



**DeBORDIEU COLONY  
COMMUNITY ASSOCIATION, INC.**

**ARCHITECTURAL REVIEW BOARD**

**ARCHITECTURAL GUIDELINES  
REVIEW PROCEDURES  
RULES AND REGULATIONS**

**ADOPTED BY  
THE DEBORDIEU COLONY COMMUNITY ASSOCIATION, INC.  
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## FOREWORD

The DeBordieu Colony Architectural Review Board is composed of volunteers who are owners of property in DeBordieu. Their mission as members of the ARB is to assist fellow property owners who are building new homes or remodeling existing homes. Residential construction is a complex process accomplished through an industry that is heavily regulated by numerous County, State and Federal agencies. Some neighborhoods in DeBordieu have associations that are required to approve plans. As DeBordieu Colony developed it was made subject to recorded covenants and restrictions for the purpose of "the creation of a residential community which is aesthetically pleasing and functionally convenient." (Article II, Section 1 of the Covenants and Restrictions for DeBordieu Colony, May 9, 1986, recorded in Book 235, pages 805 et seq.). The members of the ARB know their neighbors have varied and differing tastes and preferences. The members' primary task is to assure that the intentions of the developer for the creation of this special place are realized and that regulations are acknowledged and followed by the members of the construction industry, all while working with our neighbors as they build or renovate the home of their dreams.

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We strongly encourage all property owners to evaluate each potential member of their construction team very carefully, to include obtaining and checking references for each member of the team, understanding each team members' familiarity with handling projects in Georgetown County and specifically within DeBordieu, checking licensure status, and even consulting with a legal advisor or other service to perform background checks and to evaluate any prior or active civil and criminal lawsuits and complaints to licensing boards and governing and regulatory bodies. The ARB does not perform these services as a matter of course and strongly encourages each property owner pursuing a project within DeBordieu to perform careful due diligence in selecting these service providers.

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# 1.0 GENERAL INFORMATION

## 1.1 PHILOSOPHY

DeBordieu is a unique residential community on the South Carolina coast. From the oceanfront through the sea marshes to the wooded interior, the community possesses great natural beauty. Our community objective is to show respect for and to enhance this natural beauty through sensitive, thoughtful development.

In any private residential community such as DeBordieu Colony, certain rules and restrictions have been established to ensure that development can proceed in an orderly and well-planned manner. The original developer determined the overall land plan and infrastructure and prepared the basic regulations and covenants used to control development. 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. The older and more developed the community is, the more important these covenants become.

## 1.2 AUTHORIZATION

The DeBordieu Colony Community Protective Covenants, Article II, Section 2, "Architectural and Design Review" and Article X of the By-Laws of DeBordieu Colony Community Association, Inc. establish the Architectural Review Board; require its review and approval of plans for construction, additions, alterations or changes to structures and landscaping; and authorize it, subject to approval of the DeBordieu Colony Community Association Board, to establish rules, procedures and guidelines. The DeBordieu Colony Community Association Board has authorized the Architectural Review Board and the DeBordieu General Manager to impose monetary fines or other penalties for violations of the requirements as set out in this document.

**Precedence:** Based on that authority these Rules, Procedures and Guidelines are established and, after adoption, will supersede all others previously adopted. After adoption, the latest version will always supersede all others previously published. The effective date of any amendment (modification, addition or deletion) will be printed at the end of the amended provision or by footnote.

**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.

**Amendment and Revision:** These Architectural Guidelines, Review Procedures, Rules and Regulations cannot be amended or revised except by vote of a majority of the entire membership of the Board of Directors of the DeBordieu Colony Community Association meeting in regular or special session. The Table of Contents and the Index are not subject to this limitation and can be amended or revised from time to time as deemed appropriate by a simple majority of the ARB.

## 1.3 ABBREVIATIONS AND DEFINITIONS

**Administrator:** The Administrator of the Architectural Review Board.

**ARB:** The Architectural Review Board

**ARB Rules and Regulations, ARB Rules, ARB Regulations or ARB Manual:** A general reference to the latest issue of Architectural Guidelines, Review Procedures, Rules and Regulations of the DeBordieu Colony Community Association Architectural Review Board.

**Bylaws or By-Laws:** The By-Laws recorded February 9, 1998, Georgetown County, SC in Book 847, pages 28-54.

**County:** Georgetown County, South Carolina.

**County Code:** applicable rules and regulations promulgated by Georgetown County, South Carolina.

**Covenants:** The Declaration dated May 2, 1986 and filed May 9, 1986, Georgetown County, SC, in Book 235, pages 805-827.

**Covenants and Bylaws:** A general reference inclusive of all recorded land use restrictions, protective covenants, the DCCA Covenants and Restrictions and the DCCA Bylaws.

**DCCA Board of Directors or DCCA or DCCA Board:** The governing body of DeBordieu Colony, elected by the property owners.

**DeBordieu:** DeBordieu Colony

**General Manager:** The DCCA General Manager

**Guidelines:** A specific reference to the provisions of Section 4 of the latest issue of Architectural Guidelines, Review Procedures, Rules and Regulations of the DeBordieu Colony Community Association Architectural Review Board.

**Horizontal Construction:** Any part of the construction or site improvement six inches (6") or less in height above the finished grade.

**Setback Line:** A line at a predetermined distance within a lot and typically parallel to a property line as established by an indenture deed, recorded restrictive covenants and/or as shown on a recorded plat. In the case of conflict between the various documents establishing setback requirements, the most restrictive shall apply.

**Setback Area:** The area between the property lines and the required setback lines; the area enclosed within setback lines are sometimes referred to as the "building envelope".

**Vertical Construction:** Any part of the construction or site improvement, other than live landscaping, which is over six inches (6") in height above the finished grade.

## **1.4 DEBORDIEU COLONY COMMUNITY ASSOCIATION (DCCA)**

The Board of Directors is the governing body of DeBordieu Colony Community Association, Inc. (DCCA) the members of which are property owners in DeBordieu as set out in the By-Laws. The Board of Directors is responsible for the enforcement of the Covenants and the By-laws, including supervision and maintenance of a variety of areas within DeBordieu.

## **1.5 ARCHITECTURAL REVIEW BOARD (ARB)**

The ARB is established to maintain DeBordieu Colony as a pleasant and desirable environment, to establish and preserve a harmonious design for the community (Covenants Article II, Section 2), and to ensure that all projects meet the DeBordieu Covenants, By-Laws and the ARB Regulations. All required information must be submitted to and approved by the Architectural Review Board prior to implementation. This also applies to any additions or alterations, renovations, repainting, re-roofing, or major landscape changes. Section 2.0 of this document covers the specific functions of the Architectural Review Board in detail.

## 1.6 DESIGN DOCUMENTS

The property owner as well as the architect and registered engineer or registered surveyor are responsible for ensuring that all plans, documents, and submittals are prepared in accordance with the ARB Regulations and that they also satisfy the Georgetown County building codes and all other governing codes, rules and regulations. See the detailed requirements in Section 3 of this document.

## 1.7 BUILDING PERMIT PROCESS

For any project that requires a Georgetown County Building Permit it is required that the ARB review process be completed and Final Review Approval be granted prior to submitting the application for the County Building Permit. A copy of that Permit must be filed with the ARB prior to and as a condition of the issuance of the ARB Building Permit. A copy of the plans approved and permitted by Georgetown County and bearing the DCCA ARB Final Review Approval stamp must be securely kept on the construction site and available for review by the ARB Administrator at all times. Construction on any project cannot commence until the ARB Building Permit has been issued.

# 2.0 THE ARCHITECTURAL REVIEW BOARD

## 2.1 Purpose and Objectives

The DeBordieu Colony Community Protective Covenants, Article II, Section 2, "Architectural and Design Review" provides the Purpose and the Objectives of the ARB as follows:

**Purpose:** "In order to preserve the natural beauty of DeBordieu Colony and its settings, to maintain DeBordieu as a pleasant and desirable environment, to establish and preserve a harmonious design for the community, and to protect and promote the value of property...."

**Objectives:** "Architectural and Design review shall be directed towards (sic) attaining the following objectives for DeBordieu Colony: (1) preventing excessive or unsightly grading, indiscriminate earth moving or clearing of property, removal of trees and vegetation which could cause disruption of natural water courses or scar natural landforms. (2) Ensuring that the location and configuration of structures are visually harmonious with the terrain and vegetation of the property and with surrounding properties and structures. (3) Ensuring that the architectural design and their materials and colors are visually harmonious with DeBordieu Colony's overall appearance, history and cultural heritage, with surrounding development, with natural landforms and native vegetations and with developing plans officially approved by Declarant, or any governmental or public authority, if any, for the areas in which the structures are proposed to be located. (4) Ensuring the plans for landscaping provide visually pleasing settings for structures on the same lot and on adjoining or nearby lots and blend harmoniously with the natural landscape. (5) Ensuring that any development, structure, building or landscaping complies with the provisions of these Covenants. (6) Promoting building design and construction techniques that respond to energy consumption, water conservation and environmental quality consideration (sic) such as heat loss, air emissions, and run off water quality."

The DeBordieu Colony Community Protective Covenants, Article X, Section 5 also states, "The ARB also is empowered to require all property owners to maintain all structures and landscaping in order to preserve and enhance the value of each property owner's investment."

## 2.2 Scope

The DeBordieu Colony Community Protective Covenants, Article II, Section 2(c), "Architectural and Design Review" provides that the ARB is required to review all proposed plans for construction including additions, alterations or changes, and its approval is required before construction can begin.

The refusal by the ARB of plans, location or specifications may be based upon any ground which is consistent with the objectives set out in the Covenants, including purely aesthetic considerations.

The approval by the ARB relates to external design and site design and does not constitute any opinion regarding structural integrity or material sufficiency of any design or plan submitted to it for review. Neither the ARB nor the DCCA assumes any liability for structural design, material sufficiency or damage to a neighbor's property during or after construction. ARB approval does not constitute any opinion or representation that design plans comply with any municipal, county, state or federal laws, specifically without limitation local Georgetown County building codes.

