3 Fences

Fences, in general, are discouraged. Because of the style of the neighborhood, fences will be considered for privacy issues i.e. courtyards, patios. The use of "Living Fence Structures" is acceptable. Under no circumstance shall fencing be considered for pet containment. Pool fences are covered in paragraph 2.5 Pools of this section.

2.4 Antennas/Satellite Disks and Accessory Structures

Satellite dishes, which do not exceed 1 meter in diameter or height, may be erected and maintained on the property with ARB approval. Care should be taken to provide adequate

screening if on the ground. An FCC ruling covers what is allowed. The full ruling can be found at <https://www.fcc.gov/consumers/guides/installing-consumer-owned-antennas-and-satellite-dishes>.

Excerpts from the FCC ruling allow the following:

- a. A dish antenna one meter or less in diameter (or any size dish if located in Alaska) that is designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite including a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services.
- b. An antenna that is one meter or less in diameter and is designed to receive video programming services via broadband radio service (wireless cable) or to receive or transmit fixed wireless signals other than via satellite, including a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunication services.
- c. An antenna that is designed to receive local television broadcast signals.

Other than the above, no antenna, radio receiver, transmitter, or other similar device shall be attached or installed on the exterior of any residence or land area within Crosswinds.

2.5 Pools

Any pool installation shall be approved by the ARB.

- a. Pool equipment shall be placed inside an approved service yard or other enclosure.
- b. The top of the pool or pool deck shall not be over 36 inches above finished grade and shall be integrated into the landscaping plan approved by the ARB.
- c. Backwash shall not be discharged into the sanitary sewer system, storm water sewer system, or the marsh and shall be contained on the lot.
- d. Significant landscaping shall be required around pools and pool decks to screen adjacent properties.
- e. Pools shall be located within the normal setback lines for all lots.
- f. If a pool fence is approved, it shall be constructed from a substantial material such as heavy gauge anodized aluminum or painted wrought iron. All pool fences shall be installed in the immediate area of the pool in conformance with the

normal setback requirements. All pools fences will be evaluated on a case-by-case basis.

2.6 Landscaping

All improvements, including landscaping in street rights-of-way, shall be approved by the ARB.

- a. Grass (sod) is to be established in the area between the front (and side, if applicable) property line and the edge of the street pavement. The lot is to have a finished look to the street's edge as well as the side and rear property lines. Ground cover may be considered in cases where the amount of shade prevents grass from growing.
- b. No tree with a trunk diameter measuring 4 inches or more at a height/distance of 4 feet above ground level shall be removed, or effectively removed through damage, without written approval of the ARB.
- c. Planting, other than grass, shall not be allowed outside the property owner's property line.
- d. The cutting or trimming of any vegetation outside of an Owner's property line shall be prohibited.
- e. Sod areas and shrubs shall be watered by an underground irrigation system. Irrigation shall be set to run on the days approved by the Town of Hilton Head and each irrigation system shall have a rain sensor to prevent irrigation from running when it is raining or we have had sufficient rain. .
- f. Motion activated sprinklers are prohibited.
- g. Every property owner shall prevent the development of any unclean, unsightly or unkept conditions of building or yards, which reduces the beauty of the neighborhood as a whole. All formal landscaped beds shall be mulched and maintained. All lawn areas shall be mowed on a regular basis. In natural areas, weed growth shall be controlled, trees pruned, and vines and yard debris removed.
- h. Rock or crushed rock as a predominant mulch shall not be permitted.
- i. Any proposed changes or additions in landscaping such as fences, fountains, lighting, game structures, pole-supported feeders/bird houses, drives, walkways, landscape structures and statuaries shall be approved by the ARB.

- j. All landscape accessory structures such as birdhouses, statues, flagpoles, lampposts, etc. shall be within the applicable setbacks and shall be approved by the ARB. Name and house number signs in the yard shall be prohibited.
- k. All outdoor play equipment shall be nature blending in color. In most cases any outdoor play equipment shall be confined to the back yard. Any outdoor play equipment shall be placed only with approval of the ARB. Any outdoor play equipment of a temporary nature placed in the driveway, such as soccer nets and basketball hoops shall be portable.
- l. No tool sheds, doghouses, or exposed clotheslines shall be permitted.

2.7 Landscaping Maintenance

- a. No weeds, underbrush or other unsightly vegetation shall be permitted to grow or remain upon any lot, and no refuse pile or unsightly objects shall be allowed to be placed or remain on property.
- b. Undeveloped lots that are primarily grass shall be mowed on a regular basis. The community POA shall arrange for treed lots to be bush hogged quarterly and bill the property owner.
- c. All properties and all portions of the property and any improvements placed thereon shall at all times be maintained in a neat, attractive and orderly manner, including maintenance of grass, plants, plant beds, trees, turf, proper irrigation and lake/conservancy/water/marsh maintenance.
- d. In order to implement effective control, the POA has the right to enter upon any property or undeveloped lot to mow, prune, remove, clear or cut underbrush, weeds or other unsightly growth and trash, which in the opinion of the ARB detracts from the overall beauty and safety of the Property. All expenses incurred in such corrective action shall be the responsibility of the respective Owner.
- e. Property owners shall be responsible for providing landscaping and maintenance between property lines and the roadway.
- f. Dumping or blowing lawn and yard debris into community lagoons, marshes, Broad Creek, vacant lots, common areas or roadways is prohibited. Property owners who hire independent landscapers are responsible for compliance of these rules.

2.8 Mail Box and House Numbers

- a. House numbers shall be three (3) inches in height and white in color and shall be part of the approved mailbox assembly, any part of which can be purchased from a local supplier (Hilton Head Signs). House numbers shall not be painted on the curb. Mailbox posts shall be maintained and painted when necessary by paint the community keeps for such purposes.
- b. All homes shall display their correct physical address on the building.

2.9 Illegal Dumping and Burning

Dumping or burning of debris shall be prohibited within Crosswinds.

2.10 Signs

- a. No commercial signs or advertising posters of any kind including “for rent”, “for sale”, “yard sale”, “keep out” and other similar signs, shall be erected or maintained on property without written permission of the ARB, or except as may be required by legal proceedings. If such permission is granted, the ARB reserves the right to restrict size, color and content of sign.
- b. During construction, no signs other than the approved homeowner, contractor and architect signs shall be placed on a property.

2.11 Traffic Laws/Parking

- a. No privately owned property or common areas may be used for parking without the written approval from the property owner. Proof of this approval shall be provided to the ARB prior to commencement of any construction.
- b. Posted speed limits and safe driving practices will be strictly enforced.
- c. No parking shall be permitted on the street at any time. If a property owner is having a large gathering, temporary parking on the street for up to 4 hours is permitted.
- d. 18 wheeler trucks of any kind are not permitted inside the entrance gates.

2.12 Contractor/Construction Work

- a. Contractor/construction work, both exterior and interior, shall be limited to the hours of 7:30 AM to 6:00 PM Monday through Friday and 9:00 AM to 5:00 PM

on Saturday only. No work shall be permitted outside of these hours or on Sunday, New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Friday following, and Christmas Day unless there is an emergency.

- b. Workers shall not be permitted to use any Crosswinds facilities except for restrooms in the pool area.
- c. Workers shall not be permitted to fish in any lagoon or from any dock within Crosswinds.
- d. The possession and/or consumption of alcohol or drugs shall be strictly prohibited on Crosswinds property.
- e. Workers shall refrain from using inappropriate language, honking horns and playing loud music within Crosswinds.
- f. Workers shall be prohibited from bringing dogs, cats or others pets to a job site within Crosswinds.
- g. Workers shall be prohibited from bringing children to a job site within Crosswinds.
- h. Workers shall obey all posted speed limits within Crosswinds.
- i. Workers shall not throw litter from windows of vehicles and shall prevent litter on job sites within Crosswinds.

