

Burke's Beach POA /Seaside Subdivision
Architectural Review Committee
Review Procedure

Application and plans are to be submitted to:

Burkes Beach, POA
c/o IMC Resort Services
2 Corpus Christi #302
Hilton Head Island, SC 29928
Phone: 843-785-4775 x206
Contact: Kathleen@IMCHHI.com

Plans must be submitted for review. Architectural Review Committee (ARC) reviews will be provided at conceptual, preliminary and final stages of project development.

REQUIRED APPROVALS:

Homeowners are required to submit an application for ARC review and written final approval prior to ANY new construction, exterior property modifications or improvements, including but not limited to:

- a) Construction of house and/or additions, including roof, fences, screen enclosures, glass sunrooms, outside structures and modifications to any previously approved additions.
- b) Any changes to the exterior appearance of the original house or other exterior improvements.
- c) Pool or spa installation
- d) Fences or exterior walls
- e) Installation of and changes or additions to hard-scape, such as paving, brick, masonry, concrete, rocks, flagstone, or any inert material. Also any permanent outdoor barbeques, fountains or water features.
- f) Installation of and changes or additions to landscaping or irrigation, including the original landscaping and alteration of grades or drainage.
- g) Addition of any object, ornament, monument, statue, or similar item upon a lot that is visible from the street or by neighbors, including lighting, flags, antennae, signs, or lawn ornaments.
- h) Exterior color changes.

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ADVANCE APPROVAL:

All applications, drawings, specifications and sample materials shall be submitted to the ARC for approval prior to work commencing and prior to seeking permits from town or county offices; See application instructions for specific details. Installation of a modification prior to seeking or obtaining approval is not a means for obtaining automatic approval. Homeowners shall be required to remove or modify unapproved projects that do not meet specified Guidelines and shall be subject to enforcement action. Other actions that do not require a town permit must be submitted and approved in writing prior to commencement of any work.

COMMITTEE DECISION PROCESS:

After reviewing the application package, the ARC Committee will vote on the project. Approval requires a majority of the members. Decisions will either be:

- **“APPROVED”.**

The application is approved in its entirety. A final official “Note to Proceed” will be provided only after a copy of the Hilton Head building permit is submitted by the resident to the ARC, and a string-line inspection is completed.

- **“APPROVED as NOTED”.**

The application is partially approved subject to conditions noted in the approval notification document. The purpose of this type of decision is to complete the processing of a homeowner request in a timely fashion when there is an element of the application that is either contrary to the Guidelines, not clearly defined, or subject to multiple interpretations. Homeowners may proceed with the modification only on the condition that the noted condition(s) are followed by the homeowner. If the homeowner is unwilling to comply with the noted conditions, the approval is automatically rescinded.

- **“NOT APPROVED”.**

The application is not approved and no work shall be performed. The ARC will provide a written response identifying the portion(s) of the application which need further clarification or those that are deemed not in conformance with the Guidelines or other governing documents.

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MATTERS NOT MENTIONED IN THE COVENANTS OR GUIDELINES:

Failure to mention a specific matter in the Covenants or Guidelines does not constitute automatic approval of any modification involving that matter. Where a modification request deals with a matter not mentioned, the ARC will determine whether the matter is subject to review and approval.

Construction traffic must be parked or positioned to leave adequate passage for residents and emergency vehicles at all times.

ARC may assess homeowners for the expense incurred in cleaning streets and lots or for policing abandoned structures, should this become necessary.

No decision of the ARC establishes a precedent and if the Board, in their collective wisdom, believe that a previous decision of the ARC will be detrimental to the community, they are free to make new decisions that may be counter to previous decisions.