## **2.3 Composition and Duties of the ARB**

The DCCA is required by Article X of the By-Laws to establish an Architectural Review Board composed of no less than 7 members consisting of a Chair elected by the DCCA Board and 6 other members under current practice nominated by the Chair and appointed by the DCCA. The Chair must be a member of the DCCA Board and can serve no more than 3 years. The ARB is empowered subject to DCCA approval to establish architectural and landscaping policies to be "adhered to by all owners undertaking any change or improvement or structure" affecting any lot in DeBordieu. Each member of the ARB shall have one equal vote. The Chair shall only vote in the event of a tie on any issue or to make up a quorum.

The ARB employs a full time Administrator and uses licensed professional architects as consultants and can use consultants from other related professions with the approval of the DCCA General Manager.

## **2.4 Authority of the ARB Administrator**

The ARB Administrator shall not approve plans or approve any change to approved plans or take any other action except as may be specifically provided in these ARB Regulations as being within authority of the ARB Administrator. No other changes can be made or actions taken without the specific written approval of the ARB.

## **2.5 Meetings**

The workload at any given time determines the frequency of ARB meetings, currently being held every two weeks. In any event, the ARB must meet at least once in each calendar month as well as upon the call of the Chair (see By-Laws, Article X, Section 3). The ARB Administrator is responsible for (a) the publishing of a schedule of meetings for the benefit of owners, architects and builders who may have business with the ARB; (b) preparing the agenda for each meeting, meeting and conferring with professional consultants advising the ARB, consulting with the ARB Chair prior to ARB meetings regarding all matters on the agenda and any issues pertinent to the work of the ARB; (c) providing at each meeting copies of pertinent 11x17 scalable drawings and all other pertinent information useful to the ARB members in making decisions; and the (d) preparation for signature of the ARB Chair or, if the ARB Chair is not available, another member of the ARB and the ARB Administrator of all correspondence resulting from or required by the deliberation and action of the ARB. A permanent record of the decisions and actions of the ARB 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. The Chair of the ARB and the DCCA General Manager are authorized to review and approve the records of meetings and all correspondence prepared by the ARB Administrator.

## **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 four (4) eligible

voting members. A simple majority of those casting votes in a quorum shall determine the ARB decision. Refer to Section 3.6.2.5 regarding ARB Quorums during a multiple disaster.

## **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 excuse him or herself from the meeting during the review and discussion of that project.

# **3.0 REVIEW PROCEDURES**

## **3.1 INTRODUCTION AND GENERAL INFORMATION**

**ALL OWNERS, ARCHITECTS, ENGINEERS, DESIGNERS, BUILDERS, CONTRACTORS, AND DEVELOPERS SHALL HAVE RECEIVED, READ, AND UNDERSTOOD THIS MANUAL AND, BY THE SUBMITTAL OF AN APPLICATION FOR ARB DESIGN REVIEW, HAVE AGREED TO COMPLY WITH THEM, AS APPLICABLE, WITH REGARD TO SUCH SUBMITTAL.**

**(1) Application for Review** Owners, architects, engineers, builders, contractors and developers by applying for design review acknowledge and certify that the proposed plans and home are in compliance with all applicable covenants, restrictions, zoning regulations, coastal regulations and any other statutes and regulations that may from time to time be applicable. Where certain covenants and restrictions are more restrictive than these Regulations, those covenants and/or restrictions shall control. These Regulations may be more restrictive than the requirements of the County Zoning Ordinance or of the PUD established minimum requirements, in which case these Regulations shall control.

**(2) Unpaid Assessments** In the event any assessments on the subject property are unpaid, the ARB will not consider any submittal for review until all assessments are paid in full.

**(3) Filing with the ARB** Submittals must be received in the office of the ARB Administrator by 5:00 PM on Monday of the week of the ARB meeting date for inclusion in that week's agenda.

**(4) Complex Designs** For extensive, complicated designs, the ARB recommends, and may require, the submittal of a model or perspective to help visualize the scope of the project.

**(5) Photographs** Photographs of the property viewed from both the front (road) and the rear shall be included in the first submission for new construction after the property has been underbrushed. These photographs must clearly show the subject lot when cleared and any improved adjacent side lot or lot to the rear of the subject lot and locate any structures on adjacent lots.

**(6) Preparers of Plans** All architectural plans for (a) new construction and for (b) renovations and/or additions involving a change in the footprint of the structure(s) and/or new vertical construction submitted for ARB review shall be prepared by an architect duly registered in South Carolina. It is recommended but not required that plans for other renovations and/or additions also be prepared by an architect duly registered in South Carolina.

**(7) Title Opinions/Policies** The owner, architect and surveyor and engineer are urged to review the title insurance policy/commitment and/or attorney's opinion of title to assure that all applicable restrictions and conditions provided by deeds and plats have been considered in the design process and are shown on each site plan submitted for Review.

**(8) Additions and Renovations** Submittals for Additions and Renovations must include a current as built site plan and photographs of the construction area.

**(9) Builder's License** All builders of residences in DeBordieu Colony must be licensed by the State of South Carolina.

**(10) Owner as General Contractor** While not recommended, an owner of the property being built upon with consent of the ARB may serve as his or her own general contractor. If consent is granted the owner must be as available to the ARB as would any licensed contractor under similar circumstances.

**(11) Site Analysis** The initial submittal to the ARB, whether for conceptual, preliminary, or final review must be accompanied by a site analysis as evidence of on-site observations regarding site restrictions and compatibility with surrounding structures, including height, massing, proportions, and proposed exterior finishes and colors.

**(12) Setbacks and Restrictions, Conflicts In** When conflicts exist between the various documents establishing setbacks, easements or similar restrictions, the most restrictive will be deemed to apply.

**(13) Design Review Report** The ARB will report the result of design reviews in writing to the Owner and the Architect usually within three business days. The report may set out: (1) any requirements to be met before the next submittal in which case the applicable section or sections of this Manual, the Covenants and/or the By-Laws shall be cited and/or (2) any comments and suggestions for consideration in preparing for the next submittal in which case citations to the Manual may be offered as a convenience but are not required.

**(14) Owner Applying on behalf of Prospective Purchaser** In the event a sales contract is conditioned upon resolution of a design issue, an application for design conceptual review can be filed by the Owner on behalf of the prospective purchaser. In that event, a copy of the signed contract must be submitted with the application for design review in addition to the usual requirements set out in Section 3.2.1.

### **3.1.2 SUMMARY OF PROCEDURES**

**All Reviews are conducted by the Architectural Review Board.**

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

1. Preparation of Drawings by architect licensed and registered in South Carolina ("South Carolina architect").
2. Application for Design Review
3. ARB Submission Fee
4. ARB Review of Plans (house drawings, colors, finishes, landscaping, drainage)
5. Re-submittals and Appeals if required
6. ARB Final Approval
7. Signed Letter of Acknowledgment by Owner
8. Signed Compliance Deposit Agreement by Owner
9. Escrow Deposits. Owner and Builder
10. Stake-out Review
11. Signed Compliance Deposit Agreement by Contractor
12. Georgetown County Building Permit Issued and Posted
13. Owner/Architect certificate that plans Georgetown County permitted are, where applicable exactly the same as those give Final Review approval by the ARB
14. DeBordieu Colony Building Permit Issued and Posted

15. Foundation Survey by registered land surveyor reviewed
16. Submit Changes, if any, for ARB approval
17. In-Progress Construction Status Inspections
18. Driveway and Road Drainage Inspections
19. As Built Survey by registered land surveyor reviewed
20. Landscape Inspection
21. Final Compliance Inspection
22. Escrow Deposits Returned (less violation fines, unpaid assessments, or outstanding citations, if applicable).

## **3.2 TYPES OF REVIEWS AND SUBMITTAL REQUIREMENTS**

Three Reviews are offered: Conceptual Review, Preliminary Review and Final Review. Only the ARB is authorized to review and comment on submitted designs. Only the Final Review is required, but the others are encouraged so the ARB can see the plans as they are being developed.

### **3.2.1 Conceptual Review**

Requesting a Conceptual Review is encouraged prior to preparation of detailed drawings when there is concern about the acceptability of either the Site Plan or the architectural design aesthetics of the structure or similar concerns. The architect may request to appear before the ARB to comment on the concept, which request will normally be granted so long as time is available on the ARB agenda for the date requested.

#### **3.2.1.1 Required Documents**

The following documents are required for a Conceptual Review:

1. A Tree and Topographic Survey prepared as required for Final Review and containing all information required for Final Review.
2. Copies of the applicable Indenture Deed, recorded plat, and deeded restrictions.
3. A rendering or sketch of the proposed structure and any photographs that might be helpful in describing the concept.
4. A site analysis describing the design principles and explaining how the house will fit contextually onto the site and any required photographs.

#### **3.2.1.2 Additional Documents**

The ARB has the option of requesting additional information as may be necessary to evaluate a submittal for Conceptual Review. If there are architectural design aesthetic concerns, all pertinent house elevation drawings must be submitted. If violations of setback lines or other conditions shown on the recorded plat, by the indenture deed or by deeded restrictions or of finish grade elevation requirements or conflicting data are anticipated a Site Plan prepared as required for Final Review and containing all information required for Final Review must be submitted.

#### **3.2.1.3 Non-Binding Review Results**

The ARB cannot appropriately review and evaluate a proposal until all the requirements of the Final Review have been submitted. Accordingly, the ARB review comments made upon a Conceptual Review are for property owner, architect or contractor guidance only and do not bind the ARB to subsequently approve any aspect of the project.

### **3.2.2 Preliminary Review**

#### **3.2.2.1 Purpose**

Requesting a Preliminary Review is strongly encouraged as a means of avoiding delays in obtaining a successful Final Review.

If an applicant is concerned about the acceptability of certain architectural aspects or siting considerations prior to the completion of a full set of working drawings, a Conceptual Review or a Preliminary Review must be requested.