2.13 Temporary Structures

No structure of a temporary character shall be placed upon a lot at any time except during construction of any main building subject to restrictions defined in the covenants.

2.14 Animals

- a. No animals, livestock or poultry of any kind shall be raised, bred, kept or pastured on the property other than household pets kept in any one residence. Excluded from the definition of household pets are those animals such as cows, horses, snakes, swine, goats and fowl all of which are specifically prohibited.
- b. Dog breeds, including, but not limited to, Staffordshire Bull Terriers, Bull Terriers, Pit Terriers, American Pit Bull Terriers, Pure Bred Rottweiler and Chow canines are prohibited.

- c. Notwithstanding anything contained herein to the contrary, not more than four (4) household pets may be maintained on any one lot without the express written approval of the POA.
- d. Homeowners shall pick up after their pets if they relieve themselves on community property. Allowing pets to relieve themselves on private property is prohibited.
- e. Unless on their owner's private property, dogs must be leashed in the neighborhood and not allowed to roam.

2.15 Unsightly Conditions

Homeowner shall prevent the development of any unclean, unsightly or unkempt conditions of buildings or grounds that tend to decrease the beauty of the neighborhood.

2.16 Offensive Activity

- a. No noxious or offensive activity shall be carried on upon property, nor shall anything be done to cause embarrassment, discomfort, annoyance or nuisance to the neighborhood.
- b. The homeowner shall not maintain any plants or devices or thing of any sort whose normal activities or existence is in any way noxious, dangerous, unsightly, unpleasant or of a nature as may diminish or destroy the enjoyment of the other property in the neighborhood.
- c. No boats, boat trailers, camper trailers, recreational vehicles, trucks, motorcycles or utility trailers may be maintained on the property without prior written approval of the ARB unless garaged at all times. The term "truck" refers to those vehicles of various sizes and designs for transporting goods, moving heavy articles, or hauling quantities of cargo and which are used in a trade or business in which the truck is used because of its commercial capabilities or identification of a commercial enterprise on the exterior of the vehicle.

2.17 Interval Ownership and Short Term Rentals

- a. No time sharing or other forms of interval ownership shall be permitted.
- b. No rentals under one (1) year shall be permitted.

2.18 Docks, Landings and Boat-slips

No docks, landing, boat-slips or similar structures (other than the common community dock) may be constructed or placed on the Property or any lot or any marsh or waterway adjacent to any lot.

2.19 Topography and Vegetation

Topographic and vegetation characteristics of a lot shall not be altered by removal, reduction, cutting, excavation, fill or any other means without the prior written approval of the ARB.

2.20 Insect, Pest and Fire Control

To implement effective insect, pest and fire control, the POA has the right to enter any lot on which a building or structure has not been constructed and upon which no landscaping plan has been implemented for the purpose of mowing, removing, clearing, cutting or pruning underbrush, weeds or other unsightly growth, removing trash, draining standing water or dispensing pesticides. Any costs associated with remediation will be paid by the respective homeowner.

2.21 Mitigation Wetlands

No filling, grading, mowing or other disturbance of any kind whatsoever shall be permitted in any area within the property designated as “mitigation wetlands”.

2.22 Commercial Trash Pickup

Curbside trash pickup shall not be allowed. Trash haulers shall be notified by the property owner that trash is required to be picked up from the service yard.

2.23 Community Swimming Pool Rules

The swimming pool rules are posted at the pool.

- a. There should be no solo swimming.
- b. There should be no running, boisterous or rough play.
- c. No person under the influence of alcohol or drugs should use the pool.
- d. There should be no spitting or blowing nose in pool.
- e. Persons with diarrheal illness or nausea should not enter the pool.
- f. Persons with skin, eye, ear or respiratory infections should not enter the pool.
- g. Persons with open lesions or wounds should not enter the pool.
- h. No animals or pets allowed in the pool enclosure or the pool.

- i. No glass allowed in the pool or on the deck.
- j. No children under the age of 16 shall be allowed in the pool enclosure or pool without adult supervision.
- k. Showering before entering the pool is recommended.
- l. The community pool is open daily from sunrise to sunset during the open season.

2.24 Garage Sales

Any garage sale must be approved by the Board of Directors in advance. The Board will consider requests from any owner in good financial standing with the Association. Homes will be limited to one sale per year, and must be scheduled only on Saturday mornings between the hours of 8:00 am and noon.

2.25 Exterior Lighting

Exterior lighting shall be installed so that neighboring properties and street traffic are not affected by the glare.

- a. Walkway, driveway and lamppost lighting shall be located a minimum of 20 feet from the street curb line. In addition, the property owner is advised that all elements including lampposts that are installed in the utility easement are installed at the property owner's risk.
- b. Surface mounted floodlights shall not be permitted.
- c. Landscape lighting shall be subdued (low voltage and low wattage).
- d. Night lighting for walkway, driveway and steps illumination sources, shall be subdued (low wattage), directed downward and where possible should be concealed into steps, walls, bollards, handrails or landscape to avoid direct view of light sources. Driveway and walkway lighting shall be of the type that is located close to the ground.
- e. COLORED LIGHTING SHALL NOT BE ALLOWED for landscape lighting.
- f. Exterior lighting, including front/rear entry, service yards or other exterior wall mounted fixtures shall contain lighting elements of 75 watts or less.

2.26 Propane Tanks

- a. Large propane tanks shall be buried underground and located no closer than 5 feet to the property line.

- b. Smaller propane tanks and 100 lb. exchange units, may be installed above ground but shall be hidden from view by enclosures built within the required setbacks.
- c. All propane tank installations shall comply with the current NFPA documents administered by the State Fire Marshall.

2.27 Roofs

- a. Architectural roofing materials shall be approved by the ARB.
- b. Fiberglass shingles chosen shall be colors and configurations that do not call attention to the roof. They shall also be a minimum of 300 lb. and a 30 year warranty is recommended.
- c. Metal roofs are allowed.
- d. Skylights shall not be visible on the street side elevation.
- e. Solar panels shall be permitted, but a plan must be submitted to the ARB for approval.

2.28 Exterior Storm/Hurricane Shutters

All requests for storm shutters shall be reviewed by the ARB. Approved storm shutters or other exterior hurricane protective measures may only be installed when the community is under a hurricane watch or warning or when notified by the Crosswinds POA. Storm shutters must be removed after the storm has passed or within two (2) weeks after reentry to the neighborhood is authorized.

2.29 Drainage Management on Properties

All property owners shall ensure that there is proper drainage management on their property to manage water from guttering and storm runoff so that it is contained on their own property and not allowed to flow onto neighboring properties under normal circumstances.

2.30 Periodic Neighborhood Inspections

In order to support the integrity, beauty and property values of all residents, a neighborhood inspection will be conducted by the property management company at least twice a year. Any property owner receiving a notification of item(s) that need remediation will be given 30 days to remediate. If further time is required, the property owner shall notify the property management company and give them an approximate time line for remediation. If the property management

company does not hear from the homeowner within the 30 day period or the items listed in their notice have not been remediated, fines will be assessed in accordance with the fine table under Paragraph 3 of this section. Notification of deficiencies may be appealed to the Property Owner's Association Board by sending an email to the property management company notifying them an appeal is being made. Please refer to the Crosswinds Covenants, Section 10.3 Procedure for details. If no appeal is made and there is no remediation of the violation, the violation shall be abated or removed by Crosswinds POA at the expense of the owner as stated in Crosswinds Covenants, Section 3.11 Right of Entry, if necessary.

2.31 Bulkheads

- a. The location shall have a current written approval by the DHEC Office of Ocean and Coastal Resource Management (OCRM).
- b. Bulkheads must be wood construction and be of the same design specifications as the bulkhead built behind 45 Crosswinds Dr.
- c. Plans shall be submitted that include design drawings showing an elevation as viewed from the water side and a site plan location drawing.