#### **3.2.2.2 Required Documents**

The following documents are required for a Preliminary Review:

1. A completed, signed and dated Application for Design Review accompanied by the appropriate design review fee. By signing the Application for Design Review, the Architect certifies and the Owner acknowledges that the proposal is in compliance with the ARB Rules and with all applicable statutes, covenants and restrictions. A copy of the applicable Indenture Deed, deed restrictions and recorded plat shall be furnished with the Application for Design Review.
  - a. The Owner, Architect and Surveyor or Engineer are urged to review the title insurance policy/commitment and/or attorney's opinion of title to assure that all applicable restrictions and conditions provided by deeds and plats have been considered in the design process and are shown on each site plan submitted for Review.
2. A separate Tree and Topographic Survey prepared as required for Final Review and containing all information required for Final Review.
3. A separate Site Plan prepared as required for Final Review and containing all information required for Final Review.
4. Copies of the applicable Indenture Deed, recorded plat and deed restrictions.
5. Floor Plan(s) at Scale: 1/4" = 1'-0" showing overall house dimensions, room sizes, windows and doors. All rooms shall be labeled as to function.
6. The exterior elevation drawings at Scale: 1/4" = 1'-0" with all exterior materials clearly indicated.
7. Wall Sections and Details as necessary to interpret the plans, elevations, and features raising concern.
8. Unless submitted with an application for Conceptual Review, a site analysis describing the design principles and explaining how the house will fit contextually onto the site and any required photographs.
9. One full size (24" x 36") set of plans, three (3) half size (12" x 17") scalable sets of drawings, and a digital (.pdf) copy of all submitted plans and documents shall be provided to the ARB for Preliminary Review.
10. Complete detailing, dimensions, structural plans, or an electrical plan are not required.

#### **3.2.2.3 Additional Information**

The ARB has the option of requesting additional information as may be necessary to evaluate a submittal for Preliminary Review.

#### **3.2.2.4 Non-Binding Review Results**

The ARB cannot appropriately review and evaluate a proposal until all the requirements of the Final Review have been submitted. Accordingly, the ARB review comments made upon a Preliminary Review

are for property owner, architect or contractor guidance only and do not bind the ARB to subsequently approve any aspect of the project.

### **3.2.3 Final Review**

#### **3.2.3.1 Required Documents**

The following documents and those set out in the following Subsections of this Section 3.2.3 are required for a Final Review:

1. A completed, signed and dated Application for Design Review accompanied by the appropriate design review fee. By signing the Application for Design Review, the Architect certifies and the Owner acknowledges that the proposal is in compliance with all requirements of the ARB Review Procedures and with all applicable statutes, covenants and restrictions.
  - a. The owner, architect, surveyor and engineer are urged to review the title insurance policy/commitment and/or attorney's opinion of title to assure that all applicable restrictions and conditions provided by deeds and plats have been considered in the design process and are shown on each site plan submitted for Review.
2. Copies of the applicable Indenture Deed, recorded plat and deed restrictions.
3. Unless submitted with an application for Conceptual Review or Preliminary Review, a site analysis describing the design principles and explaining how the house will fit contextually onto the site and any required photographs.
4. Two full size (24" x 36") sets of plans, signed or sealed by the Architect, shall be provided to the ARB for Final Review, together with three (3) half-size sets (12"x18") scalable drawings, along with a digital (.pdf) copy of all submitted plans and documents. When Final Review Approval is granted, the ARB will copy and so stamp the approved full-size sets to be submitted to the County for permitting and as may otherwise be necessary.

#### **3.2.3.2 Site Plans**

##### **3.2.3.2.1 Separate Tree and Topographic Survey**

A Tree and Topographic Survey, prepared as a separate document and stamped or signed by a registered land surveyor or registered engineer, at a minimum scale of 1" = 20'0" showing all existing site features including topography, the location, diameter at breast height above the ground or approximately 4.5 feet ("DBH"), of all hardwood and pine trees that are "protected". Protected trees are defined as being hardwood and pine trees measuring 8" or greater DBH, including Significant Trees (16" or greater DBH) and Landmark Trees (24" or greater DBH), and all groupings of smaller trees and shrubs with an aggregate spread of ten (10') feet or more in diameter ("canopy") and any other pronounced site features. The Tree and Topographical Survey shall identify by marking with an "X" each protected tree proposed to be removed and the reason for removal.

##### **3.2.3.2.2 Separate Site Plan**

1. A Site Plan, prepared as a separate document and stamped or signed by a registered land surveyor, registered engineer or architect, at a minimum scale of 1" = 20'0" showing: property lines with measurements; OCRM line and average high water mark line, if applicable; dimensioned required setback lines and easements as shown on applicable recorded plats or required by the indenture deed, covenants and restrictions of record; any requirements of Georgetown County; and showing as a minimum the following elevations 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 intended to be removed shall be indicated by an "X".

2. The following may be required by elements of the design, terrain of the lot, drainage needs or other conditions:
  - a. In the event setback lines, easements or other conditions shown on the applicable recorded plats or required by the indenture deed, covenants and restrictions of record are not shown or stated to have the same dimensions or purposes in all plats or documents, the Site Plan shall show any and all requirements and note the difference on the Site Plan. The ARB shall resolve the conflict in the data shown.
  - b. Spot grades/elevations on a 25' grid of both the existing and the proposed new finished grades.
  - c. Direction of drainage with spot finished grade elevations.
  - d. A footprint of all new proposed construction, including hardscape, located by dimensions from the property lines. Edge of the roof overhang shown as a solid line and the walls below as broken lines.
  - e. Bulkheads – The proposed location of the bulkheads shall be clearly shown and follow the property line.
  - f. All proposed recreational equipment indicated.
  - g. Materials for hardscape, *i.e.*, the driveway, walks, patios, decks and pool decks indicated.
  - h. Approximate locations of all adjacent existing conditions including roads, golf courses, golf cart paths, leisure paths, open space, easements, lagoons, swales, ditches, bulkheads, retaining walls, designated wetlands, and open water.
  - i. Locations of all adjacent existing structures and homes including all information relevant to evaluating line(s) of sight interference.
  - j. Base Flood Elevation, flood zone elevation

The Roof Plan may be shown on the Site Plan.

### **3.2.3.2.3 OCRM Jurisdiction Requirements**

ARB approval of any planned construction within OCRM jurisdiction requires submittal of a current DHEC and Ocean Coastal Resource Management letter of approval.

### **3.2.3.3 Drainage Plan**

A Drainage Plan must be submitted as an overlay of the Site Plan or shall be prepared and signed or sealed by a SC licensed professional architect, landscape architect, or registered engineer shall be submitted at a minimum scale of 1" = 20'0" showing property lines with measurements, OCRM line and average high water mark line, if applicable, dimensioned required setback lines and easements as shown on applicable recorded plats or required by covenants or restrictions of record and, in either case, shall clearly indicate:

1. drainage (runoff) is directed away from adjoining lots and to natural drainage areas or storm drainage facilities, ditches, ponds and/or dedicated points of outfall all as recommended by the DeBordieu Grounds Maintenance Manager,
2. house and garage finished floor elevations,
3. spot finished grades/elevations on the minimum or other grid as approved for the Site Plan under 3.2.3.2.2 (1) or (2) and to include swales, berms, and ditches with direction arrows of drainage flow.

4. spot elevations at the edges of all paving, and
5. any other control features that are applicable.

#### **3.2.3.4 Floor Plans**

Floor plans at Scale: 1/4" = 1'-0" fully and accurately dimensioned should show all exterior features pertinent to a complete architectural plan being 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 exterior ceiling (porch) configurations. Floor plans shall provide the square foot area of heated and cooled space on each plan level.

#### **3.2.3.5 Roof Plan**

Must be shown on the Site Plan (may be a separate sheet as part of the Site Plan).

#### **3.2.3.6 Elevation Drawings**

Exterior elevations at Scale: 1/4" = 1'0": Where applicable and unless otherwise shown, the following details for elevation drawings should be provided at a scale of 1/4" = 1'0":

1. All major facades and all other facades not otherwise visible.
2. Vertical story heights, floor elevations, maximum roof height from finished grade and existing grades and new finished grades shown.
3. Maximum finish grade is 12" above street grade at edge of pavement, measured at regular intervals.

#### **3.2.3.7 Wall Sections**

Wall sections at minimum scale of 1/2" = 1'0" with details necessary to completely define the design and construction of the structure and as follows:

1. Wall sections of the main house, garage, and any other wall elements. Sections are usually from the bottom of the footing to the roof rafters including the cornice overhang.
2. Service Yard – section plan, and equipment platform, if applicable.
3. Sections should be fully notated and dimensioned for all components.

#### **3.2.3.8 Details**

Where applicable and unless otherwise shown by appropriate labels on the elevations or by schedule, the following details should be provided:

1. Foundation Walls and Piers for elevated house (as in flood areas) shown by ground level plan with appropriate details.
2. Cornice and Gable Rakes: Overhang Dimensions, Materials and Dimensions
3. Chimney termination: Dimensions and Material
4. Corner trim: Dimensions and Material(s)
5. Door and Window trim including head, jamb, and sill: Dimensions and Material(s)
6. Porch and Deck Framing including posts, columns, railings and stairs
7. Entry and other exterior stairs
8. Columns and Pilasters
9. Lattice detail: Dimensions and Spacing (3/4"x3/4" minimum)
10. Louver detail

11. Banding and Frieze details
12. Service Yard
13. All Outdoor Lighting

### **3.2.3.9 Electrical Plan (minimum shown on elevation)**

Where applicable and unless otherwise shown, the following details should be provided at a scale 1/4" = 1'-0": All exterior lighting, and electrical outlets indicated including wall and post-mounted units and landscape lighting circuits.

### **3.2.3.10 Landscape Plan**

Landscape plans must be submitted as an overlay of the Site Plan, which includes all property boundaries and setback lines.

#### **3.2.3.10.1 Hardscape**

The landscape plan for hardscape must be submitted as an overlay of the Site Plan at a minimum scale of 1" = 20'0", which includes all property boundaries and setback information, as part of the initial submittal for Final Review and shall clearly indicate the following:

1. Must agree with Drainage Plan drainage flow and finished grade contours.
2. Berms, swales, and other drainage control features with spot elevations.
3. All proposed recreational equipment.
4. Driveway, walks, patios, decks, pools and pool decks.

#### **3.2.3.10.2 Softscape**

The landscape plan for softscape must be submitted as an overlay of the Site Plan, including all property boundaries and setback lines, at a minimum scale of 1" = 20'0" as part of the Final Review when the main structure is under roof or no later than 30 days prior to the estimated time of project completion and Final Inspection and shall clearly indicate the following:

1. Must agree with the Landscape Plan for Hardscape.
2. Drainage Plan drainage flow and finished grade contours.
3. Location of all trees, shrubs, lawn, ground cover and other landscape features.
4. All trees and shrubs by species and planted sizes.
5. Sod is required to extend from the front lot line and between both side lot lines to the edge of the road paving. Specify type of lawn sod.
6. See Section 7.7 and 7.8 of this document for landscape design plan details and requirements, Firewise USA Community recommendations, and deer resistant plant suggestions.

#### **3.2.3.11 Color and Material Samples**

1. Color samples shall be submitted of all exterior finishes of the residence including but not limited to shingle, siding, exterior trim, stucco, exterior doors, exterior accents (brick, mortar, tile) and shutters.
  - a. One 6" x 6" 2 coats finished painted sample of siding.
  - b. One 6" x 6" 2 coats finished painted sample of exterior trim.
  - c. Shingle or metal roof color sample.
  - d. A 12" x 12" sample of stucco, if applicable.
  - e. All exterior door colors.

- f. Exterior Accents samples (brick mortar color, tile, etc.).
  - g. Shutter Color
2. Alternatively, finish color samples may be initially submitted by "color family" charts and/or by color chips submitted on 8.5"x11" document or board during the Preliminary or Final Review Application.
  3. Samples of each actual proposed color shall be submitted prior to use on site.
  4. The ARB can require larger samples of paint colors to be applied to the surfaces on site for a more graphic representation of the proposed color plan. The architect or owner may request the ARB to so permit larger samples to be applied on site.
  5. Samples shall be submitted of the actual materials including masonry products.

### **3.2.3.12 Additions, Alterations (Renovations)**

Submittal requirements for additions, alterations or renovations may vary depending upon the nature and scope of the project. The ARB can permit the submittal of more or less information than outlined below as may be necessary for the review. Generally, the following will need to be submitted for Final Review:

1. If the proposal calls for new vertical construction a current 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.
2. Photographs of the existing structure showing the areas of the new work.
3. Indicate direction(s) of the photograph(s) on the Site Plan.
4. Floor Plan(s) and elevation at scale  $\frac{1}{4}'' = 1'-0''$ .
5. Details necessary to define the extent and intent of the proposed work.
6. All new work shall be clearly delineated.
7. Indicate any dismantlement (demolition) work required.
8. For any project that requires a Georgetown County Building Permit, a copy of that Permit and all changes to the plans must be filed with the ARB prior to the issuance of the DeBordieu Colony Building Permit.
9. For any project that required a SC-DHEC OCRM (South Carolina Department of Health and Environmental Control, Ocean Coastal Resource Management), or other Governing Agency, a copy of the Permit from these agencies must be filed with the ARB prior to the issuance of the DeBordieu Colony Building Permit.
10. When additions 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.

### **3.2.3.13 Swimming Pool Submittal Requirements**

A Site Plan, prepared and stamped or signed by a registered land surveyor, registered engineer or architect, at a minimum scale of  $1'' = 20'0''$  for a swimming pool must be submitted and, when the swimming pool is being constructed while construction of the residence is under Review, shall be submitted as part of the Final Review plans, may be submitted as an overlay of the Site Plan or Hardscape Plan and shall include the following: (Also refer to Part 4 for Design Guidelines)

1. The pool must not encroach over building setbacks, easements or similar conditions

2. The relation of the pool and pool deck to the property lines, building setback lines, and house. Show existing and new finish grade contours, drainage flow, tree removals and, if applicable, any landscape changes and additions.
3. Pool and pool deck dimensions
4. Elevation (AMSL) of pool deck and finish floor elevation of house
5. Location(s) of stairs or steps from house to pool deck
6. Location of all pool equipment
7. Indicate depth by note or by structural section
8. Location of all other features: spa, waterfall, all pool and deck lighting, etc.
9. Diving boards and slides are prohibited
10. Indicate route of maintenance equipment access to pool
11. Describe disposal of excavated earth
12. Pools include swimming pools and lap pools
13. The outer edges of any pool deck shall be no closer than ten feet (10') to a property line.
14. The location of pool equipment shall be shown within a service yard or enclosure. Pool backwash water shall not drain into a marsh, lagoon, or the DeBordieu Colony drainage system. Backwash must be disposed of on-site according to DHEC (Department of Health and Environmental Control) regulations.

#### **3.2.3.13.1 Decorative Pools**

Decorative pools not intended for swimming or recreation, such as reflecting pools, no more than eighteen inches (18") deep are considered as softscape not subject to setback lines.

#### **3.2.3.14 Bulkheads, Seawalls and Docks**

1. Design drawings showing an elevation as viewed from the exposed (water) side and a detailed section showing the assembly of the bulkhead.
2. Site plan location drawing, which may be submitted as an overlay of the Site Plan or of a site plan accurately depicting the current conditions.
3. A current tree and topographic survey for the affected area, which may be submitted as an overlay.
4. Include the SCDHEC-OCRM and Georgetown County Building Permits with the ARB Application for Design Review.

#### **3.2.3.15 Re-Submittals and Design Conferences**

It is recommended that the property owner, architect, or general contractor meet with the ARB Administrator and the ARB Chair to review the ARB's comments and suggestions prior to resubmitting any plan not approved for Final Review.

After a project has been submitted for Final Review a second time and still has not received approval, the owner and/or the owner's representative (Architect) 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.

### **3.3 VARIANCES**

The ARB has the authority under Article X, Section 5 of the By-Laws to and may occasionally grant variances from the requirements of these ARB Rules and Regulations<sup>1</sup> subject to the approval of the DCCA.

A Variance Request form must be obtained from the ARB Administrator and completed by the applicant who must establish by the following requirements in narrative form the substantial justification of the request.

The applicant, in a separate narrative, must state and prove that:

1. a unique hardship described by the applicant exists preventing the design or construction of a residence and/or other improvement(s) on the subject property;
2. extraordinary and exceptional conditions described by the applicant exist preventing the design or construction of a residence and/or other improvement(s) on the subject property;
3. such hardship and conditions are peculiar to the particular piece of property; and
4. the requested relief, if granted
  - a. would not cause substantial detriment to the DeBordieu Colony community nor to owners of adjoining property
  - b. would not impair the intent of the ARB Rules, and
  - c. shall not constitute a precedent.

The ARB Administrator shall notify in writing all owners of property adjoining the subject property owned by the applicant and all owners of property located within 200 feet of a boundary line of the subject property owned by the applicant. The notice shall include a copy of this Section 3.3 and shall briefly describe the variance requested and shall give each owner 10 business days to respond as being in favor of or opposed to the variance requested. The ARB shall consider each response, but shall evaluate the appropriateness of the request based primarily upon the proof offered by the applicant to the issues required above.

The ARB must find in favor of the applicant on each of the above requirements and that, in its opinion, such findings constitute a valid justification for granting the variance requested.

The ARB Administrator cannot grant a variance.

The ARB cannot grant a variance to a provision of the ARB Rules and Regulations other than the Guidelines set out in Article 4 or any condition such as applicable restrictive covenants and conditions, setbacks and easements established by an instrument recorded in the office of the Georgetown Register of Deeds including the indenture deed, covenants, by-laws, restrictions and plats without written approval of the DCCA.<sup>2</sup> The ARB can grant a variance to a provision of the Guidelines set out in Article 4, but shall notify the DCCA in writing upon the granting of any such variance.

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

If, during a design review, the ARB discovers a variance that has not been requested, the submittal must be resubmitted or disapproved as the ARB shall determine.

### **3.4 APPEALS PROCESS**

In the event a property owner disputes a decision of the ARB the appeals process provided in this Section is to be followed. Violations of the ARB Rules normally can be appealed through this process.

Violations of DCCA Covenants and Restrictions will not be permitted, must be corrected immediately, and are not subject to the appeals process.

1. Appeals to the ARB –

In the event of any dispute regarding an ARB decision, variance request denial, mandate or enforcement fee levy, the disputing party may appeal such decision, mandate or levy by first requesting in writing that the decision, mandate or levy be reconsidered by the Architectural Review Board. The request must be made no later than ten (10) days after receipt of any sanction or decision and must be addressed to the Chairman of the ARB. It should state in brief and concise terms the grounds for the appeal. The ARB will consider the appeal within thirty (30) days of receipt by the Chairman. In conjunction with the request, the disputing party may also request an opportunity to address the ARB. In the event that the disputing party requests an oral presentation to the ARB, he shall be advised of the date, time and place of the ARB meeting at which the request is to be reconsidered. The ARB must notify the disputing party of its decision in writing within forty-five (45) days.

2. Grievance Request –

Should a disputing party seek to appeal a reconsidered decision, mandate or levy of the ARB, they shall, within thirty (30) days of the issuance of the ARB decision, request review by the Grievance Committee of the Board of Directors of the DCCA, or its designee. Such appeals shall be in writing and addressed to the General Manager of the DeBordieu Colony Community Association, and shall state in brief and concise terms the grounds for the appeal. The General Manager will decide if this appeal meets the requirements for an ARB grievance. The applicant will be notified of this decision within thirty (30) days of receipt of the request. If the appeal is accepted, a hearing will be scheduled with the Grievance Committee within forty-five (45) days. All interested parties will be notified of the date, time, and place of the hearing. Oral presentations will be permitted, if requested. The DCA Board will render a final decision. No further appeal shall be provided and the appeal decision shall remain in effect until such time as changed, modified or vacated by the Board of Directors.

### **3.5 PROJECT TIME LIMITS**

1. New Construction Projects must begin within ninety (90) days of the ARB Final Review Approval date, after which a new application and appropriate fee will be required.
2. New Construction Projects must be completed and have ARB Final Compliance Approval within eighteen (18) months of the ARB Final Review Approval.
3. Additions and Alterations must begin within sixty (60) days of the ARB Final Review Approval and be completed within six (6) months.
4. Extensions may be granted by the ARB contingent upon the receipt of a written request for an extension with an acceptable justification, thirty (30) days prior to the expiration of the time limit.