2.32 Exterior Paint Colors

Neutral colors shall be used to paint the exterior of homes. Subdued shades of white, cream, beige, tan, and gray are acceptable. Darker accent colors may be used on shutters and doors.

3. Fines for Homeowner Offenses

In order to support the integrity, beauty and property values of all residents, the table below was developed and lists offenses where fines can be assessed to homeowners for non-compliance.

Table 1 - Examples of Homeowner Offenses

Failure to remediate items 30 days after being identified during neighborhood inspections will result in a fine of \$100 for each week of non-compliance.	\$100.00 Minimum
Any work or changes to home exterior without submitting the proper paperwork and obtaining ARB approval.	\$200.00 Minimum
Having scheduled contractors work outside of community work hours unless it is for an emergency.	\$100.00 Minimum
Unauthorized removal of trees with a trunk greater than 4".	\$500.00 Minimum
Removal of more than 25% of landscape or adding hardscape or structures on property without submitting the proper paperwork and obtaining ARB approval.	\$200.00 Minimum
Dumping or blowing yard debris into community lagoons, marsh, Broad Creek, vacant lots, roadways or common areas.	\$250.00 Minimum
Not picking up after your pet on community property or allowing your pet to relieve itself on private property.	\$100.00 Minimum
Failure to maintain yard and planting beds. The fine will continue to be assessed weekly for each week of non-compliance.	\$100.00 Minimum
Storing boats, trailers, 2 wheeled motorized vehicles, golf carts, recreational vehicles or work vehicles with signage outside of a garage. The fine will continue to be assessed weekly for each week of non-compliance.	\$200.00 Minimum per vehicle
Other offenses deemed to be offensive pursuant to Section 3.6 Offensive Activity of the covenants.	\$100.00 Minimum

Homeowners will be notified of any fines by email and U.S. Mail and if no response is received within 10 days, the management company will contact the homeowner by telephone.

Please see Article X: Rules and Regulations and Enforcement Generally, Section 10.3 Procedure on pages 23 and 24 of the Covenants for the procedure for assessing and appealing fines.

4. **Forms**

The following forms are included in this section:

- a. ARB Approval Request (also may be printed from Crosswinds web page on the IMC website).
- b. Tree Removal Request (also may be printed from Crosswinds web page on the IMC website).

ARB APPROVAL REQUEST

If you are doing any kind of work that will change the way your home or yard looks from the exterior please submit this form, along with any necessary deposits, to IMC Resort Services, Inc. 2 Corpus Christi, Ste 302, Hilton Head Island, SC 29928. A copy should also be emailed to ARB@Crosswindspoa.org. Checks shall be made out to Crosswinds ARB and the address of the property shall be placed in the memo section.

Date _____

Owner _____ Address _____

Phone _____ Email _____

Contractor/Landscaper Name and Phone _____

Major additions or changes to homes or addition of a pool will require additional forms and deposits.

_____ Painting Exterior Same color? Yes No
Please provide paint samples.
Submission Fee-\$25.00 (nonrefundable). Compliance Fee-\$500.00 (refundable).

_____ Roof Replacement Same color? Yes No
Please provide samples
Submission Fee-\$25.00 (nonrefundable). Compliance Fee-\$500.00 (refundable).

_____ Major Landscape Change - Please provide drawings and names of proposed plants.
Submission Fee-\$25.00 (nonrefundable). Compliance Fee-\$500.00 (refundable).
(Note: This is only for large scale landscape changes)

_____ Addition of Solar Panels to Roof
Please provide drawings of what is proposed.
Submission Fee-\$25.00 (nonrefundable). Compliance Fee-\$500.00 (refundable)

_____ Addition or Change of Hardscape (patios, fire pits, pavers, raised beds, sidewalks, or driveway replacement)
Please provide drawings of what is proposed.
Submission Fee-\$25.00 (nonrefundable). Compliance Fee-\$500.00 (refundable).

_____ Other change or addition to exterior. (Fees to be dependent upon request).

ARB APPROVAL REQUEST PAGE 2

Please describe: _____

Owner Signature _____

Date _____

Revised - 8/1/23

ARB TREE REMOVAL REQUEST

Date: _____

Owner _____

Contractor _____

Lot # _____

Address _____

Address _____

Phone No _____

Phone No _____

E-mail _____

E-mail _____

Tree Removal - List each tree, its location and the reason for the removal request. A letter from an arborist explaining why the tree must be removed is required for any **specimen** tree (i.e. live oak) removal. No arborist letter is required for non-specimen trees. No approval is required for any tree less than 4" in diameter at 4' above the ground.

**TREES TO BE REMOVED MUST BE MARKED WITH RIBBON OR TAPE.
APPROVAL MUST BE GIVEN PRIOR TO ANY TREE REMOVAL BEGINNING.**

Submitted by: _____

Owner OR Contractor
(Circle one)

Submit by mail to:
Crosswinds ARB
C/O IMC Resort Services, Inc.
2 Corpus Christi, Ste 302
Hilton Head Island, SC 29928

Submit by email to:
ARB@Crosswindspoa.org and
phil@imchhi.com

For Office Use Only. Do Not Write Below This Line

- _____ **Approved as submitted**
- _____ **Approved with corrections as noted below**
- _____ **Declined for reasons noted below**

**SECTION 2
CONSTRUCTION**

**NEW CONSTRUCTION, EXTERIOR
ALTERATIONS, ADDITIONS,
RENOVATIONS
AND POOLS**

5. Policies and Procedures for New Construction, Exterior Alterations, Additions, Renovations and Pools

In order to construct a new home, make any major changes to the exterior of a home, or add new features to a home, such as additional square footage or a pool, application must be made to ARB for approval. This section details the policies and procedures for the process, beginning with the application for ARB approval and ending with the final inspection of the project.

It should be noted that any construction now existing, but not conforming to these procedures, shall not be a blueprint for future projects. All lots are subject to the current Covenants and ARB procedures.

5.1 Projects Covered in This Section

- a. Vertical and horizontal constructions including, but not limited to buildings, walls, swimming pools, seawalls, and any other structures or operations, however large or small, which may be placed upon or conducted within Crosswinds.
- b. Dredging and fill operations, shaping of land areas and drainage.
- c. Remodeling or altering the exterior of existing structures, including additions of any kind.

5.2 Plan Submission Procedure

The process begins with an application. All applications shall be submitted on forms provided by the ARB and can be found in Paragraph 10, Forms, in this document. An electronic and hard copy shall be submitted. Please note that the owner of the lot or home must be current with all Association obligations in order, for any plans to be considered. Checks, according to the schedule of fees on page 32, shall be made out to Crosswinds ARB and the address of the property shall be placed in the memo section. The completed forms shall be mailed to the following address:

Crosswinds ARB
C/O IMC Resort Services, Inc.
2 Corpus Christi, Ste 302
Hilton Head Island, SC 29928

OR delivered in person to

Crosswinds ARB
C/O IMC Resort Services, Inc.

2 Corpus Christi, Ste 302
Hilton Head Island, SC 29928
843-785-4775

Electronic copies can be emailed to phil@imchhi.com and ARB@Crosswindspoa.org.

5.3 Submission of Preliminary Plans (Optional)

A preliminary plan submission is recommended to resolve potential problems before going to the time and expense of final construction drawings. There are no fees for a preliminary plan submission. The ARB will give feedback and identify any problem areas for the preliminary plans. No approvals for lot clearing or construction are given during this preliminary review.

5.4 Submission of Final Plan Set (Mandatory)

The final plan set shall consist of site plans, landscape plans, architectural drawings and a description of colors and materials.