### **3.6 REPLACEMENT AFTER DAMAGE OR DESTRUCTION**

#### **3.6.1 Single Dwelling**

In the event of damage or destruction by fire or other casualty to any one dwelling, the owner may elect:

1. to not repair or rebuild the damaged or destroyed dwelling, in which case the owner shall clear away the debris of any damage to improvements or vegetation and leave the dwelling and the lot upon which it is located in a clean, orderly, safe and sightly condition within seventy-five (75) days of the damage or destruction; or

2. to repair or rebuild such dwelling and/or other improvements
  - a. to substantially the same condition as existed prior to the damage or destruction, or
  - b. proceed under the design Review Procedures and obtain Final Review approval by the ARB. Such work must be in accordance with all applicable provisions of this Manual including without limitation this Part 3 and the ARB rules and guidelines, all applicable zoning, subdivision, building, and other governmental regulations. Plans shall be submitted for design review for all such work, repair, or construction within seventy-five (75) days following such damage or destruction and shall be carried through diligently to conclusion in accordance with ARB regulations and requirements then in effect.
  - c. upon electing to proceed under either 2(a) or 2(b), the owner shall clear away the debris of any damage to improvements or vegetation and restore the lot and any remaining portion of the dwelling and any accessory structures to a clean, orderly, safe and sightly condition.

### **3.6.2 Multiple Dwellings (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:

#### **3.6.2.1 Restore the Property to Unimproved Condition including the Removal of Pools, if applicable, 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.

#### **3.6.2.2 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.

#### **3.6.2.3 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.

#### **3.6.2.4 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 procedures apply. Fifty Percent (50%) of the then applicable ARB fee is required with the Application.

#### **3.6.2.5 ARB Quorum**

When Design Reviews are required, the ARB quorum requirements may be reduced from a minimum of four (4) to a minimum of two (2) eligible voting members. This section applies to multiple disaster situations only.

#### **3.6.2.6 All Other Guidelines Shall Govern as Applicable**

### **3.7 POST APPROVAL CONTROL (CHANGES)**

If any change(s) other than a Minor Change described in 3.7.1 to the approved plans involving the exterior of the structure or the site are contemplated by the owner, architect or builder during the course of construction, all documentation necessary in the opinion of the ARB to fully and clearly depict the requested change and an informal request for Design Review must be submitted to the ARB and the change be approved by the ARB prior to the execution of any changes to previously approved plans.

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.

#### **3.7.1 MINOR CHANGE**

If any change(s) to the approved plans involving the exterior of the structure or the site are contemplated by the owner, architect or builder during the course of construction due to the discovery of an unforeseen condition requiring an inconsequential amendment to the plans as approved, the architect, contractor or owner can request a review of a minor change by contacting the ARB Administrator who shall arrange a conference, on-site if needed, with two or more members of the ARB, one of whom shall be the ARB Chair if available. Those attending the conference shall first determine whether the change calls for an inconsequential amendment, defined as a change from the approved design to an elevation or landscape detail that is not noticeable from the street or from improved adjacent lots (side or rear). If those attending the conference determine the requested change is truly inconsequential, they shall consider the request and can approve or disapprove the request or can refer it for consideration at the next ARB meeting. In any event the request and any decision shall be reported to the next ARB meeting.

### **3.8 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 shall provide the following written notifications (signed by the ARB Administrator and the ARB Chair) to the parties concerned:

1. Conceptual Review Comments Only
2. Preliminary Review Comments and Requirements for Next Review
3. Final Approval/Disapproval, including Landscape and Drainage Plans, Colors
4. Construction violations with fines stipulated
5. Appeal decisions
6. Change Approval / Disapproval

### **3.9 CONSTRUCTION COMPLIANCE DEPOSITS**

#### **3.9.1 Owner Deposit**

Plans for new construction having received Final Review Approval signed by the ARB Chair and the ARB Administrator will not be released nor a DeBordieu Building Permit be issued until the Owner has completed and signed a Compliance Deposit Agreement and deposited with the ARB an escrow deposit of

1. Six Thousand Dollars applicable to the construction of a new residence ..... (\$6,000.00)

2. Two Thousand Dollars applicable to the construction of an enclosed addition of 500 total square feet or larger to an existing home ..... (\$2,000.00)
3. One Thousand Dollars applicable to major landscape renovation projects involving construction of fences or similar improvements ..... (\$1,000.00)
4. Please be advised the Owner is not permitted to pay the Contractor's Compliance Deposit detailed in **Section 3.9.2**.

The deposit will be refunded, less any fines levied during construction, after the applicable driveway and road drainage, final grading/drainage, landscape, and final compliance inspections have been completed and approved.

### **3.9.2 Contractor Compliance Deposit**

All general contractors are required to deposit with the ARB as assurance that all rules and regulations will be followed in the following amount as specified:

1. One home the Contractor Compliance Deposit is Six Thousand Dollars..... (\$6,000.00)
2. Landscape Designers &/OR Installers (new construction or renovation)..... (\$1,500.00)  
(Refunded upon ARB Final Compliance Inspection following project completion)
  - a. The contractor deposit is available for refund once the contractual agreement between contractor and homeowner is met. To request the contractor refund, the homeowner must submit a written request to the ARB Administrator, at which time a Preliminary Compliance Inspection will be performed.
  - b. The owner deposit will remain, as well as the Landscaper's deposit until the project is completed and the Final Compliance Inspection is completed and approved.
3. Any additional new home more than three (3) under construction at the same time qualifies for the Multi-Project Deposit Schedule and no additional deposit is required so long as a balance of Ten Thousand Dollars remains on deposit..... (\$10,000.00)
4. Qualification for the Multi-Project Deposit Schedule will continue in effect as long as the contractor continues to remain in full compliance with the ARB Rules and Regulations.
  - a. In the event of failure to remain in compliance with the ARB Rules and Regulations, qualification for the Multi-Project Deposit Schedule will, upon recommendation of the ARB Administrator and the ARB and approval of the General Manager, be revoked. In the event of such disqualification the Contractor Compliance Deposit required for the contractor would revert to Four Thousand Dollars per project..... (\$4,000.00)
  - b. In that event notification will be sent via Certified Mail to the disqualified contractor at the address most recently furnished by the contractor informing the contractor of the specific reasons for the revocation. The contractor will then have ten (10) days after such notification was mailed to:
    - i. comply with the requirements of the ARB for reinstatement including deposit any required additional deposit with the ARB and/or
    - ii. the contractor may appeal the decision to the DCCA Grievance Committee as provided in **Section 3.4 Appeals Process**. If an appeal is made, the payment of any additional deposit will be subject to the decision of the Grievance Committee. If the Grievance Committee sustains the decision of the ARB and rules against the contractor, the contractor will then have ten (10) days after notification of the ruling to make the necessary additional deposit with the ARB and/or to comply with the decision of the Grievance Committee.

- c. Upon failure to comply with all requirements of the ARB and/or the decision of the Grievance Committee the contractor will be notified via Certified Mail to the address most recently furnished, with copies to the respective Property Owners that a Stop Work Order has been placed on subject job site(s) until the contractor is no longer in default.

***The Contractor Deposit is not to be paid by, nor billed to, the Owner***

**3.10 ARB FEES**

**3.10.1 Review Fees**

(Due with the first submittal for review; **Conceptual, Preliminary, or Final Review**)

- 1. New Home Construction:
  - a. Under 5000 HSF .....\$4,000.00
  - b. 5000 HSF and above .....\$5,000.00
- 2. Additions to existing structures:
  - a. New room(s), enclosed porches and any expansion of the enclosed heated floor space, which requires a new foundation, and/or expansion of roof cover.
    - i. Up to and including 500 total sq. ft. ....\$250.00
    - ii. Over 500 total sq. ft. @ \$1.00 per sq. ft. to maximum .....\$750.00
  - b. Additions of enclosed floor space which are created by the enclosure of porches and/or any other area of a home where an existing roof structure and floor system is utilized and where exterior walls are created or modified. This also applies to additions to or newly constructed unheated covered porches.....\$100.00
  - c. Exterior Material Renovation .....\$500.00
  - d. Swimming Pool Addition .....\$250.00
  - e. Dock Construction (Salt water, Tidal & Finger Canals only) .....\$250.00
  - f. Request for Variance .....\$250.00
  - g. Major Landscaping Changes .....\$150.00
  - h. Demolition of an existing home or structure .....\$200.00
  - i. The addition of new, or changes to, decks, windows, sky lights, doors, fences, privacy screens, roof shingles, paint color changes, screening an existing porch, changes and other exterior changes which are not covered under other sections of this fee schedule (yet ARB Approval to make the change is required) ..... \$0.00

**3.10.2 Infrastructure/Service Fees**

(Due with submittal for **Final Review**)

- 1. New Home Construction
  - a. (under 5000 HSF) .....\$2,000.00
  - b. (5000 HSF and above) .....\$3,000.00
- 2. Additions to Existing Structures
  - a. (up to and including 500 total sq. ft.) .....\$250.00
  - b. (500 total sq. ft. and above) .....\$750.00
  - c. When a dumpster and/or a Port-A-Jon is required for a Renovation not listed above .....\$250.00

## **4.0 ARCHITECTURAL DESIGN GUIDELINES**

### **4.1 BASIC OBJECTIVES**

The primary purpose for the Covenants and Restrictions declared in 1986 by North Inlet Corporation was stated to be, “[T]he creation of a residential community which is aesthetically pleasing and functionally convenient...” Article II, Section 1. The purpose of the ARB was stated to be, “[T]o preserve the natural beauty of DeBordieu Colony and its setting, to maintain DeBordieu Colony as a pleasant and desirable environment, to establish and preserve a harmonious design for the community...” Article II, Section 2 (a). The design of any new construction or site improvement shall not be visually repetitive with other existing homes in the immediate vicinity, nor shall an attempt to create a visual impact on a neighborhood be approved. The ARB can evaluate submittals solely on the basis of aesthetics, including but not limited to style, siting, massing, proportions, rooflines, fenestration, exterior finishes, details, features and colors. The ARB employs one or more registered Architects to consult with and advise the ARB in its efforts to achieve these purposes and objectives and can, with the consent of the DeBordieu Colony General Manager, obtain the advice of other design and construction professionals.