- a. **Site Plans** contain tree and topographical plans. Unless otherwise impractical, scale shall be 1/8 inch equals 1 foot for larger properties and shall include:
 - . Access street(s), walkway(s), drives, and other exterior improvements
 - . Grading and drainage plan stamped by a Civil Engineer or Landscape Architect.
 - . Fill plan, if any, indicating run-off and tree preservation method.
 - . Location, size and flow direction of culverts
 - . Exterior lighting plan
 - . Service Yard(s)
 - . Location and plan of swimming pool and supporting equipment.
 - . Tree survey showing location of trees four (4) inches or larger in diameter at a point four (4) feet above ground, indicating trees to be removed.
 - . Site plan to scale on tree survey indicating all structure and other improvements to be included in the scheme with an indication of trees to remain and trees to be removed (at the same scale as the tree survey).
 - . Location of utility line routes.
 - . Location and identification of special features (e.g., drainage ditch, dune, nearby lagoon, easements, adjacent structures, etc).

- b. **Landscape Plans** shall be professionally prepared and shall take into account the following:
 - . Layering of plant materials
 - . Screening of pools, patios and other outdoor living areas from similar

areas on adjacent properties.

- . Screening of guest parking from neighbors and roadways.
- . Breaking up of large areas of foundation work and wall panels through the use of evergreen plant material of sufficient size to service the purpose.
- . Care shall be taken to not cut off views of neighboring properties to water and marsh by “walling off” with plant material along property line further than the direct lines of sight between residences and their outdoor living areas. To do so is considered to be “offensive” under the covenants.
- . Mature trees (30 gallon or larger) shall be used to help break up and redefine the scale of large areas of roof structure from roads and to other residences where existing trees do not exist to satisfy that purpose. These trees may also be used to mitigate clear cutting of smaller areas of trees to enhance future mature plant plans.
- . Areas of undisturbed indigenous vegetation are encouraged for wildlife purposes although such areas may not suffice for screening purposes where such is required.
- . Landscape lighting shall be clearly marked on plan with cut sheets and wattage provided. Glare and “over shine” to adjacent properties and roads shall not be allowed. Avoid lines of sight to the source of the light.
- . The Crosswinds ARB reserves the right to require additional landscaping after completion of work in instances where the installed landscaping is deemed insufficient.

c. **Architectural Drawings** shall include the following:

- . Total enclosed heated/air conditioned square footage, stated by floor.
- . Floor plans, including an exact computation of the square footage of each floor.
- . Elevation drawings for all sides indicating the existing grade, fill and finished floor elevation, including the treatment of building from grade to floor in elevated buildings.
- . Detailed drawings of typical wall section, patio wall section, if appropriate and other features desirable for clarification.
- . Foundation plan
- . Electrical plan
- . All setbacks for any structure (see setback requirements)

d. **Colors and Materials** shall be identified completely in a color board, including:

- . Paint samples
- . Roof samples
- . Exterior finish samples
- . Driveway sample

5.5 Procedure for Approving Plans

Once the final plan set described in Item 5.4 has been submitted along with the application forms in Paragraph 10 and fees detailed in Paragraph 5.10, the management company will confirm receipt of these items to the ARB and the review process may begin. All plans and documents submitted to the ARB will remain the property of the ARB.

- a. All plans required by these procedures shall be reviewed in an expedient manner.
- b. The ARB will review the plans and any review notes will be consolidated into one document.
- c. Once the ARB has completed their review, the plans are forwarded to an outside architect that the POA has contracted with for further review. Once the architect has completed his review and sends his comments to the ARB, all comments are combined and the submitter of the plans is notified of the results of any changes that are required as a result of these reviews.
- d. If the submitter of the plans wishes to appeal a decision, they may do so in writing by submitting an appeal to the POA in writing and sending it to the address listed in Item 5.2 of this Section.
- e. Barring an appeal, all changes requested by the ARB and architect shall be made to the plans and the plans shall be resubmitted for a final review.
- f. The ARB shall only grant final approval when a full set of plans has been submitted and any deficiencies resolved.
- g. In rare instances, the ARB may require the owner or contractor to provide evidence of financial ability to complete the project.

5.6. Inspections and Permits

- a. **Stakeout (String) Inspection.** After final approval of the drawings has been granted, the contractor will stake out the property lines, building footprint, driveway, pools, decks, porches and service yards. Trees to be removed will be banded with red tape. The contractor or owner will advise the ARB Administrator when the stakeout is ready for inspection. The contractor and the ARB will meet at the job site and the ARB will perform the inspection and if approved, issue the contractor a Clearing Permit. A decision will also be made about where the dumpster and portable toilets will be placed. The Clearing Permit shall be clearly displayed on the construction site. The ARB will inspect the condition of the adjacent lots, curbing, and other infrastructure and document their condition for

reference at final inspection. When clearing is completed, no further construction work will commence until a Crosswinds Building Permit and a Town Building Permit are issued.

- b. **Crosswinds Building Permit.** Upon receipt of a copy the Town of Hilton Head's Building Permit, the Crosswinds Building Permit shall be issued. Once the Crosswinds Building Permit and the Town Building Permit are issued and both are displayed at the job site, framing may begin.
- c. **Inspections.** The contractor shall provide a foundation survey and a construction elevation certificate by a licensed South Carolina Surveyor to the ARB as soon as the foundation is poured. The ARB may conduct a survey of construction any time during the construction process. The contractor will be notified of any issues/concerns resulting from the inspection.
- d. **Final Inspection.** After the Certificate of Occupancy has been received and presented to the ARB, a request shall be made for a final inspection. The inspection shall 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 clean up, builder sign removal and removal of waste materials on adjoining lots. Adjoining lots, sidewalks and curbs shall be restored to their original condition prior to construction.

Final approval of the landscaping shall not be granted unless the plant material is installed as detailed on the approved submitted landscape plan and also meets the requirements of the landscape guidelines defined in Paragraph 6.16, especially for foundation coverage. The ARB, in its sole judgment, shall determine if additional trees or plants are required.

The homeowner may not move in until this inspection is completed. If everything is completed except the landscape, in some cases special permission may be requested and obtained from the ARB to move in.

The following items shall be submitted to the ARB prior to the final inspection:

- . Construction Elevation Certificate
- . Foundation Survey
- . Final Elevation Certificate
- . Certificate of Occupancy
- . As-Built Drawings that confirm actual footprint and setbacks to property line and OCRM line if applicable.
- . Landscape Drawings (as installed)
- . As-Built Survey that includes all vertical and horizontal construction (i.e.

walks, driveway, pools, decks, etc) and the elevation/topography of the lot as built and graded, including drainage plan grade lines.

. Photographs of the completed project

- e. **Return of Compliance Deposits.** Once the final inspection has been completed, a final accounting will be performed and any fines incurred during the construction process will be deducted from the compliance deposits. In the event a homeowner has requested and been granted permission to move in before landscaping is complete, a portion of the compliance deposit will be held back until the work is completed.

5.7 Changes in Project

- a. Any change in design or materials in a project that would affect any exterior elevation after the final approval is received shall be submitted to the ARB for approval.
- b. Revised plans shall be submitted in detail to the ARB and implantation of the change shall not proceed until the change is approved in writing.
- c. Major changes or revisions from the original plan shall require an additional \$1,500.00 submission fee to be paid before the plan will be reviewed.

5.8 Owner and Contractor Responsibility

Compliance deposits may be forfeited in part or in whole for violation of any one of the owner/contractor responsibilities listed in Paragraph 8.3, Construction Rules and its sub-paragraphs.

5.9 Excessive Elapsed Time

- a. In the event that construction of an approved plan is not begun within one hundred and eighty (180) days from the time approval is granted plans and application fees shall be resubmitted.
- b. Construction shall be completed within one (1) year from the time the stakeout inspection is performed. Consideration will be given to extraordinary circumstances such as delays in obtaining supplies.
- c. Excessive delays and site inactivity shall be reported to the ARB and in certain cases an extension beyond one year may be granted.
- d. The compliance deposit shall be forfeited after one year if construction, drainage and landscape are not completed and the project has not received permission to

extend the timeframe.