#### **4.1.1 BUILDING SIZE**

A maximum size has not been established. The recommended minimum size home is 2900 heated square feet (“HSF”) for any lot not subject to any minimum size limitation provided by deed, covenants or restrictions of record. HSF is defined as including heated and cooled living space exclusive of garages, screened porches, covered decks, open decks and storage space. The scale of the residence must be appropriate for the lot upon which it is to be constructed and size, bulk and mass will be considered in the evaluation of a submittal.

### **4.2 SITE PLANNING**

#### **4.2.1 Tree Policy on Protection, Removal, Replacement and Mitigation**

Article III of the Covenants on “Environmental Controls” provides that the policy in DeBordieu Colony is to encourage the protection and replacement of trees and to prevent erosion during and after lot development.

Benefits derived from tree protection and replacement include: improved control of soil erosion, moderation of storm water runoff, and minimization of the cost of construction and maintenance of drainage systems; improved water quality; interception of airborne particulate matter and the reduction of air pollutants; reduction of noise, heat and glare; enhancement of habitat for desirable wildlife; climate moderation; maintenance of aesthetic qualities provided by the natural environment and its scenic canopies and views; energy and water conservation; and the enhancement of real estate property values.

##### **4.2.1.1 Regulation of Significant or Landmark Tree Removal**

##### **4.2.1.2 Minimum Required Setback Area**

Protected Trees, Significant Trees and Landmark Trees, as defined in Section 3.2.3.2.1, located within the area established as the minimum required setback area, being the area between the setback lines and the lot lines, shall not be removed, cut above ground or otherwise disturbed without an ARB Tree Removal Permit.

#### **4.2.1.3 Entire Development Area**

Within the area of the entire development site, no tree designated as a Significant Tree or as a Landmark Tree shall be removed, cut or otherwise disturbed unless the ARB Administrator, in consultation with the DCCA General Manager and the DCCA Grounds Maintenance Manager, shall determine and report to the ARB as to each such tree: (a) the tree is hazardous, in decline, diseased or infectious; (b) the removal of the tree is necessary to maintain the appearance, health or vigor of the remaining trees or (c) no practical alternatives for reasonable use of the property exist unless the tree is removed. In the event of a dispute regarding this report, the Owner or Architect may request the opinion of an arborist be obtained at the expense of the Owner or Architect. If a determination is made that certain healthy Significant or Landmark trees may be removed, they shall be removed and replaced only in accordance with the requirements of Section 4.2.1.4.

#### **4.2.1.4 Tree Removal Permits**

Trees not defined as protected trees in Section 3.2.3.2.1 are not subject to these Regulations and can be removed without a Tree Removal Permit.

1. Upon the submittal of the Tree and Topographical Survey as part of the Final Review, the ARB Administrator shall conduct a preliminary review of the site and issue a report and recommendations in writing to the ARB regarding the appropriateness of any requested removal of trees. The ARB, considering that report and all related design review issues, will determine as part of the Final Review (a) which trees can be removed, (b) the need for mitigation and shall issue the ARB Tree Removal Permit accordingly.
2. When the tree or trees are not located on property that is the subject of a pending design review, the issuance of a Tree Removal Permit can be requested by informal statement given to the ARB Administrator of the applicable basis set out in Section 4.2.1.3 for the requested removal. The ARB Administrator shall conduct a preliminary review and issue a report and recommendations as required above, after which the ARB, considering the report, will determine (a) which trees can be removed, (b) the need for mitigation and shall issue the ARB Tree Removal Permit accordingly.

#### **4.2.1.5 Mitigation**

Certain undeveloped properties in DeBordieu Colony have numerous protected trees located within the building envelope so as to prevent reasonable development of the lot. In some cases, the building setbacks can be modified (requires DCCA approval) without interfering with the view corridors of neighboring properties thereby permitting reasonable development of the lot while preserving a large tree or trees. In cases where the building envelope cannot be modified and large trees cannot reasonably be preserved as provided by Section 4.2.1.4, the ARB can approve a plan of mitigation to authorize removal of those certain protected trees and replace them at a rate of 50 percent (The total DBH of replacement trees shall be at least 50% of the total DBH of the removed protected trees). Each such replacement tree shall have a DBH of no less than 4" and be at least 16 feet in height. Replacement trees should be planted on the lot as part of the Landscape Plan as reasonably appropriate or only within the Minimum Required Setback Area if necessary. Any required Replacement Trees that cannot be reasonably located on the lot shall be donated to the DCCA for planting on Common Property.

#### **4.2.1.6 Underbrushing Permits, Requirements, Violations**

The property owner can request a permit to underbrush a lot at any reasonable time subject to:

1. The maximum size of a tree, shrub or other vegetation to be removed by underbrushing is four inches (4") DBH.

2. All underbrushing debris must either be ground or mulched during the underbrushing process or hauled off DeBordieu Colony. No dumping is allowed at the DeBordieu Colony dumpsite or elsewhere in DeBordieu Colony.
3. The Contractor is required to clean the roadway and DCCA Right of Way of debris and dirt or sand created by underbrushing and the equipment.
4. Removal of Landmark trees shall require replacement of 10 times the number of trees removed, minimum 4 inches DBH.
5. Removal of Significant trees shall require replacement of 5 times the number of trees removed, minimum 4 inches DBH.
6. As to any replacement trees not planted on the Owner's lot, DeBordieu Colony reserves the right to plant them on common property at the Owner's expense.
7. To assure understanding and compliance of this provision, the ARB Administration shall visit the lot with owner, contractor, or agent of owner prior to and, as necessary, during any underbrushing.
8. Owner and or contractor may be fined for any violation of these regulations as provided elsewhere in the ARB Rules.

#### **4.2.1.7 Unauthorized tree removal**

Unauthorized removal of protected trees shall require the replacement of such removed trees at ten (10) times the number of "Landmark" trees removed and five (5) times the number for "Significant" trees. Replacement trees shall have a DBH of no less than 4" and be at least 16 feet in height. Fines for unauthorized tree removal can be imposed as provided in Section 6.16.

#### **4.2.1.8 Hazardous tree removal**

A Property Owner can report a hazardous protected tree located on the Owner's property, on property immediately adjacent to or across the street from the Owner's property and posing a hazard to the reporting Owner's property, or on Common Property in DeBordieu Colony to the ARB Administrator and request that it be removed.

The ARB Administrator, in consultation with the DCCA General Manager and the DCCA Grounds Maintenance Manager, shall determine whether each such tree is hazardous, in decline, diseased or infectious. If that determination is made and the recommendation is that the tree or trees be removed, the ARB Administrator shall so report to a least one Member of the ARB and to the ARB Chair, if the Chair available. If all agree, a Tree Removal Permit shall be issued, or if one or more disagree, the issue shall be taken up and resolved at the next meeting of the ARB.

#### **4.2.1.10 Stump Removal**

Tree stumps must either be completely removed or chipped to no less than six inches below grade.

#### **4.2.2 Fill**

When evaluating the Drainage Plan and determining the maximum amount of fill dirt that will be permitted to be placed above the original grade, the ARB will consider the topography of the site (existing grade elevations), the elevations of adjacent properties and structures, the impact on drainage flow, the possibility of soil erosion, and the separation distance between the proposed and existing adjacent structures.

#### **4.2.2.1 Maximum Fill**

Maximum fill allowed is twelve (12") inches above street grade. Maximum height of finish grade cannot be higher than twelve (12") inches above street grade measured at regular intervals along the edge of the pavement.

The slope shall not exceed a ratio of more than four feet (4') horizontal to one foot (1') vertical, (4:1 or 25%). The actual amount of fill on a given lot will also be determined by aesthetic impact and the ability to control drainage.

#### **4.2.2.2 Slab-on-Grade and Crawl Space**

1. "Slab-on-grade" (living quarters on a slab at grade level) construction is not acceptable. Garage and storage spaces are permitted on a slab at grade.
2. In order to give the appearance of crawl space and the aesthetic advantage of additional height to single story homes raised slabs of no less than thirty-six (36") inches above finished grade are required.

#### **4.2.3 Bulkheads, Seawalls and Docks**

1. No seawalls, bulkheads, other erosion control structures or docks may be constructed in DeBordieu Colony without prior approval of the ARB. Approval in writing and bearing a current date must be obtained from governmental agencies having regulatory authority including without limitation the South Carolina DHEC Office of Resource Management (OCRM).
2. Bulkheads should be constructed of similar materials and design to those previously approved and constructed. Returns are to be built at the ends, extending a minimum of eight feet (8') into the subject property or, if adjacent lots are bulk headed, be structurally connected to the existing bulkhead(s) and of the same material and design.
3. Once a bulkhead or seawall is constructed, any natural vegetation destroyed during construction must be restored with similar material.
4. Docks are **not** allowed on golf course ponds or inland ponds.
5. Boat lifts may be permitted subject to ARB approval and must be constructed of similar materials and design to those previously approved and constructed.
6. Covered docks are prohibited.

#### **4.2.4 Drainage**

1. Roof gutters should be conducted by down spouts to drain onto the subject lot.
2. Final grading shall be contoured to prevent any standing water and to prevent any runoff onto adjacent properties and shall be directed to the nearest available swales, ditches, culverts, and lagoons to the front and rear of the lot.
3. Shallow swales and low berms may be used where necessary to control drainage.
4. Where swales or ditches are used for road drainage, driveways shall be constructed with a swale at original grade level or a culvert of sufficient diameter. If a culvert is used it shall be installed under the driveways at an invert elevation set to the lowest elevations of the swale or ditch at each end of the culvert.
5. Positive drainage must be maintained along the side property lines, between houses, and into the Community drainage system. At the sides of the lot and between houses, a common swale shall be created using the side property lines as the center of the swale.