5.10 Schedule of Fees

The applicant shall pay the appropriate fees for the project. Checks shall be made out to Crosswinds ARB and the address of the property shall be placed in the memo section.

For construction of a new home:

Note: If the new home includes a pool and the builder is not willing to supervise the building of the pool, additional deposits for the pool are required.

Submittal Fee (Owner) - non refundable	\$1,500.00
Construction Fee (Owner) – non refundable	\$4,000.00
Compliance Deposit (Owner)	\$4,500.00
Professional Architect Review (Owner) - non refundable	\$750.00
Compliance Deposit (Builder)	\$2,500.00
Infrastructure Fee (Builder) - non refundable	\$1,500.00
**Any additional fees associated with the need for additional architectural services (Owner)	

For an addition of heated square footage to an existing home or installation of a pool:

Note: If the pool is being included as part of the construction of a home and the builder is not willing to supervise the building of the pool, these deposits must be paid for the pool.

Submittal Fee (Owner) – non refundable	\$500.00
Construction Fee (Owner) - non refundable	\$1,000.00
Compliance Deposit (Owner)	\$1,250.00
Compliance Deposit (Builder)	\$1,250.00
Infrastructure Fee (Builder) - non refundable	\$1,000.00

For alterations such as driveway replacement, sidewalk additions, major landscape upgrade, roof replacement, siding replacement, window replacement and hardscape additions:

Submittal fee (Owner) – non refundable	\$25.00
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Compliance Deposit (Owner)	\$500.00
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For alterations such as installation of a pool fence, deck or new lawn:

Submittal fee – (Owner) - non refundable	\$25.00
Compliance Deposit (Owner)	\$500.00

For alterations such as minor landscape upgrades, painting and tree removal, no submittal or compliance deposit fees will be required; however submittal to ARB and approval by the ARB will still be required. (Table Rev. 2/22/22)

5.11 Return of Refundable Deposits

- a. Compliance deposits made by the property owner and builder for construction of a new home, addition of heated square footage to an existing home, or installation of a pool may be returned after the completion of construction, drainage and landscaping and upon the ARB’s approval at the Final Inspection. The amount of the refunded compliance deposit may be reduced to pay for emptying overflowing trash containers, cleaning up a lot, or any other noncompliance with Paragraph 8, Construction Phase Guidelines and Rules. The deposit may also be forfeited if the home as-built is noncompliant with the approved plans. See Paragraph 9 Schedule of Penalties for additional reasons for forfeiting deposits.
- b. Owner compliance deposits for smaller projects such as driveway replacement, sidewalk additions, major landscape upgrades, roof replacement, siding replacement, hardscape addition, or installation of pool fence, deck, window replacement, installation of solar panels or new lawn shall be returned upon an inspection by the ARB after the project is completed.

6. Architecture Design Rules and Guidelines

The following section details guidelines and rules that shall be followed when designing and building a home in Crosswinds.

6.1 Minimum Square Footage of Interior Air-Conditioned Space, Excluding Garage

- a. Single story homes shall have a minimum of 1,800 square feet of enclosed dwelling area.
- b. One and a half and two story homes shall be a minimum of 2,400 square feet of enclosed dwelling area.

- c. The term “enclosed dwelling area” as used in these minimum size requirements shall mean the total enclosed area air conditioned and heated within a dwelling, excluding decks, patios, screened porches and garages.

6.2 Building Elevation and Height

- a. Single-family residences shall conform to federal flood zone regulations for minimum finished floor elevation established by Federal Emergency Management Agency (FEMA).
- b. For lots located above the town approved A.M.S.L, the height of the front foundation wall of the home (garage not included) as measured from the finished grade at the exterior of the structure to the finished floor elevation shall be a minimum of twenty-four (24) inches above finished grade.
- c. The maximum height for a residence as measured from finished first floor to the top of the tallest roof ridge beam shall be forty-five (45) feet. For lots where all or part of the lot elevation is less than the town approved A.M.S.L and the home must be raised to conform to the current FEMA minimum finished floor elevation, the maximum height of the residence as measured from the finished first floor to the top of the tallest roof ridge beam shall not exceed forty-five (45) feet. The intent of this maximum height is to reasonably limit the number of visible habitable levels below the roof drip line to no more than two, as viewed from the street. If a third story is to be constructed, it shall fit within the rooflines (including the attic area) above the first two stories.
- d. For those lots where all or part of the lot elevation is less than the town approved A.M.S.L., and the home must be raised to conform to the current FEMA minimum finished floor elevation, the area below the required finished floor elevation can best be utilized by incorporating garages/storage facilities provided the structural material/ventilation meets the required building codes.

6.3 Site Positioning of Construction

- a. Homes do not have to be placed square with street or setback lines.
- b. To aid the Architect/Owner and the ARB in reviewing the siting of the new home, the plot plan for the proposed home shall include a tree and topo as well as the location and first floor elevation of the adjacent homes.

6.4 Foundations

- a. FEMA flood elevation requirements are essential in the design of the foundation and the structure of the home.
- b. The town ordinance will dictate the approved flood elevations and no more than 3 feet of foundation shall be exposed around a home as measured from the finished grade to the first floor level on higher elevation lots. On lower elevation lots, the higher foundation walls will require careful architectural and landscape treatment to help soften their height and massiveness.
- c. All openings in the foundation wall shall be louvers or small vents installed at the base of the foundation. If louvers are used, the amount of louver openings in the foundation wall shall be less than 40% of the wall area. No lattice will be approved.

6.5 Materials

- a. Exterior walls shall be composed of brick, wood, stucco, fiber-cement siding or a combination thereof. Siding materials and combinations shall be approved by the ARB. Foundation walls shall be brick, stucco or tabby.
- b. All exterior wood trim or wood siding including stairs shall be painted or stained. All exterior colors shall be approved by the ARB. Neutral colors shall be used to paint the exterior of homes. Subdued shades of white, cream, beige, tan, and gray are acceptable. Darker accent colors may be used on shutters and doors. Exceptions will be considered for decks.
- c. Various styles of windows may be desired to accent the architectural style of the home. It is strongly encouraged that all windows be of a style compatible with the rest of the home.
- d. Driveways shall be composed of concrete, textured or patterned concrete, approved pavers or bricks, or a combination thereof.

6.6 Garages, Driveways, Guest Parking and Entry Elements

- a. All homes shall have a two-car garage. Carports are not permitted. Porte-cocheres are permitted.
- b. Any attached or connecting buildings on a lot such as garages, etc., shall be compatible in style, material and color with the main house.

- c. Garages shall have finished interior walls.
- d. Driveways shall be concrete, textured or patterned concrete, approved pavers, or a combination thereof. It is recommended that pervious material such as brick, stone or concrete pavers be used for driveways and walkways near specimen trees and desirable natural vegetation that is to be saved.
- e. Single entry driveways may be parallel to side property lines but shall be no closer than 5 feet from the property line and where it intersects with the street. Driveways near side property lines shall be minimized where possible to permit drainage and a buffer of landscape material.
- f. Two off-street guest-parking spaces shall be provided on an approved surface. In cases where the lot will not allow for guest parking spaces, there shall be enough room in the driveway to accommodate two guest vehicles.
- g. Reflectors of any type shall not be permitted.
- h. No building elements, other than mailboxes, shall be located in the easement between the curb and the property line. All entry elements shall be shown on the architectural and landscape drawings and shall be located inside the property line. It is strongly recommended that any entry element of a structural nature not be constructed in the utility easement as it will be at risk of underground utility work takes place. If entry elements have landscape or lighting, these details shall be shown on the appropriate drawings.