6. Between houses, a six-inch (6") minimum and a twelve-inch (12") maximum slope shall be established from the top of the finished grade at the house foundation to the center of the swale at the high point. Verify minimum drainage requirements with Georgetown County.
7. If the high point of the existing grade along the side property line occurs at or near either the front or rear of the lot, the swale shall drain in the direction of the natural slope of the lot.
8. Other effective means of drainage, such as French drains, may be utilized to accomplish the drainage requirements.
9. The architect or engineer preparing a drainage plan shall consult with the DeBordieu Colony General Manager and the DeBordieu Colony Grounds Maintenance Manager. Consultation with a drainage professional such as a landscape architect or civil engineer is recommended to assure that the proposed drainage plan provides a positive flow away from the residence, prevents flow onto adjacent property and provides flow to appropriate points of outfall. Points of outfall should assure downstream flow; spot grade elevations may be required in some cases to verify positive flow.
10. All drainage plans must be approved by the ARB, which shall consider any reports of the drainage professional and the DeBordieu Colony Grounds Maintenance Manager.

#### **4.2.5 Paving**

##### **4.2.5.1 Driveways, Parking Pads and Enclosed Parking (Garages)**

Driveways shall be of a pervious surface (preferred) or of hard paving such as concrete, textured concrete, asphalt, brick, or concrete pavers or shall be constructed of crushed stone, shells or other aggregates approved by the ARB. Gravel, shells, or other similar loose aggregates, if used must be contained by a fixed an appropriate solid border or permanent edge such a ¼" metal edging or a 1x4 or 1x6 treated wood border.

1. Driveways must be curved (meander) wherever possible.
2. Any straight portions running parallel to a property line must be a minimum of five feet (5') from the property line.
3. Curved portions must be held a minimum of five feet (5') off the property line at the tangent point.
4. Driveway width cannot exceed twelve feet (12') except that the flair of the driveway at the curb or road paving must be held within the side property lines projected to the road paving and shall not exceed twenty feet (20') in width. Provided, however, the ARB can permit a wider flair (within the side property lines) if required in order to provide safe access to and from the public roadway/street.
5. A hard apron at the curb shall be constructed to extend no less than 10' from the roadway edge. See diagram: Section 7.6.
6. A parking pad is defined as a parking space ten feet by twenty feet (10'x20') and shall be of pervious or hard surface paving.
7. A minimum of two (2) fully enclosed garage parking spaces **with doors** must be provided for each residence.
8. Off-street parking, including enclosed parking, must be provided for at least one (1) vehicle for each bedroom.

##### **4.2.5.2 Entry Sidewalks**

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

#### **4.2.6 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) as defined and determined by FEMA and Georgetown County.

#### **4.2.7 Height Limits**

The maximum overall mean roof height permitted for single-family homes, measured from the lowest point of the existing grade or of the fill (maximum 12") to the top of the highest point, being the roof peak or ridge or, where applicable, a cupola, dome, widow's walk, storage area, elevator shaft or other similar feature, excluding chimneys, shall be as follows:

##### **4.2.7.1 Outside Flood Zones "A" or "V"**

Thirty-five feet (35') except in flood zones "A" or "V" as shown on the FIRM.

##### **4.2.7.2 Inside Flood Zones "A" or "V"**

Forty-five feet (45') in flood zones "A" or "V".

##### **4.2.7.3 Two and One-Half Floors Limitation**

Residences are limited to no more than two and one-half (2½) habitable floors. The square footage of the half floor shall not exceed fifty percent (50%) of that of the floor immediately below.

### **4.3 MINIMUM SETBACK AND SITING REQUIREMENTS**

1. No vertical construction, including but not limited to roof overhangs, HVAC enclosures, Service yards, or stairs, is allowed to encroach into a setback area.
2. The ARB will consider the following when reviewing the location of a residence or addition on a specific site with ecological constraints
  - a. Topography of the site
  - b. Locations and finish floor elevations of adjacent structures
  - c. Impact on the neighborhood
  - d. Locations of specimen and other significant trees
  - e. Views

### **4.4 ROOFS AND ROOFING MATERIALS**

#### **4.4.1 Roof Pitch**

Gable and hip roofs with a pitch of not less than a ratio of 6:12 are typically required. The ARB will review and consider the overall design of the roofscape in submittals that are less than 6:12, particularly in submittals where the roofscape pitches are varied with lower pitched roofs on porches and a complimentary roof pitch for the main roof, all of which is visually attractive.

#### **4.4.2 Overhangs**

Cornice and gable rake overhangs shall not encroach into a setback area and 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:

1. Main Roof Cornice: Not less than twelve inches (12")
2. Major Gable Rakes: Not less than eight inches (8")

#### **4.4.3 Approvable Materials**

Roof materials must have texture and depth and be of architectural grade. The following are approved materials for roofs:

1. Asphalt/Fiberglass Shingles: Architectural, Laminated, Textured Relief, Class A, minimum 30-year warranty. Recommend fungus/algae resistant.
2. Tile or concrete
3. Standing Seam Metal: 16-ounce Copper, Factory-Finish Paint or Terne Metal only.
4. Wood Shakes: Acceptable, but not recommended as being subject to mold, algae and mildew; must be constructed of fire-retardant materials as required by Georgetown County regulations.
5. Others: On a case by case basis judged on the basis of compatibility with house design, adjacent or neighboring residences and the purposes and objectives of the ARB (see Section 2.1).

#### **4.4.4 Flat Roofs (2:12 Pitch or Less)**

Flat roofs are not recommended because of aesthetics, drainage problems, debris collection, and maintenance. Flat roofs may be acceptable if they are a minor element that blends into the overall design and drainage will be effective. A widow's walk or roof deck design may be considered only if appropriately designed in scale with the residence.

### **4.5 EXTERIOR FINISH MATERIALS, DETAILS AND FEATURES**

#### **4.5.1 General**

Completing the overall aesthetic appearance of the house are the elements of building articulation including exterior materials and details, fenestration and exterior colors. All exterior finish materials and feature details such as entrance porticos, bay windows and shutters shall be appropriate and in harmony with the design of the structure and shall be consistent throughout. A limited number of materials should be utilized on the exterior material palette.

#### **4.5.2 Acceptable Siding Materials**

Acceptable exterior materials include vertical or horizontal wood siding, stucco, brick, and wood shakes. Manufactured cement-based horizontal, lapped siding may be approved.

Newly developed, architecturally approved materials may be considered for approval by the ARB.

#### **4.5.3 Materials Not Acceptable**

Plywood siding (TI-II), aluminum siding and trim, vinyl siding and trim are not acceptable and will not be approved.

#### **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 raw exterior concrete.

## **4.6 EXTERIOR COLORS**

### **4.6.1 General**

No exterior color shall be applied to any new construction nor a changed exterior color to any existing construction without the submittal of an Application for Design Review, samples, and the approval of the ARB. Exterior colors are for the following:

1. Roofing
2. Wood Siding and Trim
3. Stucco Siding and Trim
4. Fascia
5. Soffits
6. Columns
7. Pilasters
8. Quoins
9. Front Entry Door and Trim
10. Exterior Doors
11. Garage Doors
12. Window Sash
13. Frames and Trim
14. Window mullions and muntins
15. Shutters and all other visible details.
  - a. Garage doors should blend with the adjacent siding color or be of a compatible and complimentary color scheme.
  - b. All colors shall be compatible with those within the visible area and shall not be visually predominant, contrasting, or attention-drawing within the context and character of the neighborhood.
  - c. Colors that may be acceptable and approved within a certain area may not be appropriate or approved for another area within DeBordieu Colony.
  - d. The above also applies to any subsequent exterior additions, alterations, or repainting.

### **4.6.2 Color Guidelines**

1. Muted colors are preferred. Colors should blend, yet be distinct.
2. Avoid high-contrast color schemes. Those color choices for roofing, siding, fascia, door and window trim, shutters, doors, columns, pilasters, quoins and feature details that would result in a layered, striped, checkered, or banded effect will not be approved. Subtle shade or texture definitions should be selected. Trim can be a slightly contrasting color, but must also be complimentary to the remainder of the house. The fascia is a transition from roof shingle to siding and colors should be a subtle change rather than a highlight.
3. Service yards and equipment enclosures shall match the adjacent siding color.
4. 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**

Review by the ARB is not required when re-painting with the same colors as existing. Otherwise, all requirements for exterior colors previously stated in this Section 4 shall apply.

## **4.8 RE-ROOFING**

Review by the ARB is not required when re-roofing with the same materials and colors as existing. Otherwise, all requirements for exterior colors and roofing materials previously stated in this Section 4 shall apply.

## **4.9 WALLS, COURTYARDS AND PATIOS**

1. All walls, courtyards and patio walls must be specifically approved by the ARB prior to installation.
2. Proposed wall locations shall be shown on the Site Plan, Drainage Plan and Hardscape Plan filed for Final Review.
3. The design of patios, decks and terraces must be coordinated with the design of the residence. These spaces can provide a high degree of privacy when bordered with appropriate landscaping.
4. Construction of retaining walls is subject to ARB approval, but is permitted in limited situations where dictated by topography.

## **4.10 WINDOWS**

1. Windows should be compatible and appropriate for the style of the house.
2. Windows should be consistent in style on all sides of the structure.
3. Windows should be proportionate in size and scale to the residence.
4. The use of grids and mullions that provide a scale relative to the overall design of the residence is desired.

## **4.11 GARAGES AND CARPORTS**

### **4.11.1 Garages**

Garages are considered to be "accessory structures" under the covenants and may be detached. Attached garages should be structurally connected to the house (breezeways, covered walkways and other elements) and appear as an integral part of the structure. Side entry-garages are preferred whenever possible.

### **4.11.2 Carports**

Carports are not permitted.

## **4.12 SERVICE AREAS**

1. At least one service area is required for each residence.
2. Service areas must be an integral part of the main structure, must be entirely within the building setback area, and must blend with the overall design of the structure.
3. The service area(s) shall be adequate in size and height to contain and conceal all outside equipment and storage, including, but not limited to, heat pump compressors, water treatment equipment, propane tanks (unless buried), swimming pool pumps, filters, heaters,

any exposed piping, irrigation system controls, two (2) thirty (30) gallon trash receptacles, and any equipment not otherwise stored within enclosures.