6.7 Decks, Terraces, Patios and Porches

Decks, Terrances, patios and screened porches shall be designed as an integral part of the architecture of the main structure, using compatible materials in both color and texture.

6.8 Exterior Lighting

Exterior lighting shall be installed so that neighboring properties and street traffic are not affected by the glare.

- a. Walkway, driveway and lamppost lighting shall be located a minimum of 20 feet from the street curb line. In addition, the property owner is advised that all elements including lampposts that are installed in the utility easement are installed at the property owner's risk if underground utility work takes place. The design and location of all exterior and landscape lighting shall be indicated on the site and landscape plans.

- b. Surface mounted floodlights shall not be permitted. Building perimeter lights shall be installed to ensure that the source of light is not visible from off the home site.
- c. Landscape lighting shall be subdued (low voltage and low wattage).
- d. Night lighting, not limited to walkway and driveway illumination sources, shall be subdued (low wattage), directed downward and where possible should be concealed into steps, walls, bollards, handrails or landscape whenever possible to avoid direct view of light sources. Driveway and walkway lighting shall be of the type that is located close to the ground.
- e. COLORED LIGHTING SHALL NOT BE ALLOWED for landscape lighting.
- f. Exterior lighting, including front/rear entry, service yards or other exterior wall mounted fixtures shall contain lighting elements of 75 watts or less.

6.9 Propane Tanks

- a. Large propane tanks shall be buried underground and located no closer than 5 feet to the property line.
- b. Smaller propane tanks and 100 lb. exchange units, may be installed above ground but shall be hidden from view by enclosures built within the required setbacks.
- c. All propane tank installations shall comply with the current NFPA documents administered by the State Fire Marshall.

6.10 Service Yards

All residences shall have an attached service yard when room is available within the setbacks. All utilities, including electrical service, garbage containers, HVAC compressors, water softeners, pool, well equipment, etc., shall be located in a service yard or other approved enclosure.

- a. All service yards shall be designed to have minimum impact on neighboring residences and be located with the setback lines. Exceptions may be considered for non-standard lots.
- b. The service yards shall be located in the side or rear yards with special consideration given to properly conceal the enclosure from street views.
- c. The primary service yard enclosing equipment shall be completely screened

from view by a wall or fence with a minimum height of six feet. All service yard equipment shall be completely screened from view at the top and at the slab portion or bottom. The maximum distance between the bottom of the screening enclosure and the slab shall be three inches. Service yards and other enclosures shall not use lattice or “hog” fencing. The door of the service yard shall be full height and shall not face the street.

- d. The service yard shall have materials and colors compatible with the house.
- e. All service yards shall have concrete slabs or pavers as a base. Elevated service yard shall require additional aesthetic detail.

6.11 Roofs

- a. Architectural roofing materials shall be approved by the ARB. If fiberglass shingles are used, colors and configurations that do not call attention to the roof shall be chosen. If fiberglass shingles are used, a minimum of 300 lb. and/or 30 year warranty is recommended. Metal roofs are allowed. Material selection and color will be considered on a case by case basis.
- b. Exaggerated roof slopes (both high and low) shall be avoided.
- c. Roof vents, plumbing vents and other penetrations shall be painted to blend with the roof and placed on the rear elevations, when possible.
- d. Skylights shall not be visible on the street side elevation.
- e. Chimney exteriors shall be compatible with the architectural style of the house. Direct vent fireplaces through the roof shall only be allowed if they are vented through a full chimney. Prefabricated chimney flue caps shall be screened with a metal or other non-combustible material shroud for safety and aesthetics.
- f. Solar panels shall be permitted, but a plan must be submitted to the ARB for approval.

6.12 Fences

Fences, in general, are discouraged. Because of the style of the neighborhood, fences will be considered for privacy issues i.e. courtyards, patios. The use of “Living Fence Structures” are acceptable. Under no circumstance shall fencing be considered for pet containment.

6.13 Antennas/Satellite Dishes and Accessory Structures.

Satellite dishes, which do not exceed 1 meter in diameter or height, may be erected and maintained on the property with ARB approval. Care should be taken to provide adequate screening if on the ground. An FCC ruling covers what is allowed. The full ruling can be found at <https://www.fcc.gov/consumers/guides/installing-consumer-owned-antennas-and-satellite-dishes>.

Excerpts from the FCC ruling allow the following:

- a. A dish antenna one meter or less in diameter (or any size dish if located in Alaska) that is designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite including a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services.
- b. An antenna that is one meter or less in diameter and is designed to receive video programming services via broadband radio service (wireless cable) or to receive or transmit fixed wireless signals other than via satellite, including a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunication services.
- c. An antenna that is designed to receive local television broadcast signals.

Other than the above, no antenna, radio receiver, transmitter, or other similar device shall be attached or installed on the exterior of any residence or land area within Crosswinds.

6.14 Grading and Drainage

- a. Grading and drainage plans may be part of the Site Plan or they may be a separate plan.
- b. Grading and drainage shall be designed to ensure no storm water or roof water runoff is directed toward adjacent home sites or POA property. Runoff shall be directed into swales or dry wells to prevent runoff onto any adjacent properties.
- c. 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 shall 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.

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

6.15 Pools

Any pool installation shall be approved by the ARB.

- a. Pool equipment shall be placed inside an approved service yard or other enclosure.
- b. The top of the pool or pool deck shall not be over 36 inches above finished grade and shall be integrated into the landscaping plan approved by the ARB.
- c. Backwash shall not be discharged into the sanitary sewer system, storm water sewer system, or the marsh and shall be contained on the lot.
- d. Significant landscaping shall be required around pools and pool decks to screen adjacent properties.
- e. Pools shall be located within the normal setback lines for all lots.
- f. The pool fence should be constructed from a substantial material such as heavy gauge anodized aluminum or painted wrought iron. All pool fences should be installed in the immediate area of the pool in conformance with the normal setback requirements. All pools fences will be evaluated on a case-by-case basis.

6.16 Landscape

The ARB recommends the property owner select a landscape professional familiar with the soil and growing conditions of the area. The landscape architect shall advise the homeowner of the type of soil(s) on the lot and its effect on the landscape plan. Since from time to time the neighborhood may suffer a salt water inundation from Broad Creek, salt tolerant plants should be considered.

- a. Landscape plans shall be submitted at the same time as final house plans. Landscaping shall be completed before final inspection of the property is performed. All landscaping shall be essentially complete prior to the occupancy of the home.
- b. The landscape plan shall contain all the vital information from the previously approved site plan and shall show existing plants and trees and indicate which trees are to be removed. A landscape plants and materials schedule shall be on

the landscape plan and shall show number of plants, botanical names, common names, species, container size, spread, height and spacing at installation.

- c. House, deck, garage, service yard, mechanical platforms and foundation walls shall be fully (heavily) landscaped on all sides. Foundation and service yard plants shall provide a minimum of 50% height and weigh coverage at installation. Depending on the height of the foundation, plant size and spacing requirements will vary to assure that effective screening is provided.
- d. Property line utility service boxes shall be screened with evergreen landscaping, yet provide reasonable access by the utility companies.
- e. Grass (sod) is to be established in the area between the front (and side, if applicable) property line and the edge of the street pavement. The lot is to have a finished look to the street's edge as well as the side and rear property lines. Ground cover may be considered in cases where the amount of shade prevents grass from growing.
- f. A landscape plan that uses rock or crushed rock as a predominant element will not be approved.
- g. Use of mature, well established plant material (existing and/or new) is strongly encouraged. The use of native materials, including deer resistant, drought and salt tolerant, and winter hardy plant varieties is encouraged. Evergreen plants that are winter hardy shall be used for foundation and screening/buffering purposes.
- h. In considering the planting design, a simple massing of plant materials is encouraged. Lawn areas are encouraged in open areas around homes where sunlight is available a good portion of the day. Wooded areas should be preserved and enhanced by the selective introduction of ground cover and edge planting. Plant material, fences and walls will be considered for the design of outdoor spaces for functional use such as to provide screening and privacy.
- i. Leaving "natural" areas may be appropriate and acceptable in some cases, however, these areas must be maintained (cleaned, pruned, weeds/vines removed) and not left to grow wild. Natural does not mean unkempt.
- j. At driveway entrances, for reasons of safety, no planting that obstructs sight lines shall be permitted.
- k. Landscaping at the rear corners of a lot shall not impede the view corridor of neighbors.

- l. No tree with a trunk measuring 4 inches or more at a height/distance of 4 feet above ground level shall be removed, or effectively removed through damage, without the approval of the ARB.
- m. Planting, other than grass, shall not be allowed outside the property line.
- n. The cutting or trimming of any vegetation outside of an owners property line shall be prohibited.
- o. Walkways, retaining walls, water features, sculptures, statuary or other hardscape improvements shall be identified on the landscape and/or site plans by material and dimensions, including height above finished grade.
- p. An underground irrigation system is required to water sod areas and shrubs. Irrigation shall be set to run on the days approved by the Town of Hilton Head and each irrigation system shall have a rain sensor to prevent irrigation from running when it is raining or we have had sufficient rain. Watering in the early morning is encouraged as there is less evaporation.
- q. At final inspection of the landscape installation, the ARB, in its sole judgment, shall determine if the intent of the landscape plan design has been met, particularly as it relates to landscaping that is used for screening purposes and foundation coverage.

6.17 Mail Box and House Numbers

- a. House numbers shall be three (3) inches in height and white in color and shall be part of the approved mailbox assembly, any part of which can be purchased from a local supplier (Hilton Head Signs). House numbers shall not be painted on the curb. Mailbox posts shall be maintained and painted when necessary by paint the community keeps for such purposes.
- b. All homes shall display their correct physical address on the building as required by the Town of Hilton Head.

6.18 Exterior Storm/Hurricane Shutters

All requests for storm shutters shall be reviewed by the ARB.

7. Pre-Construction Phase Guidelines

The following section details activities that take place pre-construction.

7.1 Site Preparation and Clearing

After final approval of the drawing package, the contractor shall stake out the lot in preparation for the stakeout inspection. No trees shall be cut or clearing of any kind will proceed until after the stakeout inspection is approved and a permit has been posted. Trees to be removed shall be banded in red.

7.2 Tree Protection

Tree protection shall be constructed of 2 inch x 4 inch posts on 8 foot centers with 2 inch by 4 inch top rail covered with Burke Safety Fence. Tree protection shall be 4 feet high and located around the drip line of the tree (approximately 1 foot in radius for every inch in tree diameter). Specific recommendations from the arborist survey and report will also need to be followed.

7.3 Silt Fence

Prior to starting construction, a silt fence shall be installed on a minimum of 3 sides of the property lines of the lot and maintained throughout construction. Care shall be taken to install the silt fence with the bottom curl under a dirt cover so that silt and debris do not run under the silt fence.

7.4 Portable Chemical Toilet

Prior to starting construction, a portable chemical toilet shall be placed within the setback line when possible and shall be emptied on a regular basis. The toilet shall be removed when construction is completed. The door of the toilet shall face toward the center or rear lot line of each lot and not face the street, unless otherwise approved by the ARB. Portable toilets shall be enclosed on three sides. Lattice panels are acceptable.

7.5 Dumpster

During construction, a metal dumpster shall be in place and shall be present on the lot during the entire construction process. The dumpster shall be removed when construction is complete. The permit holder shall be responsible for collecting all trash and shall have a clean and orderly construction site at the conclusion of each day's activities. The dumpster must be covered at the end of the day to prevent trash from blowing out. The placement of dumpsters on open space may be considered in some cases.

7.6 Illegal Dumping or Burning

Dumping or burning of debris shall be prohibited within Crosswinds.

7.7. Utilities

The appropriate utility companies shall provide completely underground connections to water, sanitary sewer, electricity, telephone and cable tv. The installation of all utilities to homes within Crosswinds shall be installed to meet the specifications prescribed by the providing utility. Consideration shall be given when routing utilities to protect the root system of all remaining trees.

7.8 Signs

No signs other than the approved homeowner, contractor and architect signs shall be placed on a property during construction. The contractor's sign, architect sign and the County and Crosswinds Building Permits, as well as the Crosswinds Clearing Permit, shall be affixed to the contractor signpost. A set of plans should be attached to the sign post as well. This information shall remain posted throughout the building process and shall be removed upon final approval.

8. Construction Phase Guidelines and Rules

8.1 Site Protection, Traffic Laws and Parking

- a. The use of 18 wheel vehicles for deliveries or any other purpose in Crosswinds is prohibited.
- b. All vehicles, trailers and building supplies shall be limited to the job site property. If there is no room for vehicles on the job site, the ARB will work with the contractor on alternative places to park. No privately owned undeveloped lots may be used for parking or storage of any construction related equipment without the written approval of the property owner. Proof of this approval shall be provided to the ARB prior to commencement of any construction. No on street parking is permitted.
- c. Contractors shall not place tracked vehicles on Crosswinds roadways. The contractor shall be responsible for any damage to roads.
- d. The utmost caution must be used to avoid damage to the road right of way and the curbing. Any damage to curbs, sidewalks and easements shall be restored to the original condition at the completion of the project. The edge of the road pavement shall be protected from damage by construction vehicles. Placing heavy wood planks or other effective material to make the transition between the pavement and the road smooth should be used. Deposits will not be returned until any and all damaged areas are satisfactorily restored. Photos of existing damage to the curbing in front of and adjacent to the construction site shall be provided to the ARB prior to the commencement of construction.

- e. Roads shall not be cut. All installs shall be bored.
- f. Posted speed limits and safe driving practices will be strictly enforced. Under no circumstances shall parking interfere with the flow of traffic or cause hazardous conditions.
- g. Failure to comply with the above requirements during construction may result in fines being levied and/or other appropriate action.

8.2 Utility Vehicles and Construction Equipment

Equipment used during construction may be left overnight on the job site. Responsibility for loss of equipment, theft or damage is the sole responsibility of the contractor.

8.3 Construction Rules

The following rules and regulations are designed to enhance Crosswind's overall appearance and to protect the aesthetics and the property values of all owners. Builders shall be held responsible not only for their own employees, but also for the actions of their subcontractors and vendors. Failure to comply with these rules may result in loss of deposits or other sanctions.

- a. Contractors shall not erect signs until construction begins and they shall remove signs as soon as construction is completed. Signs shall be no larger than ten (10) square feet and of conservative design. Signs shall be set back ten (10) feet from the road.
- b. Construction work, both exterior and interior, shall be limited to the hours of 7:30 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. Saturday, only. No work shall be permitted outside of the permitted hours on any home under construction by a contractor, subcontractor or homeowner. A home will be considered under construction until it has been issued a certificate of occupancy and approved by the ARB after a final inspection.
- c. No work shall be permitted on Sunday, New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Friday following and Christmas Day.
- d. Water usage shall not be permitted until the appropriate tap fees are paid and meters are installed by HHPSD #1.
- e. Construction trash burning shall not be permitted on the job site.
- f. The General Contractor shall be responsible for enforcing the following work

rules for all construction workers and suppliers at the job site.

- . Workers shall not be permitted to use any of Crosswinds facilities.
 - . Workers shall not be permitted to fish in any lagoon or from any dock.
 - . The possession and/or consumption of alcohol or drugs shall be strictly prohibited on Crosswinds property.
 - . Workers shall refrain from using inappropriate language, hoking horns and playing loud music within Crosswinds.
 - . Workers shall be prohibited from bringing dogs, cats or other pets to the job within Crosswinds.
 - . Workers shall be prohibited from bringing children to a job site within Crosswinds.
 - . Workers shall obey all posted speed limits within Crosswinds.
 - . Workers shall not throw litter from windows of vehicles and shall prevent litter on job sites within Crosswinds.
 - . Workers shall adhere to the approved work hours in Crosswinds which are 7:30 a.m. to 6:00 p.m. Monday - Friday and 9:00 a.m. to 5:00 p.m. Saturday.
- g. Trash containers and portable toilets shall be located and enclosed in accordance with the locations approved by the ARB
- h. The contractor shall clean up the construction site at the end of each day to keep papers and other trash from blowing onto adjacent lots.
- i. Dumpsters shall be covered at the end of each day to avoid blowing trash.
- j. Trash containers shall be removed within ten days after the completion of the project.
- k. Vacant and undeveloped adjacent properties shall not be used for access, parking or storage of material and equipment without written permission of the owner. A copy of the permission letter shall be filed with the ARB. The Contractor/Owner shall be responsible for repairing any damage done to adjacent property before their deposits will be returned.
- l. Damage of any type to any of the common elements such as, but not limited to, curbing, roadways, irrigation, lighting, landscaping, gates and security systems belonging to the Crosswinds POA shall result in the forfeiture of a portion or all of the security deposits held by the ARB depending on the severity of the damage. Damage to properties other than common elements shall also be dealt with accordingly. The repair of any damage may be repaired by the owner or the contractor. The method of repair will require pre-approval by the ARB.

9. Schedule of Penalties

The following is a schedule of penalties that may be levied when a property owner or contractor violates the Covenants or these guidelines. Monetary penalties will be deducted from the escrow deposit (refundable deposits) paid by the contractor or owner as appropriate. If the amount of a fundable deposit falls below 50% of the initial deposit at any time during the project, the contractor/owner shall replenish the deposit to the full initial amount. Covenant violations may result in legal action if no deposits are available for levy.

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

9.1 Minor Offenses

If a minor offense is not corrected within 48 hours of notification, the project will be shut down until the violation is corrected. Offenses deemed to be minor at the sole discretion of the ARB shall result in a minimum fine of \$250.00. The chart below is not an inclusive list of all minor offenses.

Examples of Minor Construction Offenses

Failure to keep site clean	\$250.00 Minimum
Loud music or yelling	\$250.00 Minimum
Adjacent lots unclean	\$250.00 Minimum
Damage to curb	\$250.00 Minimum
Failure to maintain silt fences	\$250.00 Minimum
Failure to maintain tree protection	\$250.00 Minimum
Children or pets at work site (contractors/sub-contractors)	\$250.00 Minimum
Fires	\$250.00 Minimum
Failure to install or maintain port-o-john screening & dumpsters	\$250.00 Minimum
Other offenses determined to be minor	\$250.00 Minimum

9.2 Major Offenses

Major offenses may cause the job to be shutdown, but will also result in the automatic loss of a portion or all of the refundable deposits. Offenses deemed to be major at the sole discretion of the ARB shall result in a minimum fine of \$500.00. The chart below is not an inclusive list of all offenses.

Examples of Major Construction Offenses

Begin work without appropriate permit	\$500.00 Minimum
Working during unauthorized hours or non-working days without prior approval of the ARB	\$500.00 Minimum
Unauthorized clearing or removal of trees & vegetation	\$500.00 Minimum
Changing of exterior design or appearance of house without review and approval and failure to build according to the approved plans	\$500.00 Minimum
Installation of landscape without approval	\$500.00 Minimum
Failure to install approved landscaping after 60 days of occupancy	\$500.00 Minimum
Failure to inform suppliers of the 18 wheel truck prohibition and 18 wheel trucks enter the neighborhood for the contractor's project	\$500.00 Minimum
Other offenses determined to be major by the ARB	\$500.00 Minimum

10. Forms

The following forms are included in this section:

- a. Application for Approval of Construction
- b. Plan Submission Checklist for New Home, Addition, Remodeling, Exterior Improvements or Pool (For ARB use only)
- c. Final Checklist (For ARB use only)

Application for Approval of Construction

OWNER	
Name	
Address	
Lot Number	
Cell Phone Number	
Fax Number	
Email Address	
Telephone Number	
ARCHITECT/DESIGNER	
Name	
Address	
Telephone Number	
Cell Phone Number	
Fax Number	
Email Address	
CONTRACTOR	
Name	
Address	
Telephone Number	
Cell Phone Number	
Fax Number	
Email Address	

Application for Approval of Construction - continued

Heated Area/Residence	1 st Floor Square Feet =	
Heated Area/Residence	2 nd Floor Square Feet =	
Area/Accessory Building	1 st Floor Square Feet =	
Area/Accessory Building	2 nd Floor Square Feet =	
Total Square Feet	Square Feet =	
Finished Ground Floor Elevation	AMSL = Height =	
EXTERIOR MATERIALS		
	Material	Color
Siding		
Fascia/Trim		
Stucco		
Doors		
Brick		
Windows		
Roofing		
Shutters		
Driveway		
Other Comments		

Application for Approval of Construction - continued

AGREED:

I hereby certify that the information in this application for Approval of Construction form is complete, true, and correct. I have read the Crosswinds Covenants, and Crosswinds Architecture Review Board Policies, Procedures and Guidelines and agree to abide by them.

Signature of Owner

Date of Agreement

Signature of Builder/Contractor

Date of Agreement

Signature of Designer/Architect

Date of Agreement

**Plan Submission Checklist for New Home, Addition, Remodeling,
Exterior Improvements or Pool
(ARB USE ONLY)**

Owner:		
Address:		
Lot:		
Date:		
Assessments for the current year have been paid	Yes	No
Owner, Designer & Contractor have read and comprehended the Crosswinds Architecture Review Board Policies, Procedures and this checklist	Yes	No
Owner, Designer & Contractor have read and comprehended the Crosswinds covenants	Yes	No
Owner has completed and signed the Application for Approval of Construction form.	Yes	No
Owner has submitted a signed copy of the Application for Approval of Construction	Yes	No
Owner has submitted a check for the \$1,500 Submission Fee	Yes	No
Owner has submitted a check for the \$750 Professional Architect Review	Yes	No
Owner has submitted complete copies of the plans prepared in accordance with the procedures described herein.	Yes	No
Owner has submitted all material samples and colors	Yes	No

**Final Checklist
(ARB USE ONLY)**

OWNER	
Name	
Address	
Lot Number	
Fax Number	
Telephone Number	

Construction Fee Paid by Owner? (\$4,000.00)	Yes	No
Demolition Fee Paid, if applicable? (\$5000.00)	Yes	No
Owner Compliance Fee Paid? (\$4,500.00)	Yes	No
Builder Compliance Fee Paid? (\$2,500.00)	Yes	No
Builder Infrastructure Fee Paid? (\$1,500.00)	Yes	No
Application for Approval of Construction Signed and Returned?	Yes	No
Mail Box Location Submitted & Approved	Yes	No
Final Approval Mailed to Owner	Yes	No

SIGNATURES	
Owner:	Date:
ARB Chairman/ Administrator:	Date:

REVISION HISTORY				
Revision Date	Page #	Section	Paragraph	Actual Change
01/03/12				Merged Architecture Review Board Policies, Procedures and Guideline, and Crosswinds Design Guidelines into a single document.
10/16/12	10	2.9		Amended schedule of fees for additions, major projects and minor projects.
2/23/22	11,12,28, 30,32,42			Changes for new fees.
8/1/23	All			The Guidelines were reworked and split into 2 sections, one for homeowners and one for construction. This version supersedes all previous versions.
10/12/23	7,20,21, 23,25,26			Changes to reflect IMC as the new Property Management Company