4. The service area shall have a concrete or gravel floor and visually solid enclosing walls screened with  $\frac{3}{4}$ " minimum lattice or louvered panels, be of the same color as the adjacent house siding, have a latched access gate and be softened with landscaping on all sides.
5. In providing screening for utility boxes and equipment, care must be taken to ensure access and working room around these units. Consultation with the utility company is recommended. Electrical meters may not be located on the front facade of the house and, where practical, must be screened from view with plantings.
6. The location(s) shall be planned to be as visually unobtrusive as possible, utilizing house walls and offsets wherever possible while providing convenient access for trash removal.
7. Service areas at the front of the house are not recommended and may not be approved.

#### **4.13 VENTS, FLUES AND CHIMNEY TERMINATIONS**

A chimney must encase all fireplace flues. All roof accessories such as vent stacks, roof vents and vent fans shall be painted dark gray or to match the roof color and located, if possible, at the rear side of the roof.

1. Terminations must be decorative.
2. Windscreens must be used on all chimney caps since exposed metal flues are not permitted. Metal windscreens must be standing-seam design and may be copper, aluminum, galvanized steel, or terne metal.
3. Aluminum and galvanized windscreens shall be painted with a primer coat and a coat of exterior enamel that shall be compatible with the color of the chimney.

#### **4.14 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 unless the overall design integrity provides an allowance for open piers and columns such as a loggia. The following are acceptable methods:

1. Lattice panels with closely spaced slats, 1-1/2" maximum openings and a minimum of 3/8" thick x 1-1/2" wide slats
2. Horizontal wood louvers
3. 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 exterior raw concrete surfaces are prohibited.

#### **4.15 FENCES, WALLS, BARRIERS AND GATES**

A site plan locating proposed fences, deer fences, walls, barriers and gates shall include a reference to a survey prepared and stamped or signed by a registered land surveyor or registered engineer must be submitted to the ARB for approval prior to installation and may be included in or submitted as an overlay on the Landscape Plan (Hardscape or Softscape) submitted for Final Review. Fences and walls shall be considered as an extension of the architecture of the residence, a transition to the natural forms of the lot and as design elements to enclose and define courtyards, pools and other private spaces, to provide security and to relate building forms to the landscape.

1. A catalog cut sheet shall be submitted showing the style and color of the desired fencing.
2. Fencing shall not exceed six (6') feet in height at any point and will be reviewed on a case-by-case basis.
3. Fencing can be located either (a) at but not over a side or rear lot line or (b) shall not be closer than three (3') feet from any side or rear property line to allow for mandatory landscaping and access for its maintenance.
4. Fencing cannot exceed 75% opacity (must allow minimum 25% light and air ventilation).
5. Fence design is limited to 'animal safe' fencing.
6. Chain link fences are not allowed.
7. Fences for swimming pools must comply with Georgetown County and all other applicable regulations and codes. Also see Section 4.22
8. Fence location may be subject to Section 4.24.4 on "Views".

#### **4.15.1 Deer Fences**

For the initial landscape or re-landscape of a completed residence, property owners and their architect or landscape designer should select deer resistant plants. Where electric fences are used, consideration of neighbors is paramount. Installation of electrical wiring can be a liability issue and owner assumes total responsibility.

1. In addition to standard requirements for a site plan, the site plan for deer fences should show the plants to be protected.
2. Maximum height: 5' (five feet)
3. Maximum number of strands: 4
4. Deer Fence shall be placed 3' (minimum) inside property line.
5. Posts may be either metal or fiberglass and painted a dark color to blend in with surrounding landscape.
6. Insulators shall be painted black.
7. Typical residential low voltage wire shall be utilized.
8. Posts shall be kept straight at all times, painted as needed. Wire shall be kept tight at all times.

#### **4.15.2 Golf Fairway Lot Fences**

Fences other than deer fences adjacent to the golf course are discouraged and will be considered only on a case-by-case basis. Such fences, including deer fences, shall be landscaped so as to be inconspicuous and cannot restrict golfers' retrieval of their golf balls.

### **4.16 FREE STANDING STRUCTURES, ACCESSORY STRUCTURES AND GUEST FACILITIES**

1. A freestanding structure includes, but is not limited to, gazebos, pavilions, front entry features, trellises, pergolas, and arbors. A freestanding structure shall be located within the required setback areas and shall be harmonious in design, scale, materials, landscaping, and color of the house.
2. No structure, except as hereinafter provided, shall be erected, altered, placed or permitted to remain on any residential lot other than one (1) single family dwelling, two (2) accessory structures which may include a detached private garage, boat house, etc.

3. On lots larger than one (1) acre in size, a guest house may be constructed, provided the use of such accessory structures does not overcrowd the site and provided further, that such construction is subject to the provisions of the Georgetown County Ordinances.
4. A guest suite or like facility may be included as part of the main dwelling or accessory structure, but such suite may not be rented or leased except as part of the entire premises including the main dwelling, and provided, however, that such suite would not result in overcrowding the site.
5. No structure shall be used for any activity actually conducted or normally conducted as a business.

#### **4.17 WOOD DECKS**

1. Wood decks are considered to be vertical construction if any part is more than six (6") above the finished grade.
2. Any raised deck shall comply with Georgetown County Code requirements.
3. Open spaces between the bottom of the perimeter framing and the finished grade as well as the spaces below stairs and landings shall be visually closed with close-spaced lattice, louvers or by other acceptable methods unless the overall design integrity provides an allowance for open piers and columns such as a loggia.
4. All vertical surfaces must be finished or painted to match a house color as appropriate.

#### **4.18 HURRICANE PROTECTION**

Manufactured hurricane protection systems must be submitted to the ARB for review and may be permitted for the covering of openings in the exterior walls of dwellings. Submittals shall include:

1. Application for ARB Review
2. Exterior elevation drawings at 1/4" = 1'-0" scale with all proposed permanently fixed window and door protection components clearly shown in the open position and to scale
3. Photographs of the exterior facades affected with the locations of all permanently fixed components marked thereon
4. Sample or clearly delineated catalog cuts of the proposed system
5. Sample of the proposed color on the actual material
6. The aesthetics of the hurricane protection shall be appropriate for the design of the structure and be as unobtrusive as possible.
7. The color of the permanently fixed components shall match the color of the surface to which they are attached.
8. For new construction, the hurricane protection shall be built in to appear as part of the house trim.

Temporary installation of window protective material, such as unfinished plywood, is permitted for impending weather emergencies, but every effort must be made to remove this type of material as soon as the emergency has passed.

#### **4.19 EXTERIOR LIGHTING**

##### **4.19.1 LANDSCAPE AND BEACHFRONT**

The landscape lighting plan shall be included with the Landscape Plan for Softscape.

1. Limit landscape lighting to two (2) transformers of 600 watts each.

2. Landscape lighting must not extend beyond the property lines.
3. Landscape lighting may be approved for accenting paths, driveways, trees, and house features. It must be low-mounted, shielded, and directed so as prevent light pollution (glare, urban sky glow) and light trespass (light intrusion on neighbor's property). A cut-sheet of all proposed fixtures must be provided with the landscape lighting plan.
4. Driveway lighting shall be low mounted, hooded, or louvered, and must serve the purpose of driveway lighting only.
5. General illumination of the house is prohibited.
6. All lighting shall be shielded, directed, and controlled to prevent annoyance to neighbors.
7. Low intensity post-mounted lamps are permitted, but are limited to a maximum of two (2) per house and must be located within the property lines.
8. House-mounted floodlights, mounted no higher than the ceiling of the first floor, are permitted for temporary illumination only. Fixtures must be hooded to prevent light trespass (light intrusion on neighbor's property) and light pollution (glare, urban sky glow), and are to be used for limited periods of time for emergency and exterior access only. Dusk to Dawn flood lights are prohibited.
9. Wall mounted lighting fixtures are permitted, but must be low intensity, mounted near doorways only and limited in number.
10. Only white light bulbs are permitted for house exterior, landscape illumination, swimming pools, or fountains.
11. String lights, such as white or colored miniature string lights or similar, are not permitted for year-round use in trees, on open decks, or patios.
12. Beachfront homes may not have ocean-side exterior lighting displays, or house-mounted flood lights that shine directly toward the beach due to turtle nesting habitats.

#### **4.19.2 HOLIDAY**

1. Residences must only be decorated with tasteful decorations appropriate for significant holidays such as Independence Day, Halloween, or Christmas.
2. All holiday decorations must only be displayed for the holiday and be removed promptly after the holiday has passed.
3. General or whole house illumination, with lighting displays, lighting machines, or spot-lights is prohibited.
4. Holiday lighting displays and decorations are not permitted to extend beyond property lines, or to be placed on common property.

#### **4.20 KITCHENS**

No more than one (1) full-service kitchen, equipped with major appliances, is permitted per lot. Kitchenettes in guest suites, guest houses, and service areas intended for entertainment purposes are permissible but can only contain such features as a wet bar, wet bar-type sink, microwave oven, under-counter refrigerator, ice maker, glassware, and china storage.

#### **4.21 EXPOSED EXTERIOR STAIRS**

Exposed exterior stairs may be approved.

#### **4.22 SWIMMING POOLS**

1. Pools shall be of permanent in-ground construction. Above-ground pools are prohibited.
2. Prefabricated fiberglass pools are prohibited on the Island.
3. The preferred location of a swimming pool is directly behind the house. Front, side yard, and rear corner locations will be considered but may not be approved.

4. Landscape screening and/or low berms may be required to ensure privacy.
5. Landscaping – Clearly indicate the locations of all existing and proposed new plantings. Specify sizes and species.
6. Tile, coping, and deck finish should complement or blend with the residence. Samples may be required.
7. Clearly indicate locations and types of pool and deck lighting.

#### **4.22.1 Barriers for Exterior Swimming Pools, Spas & Hot Tubs**

All proposals must be submitted to the ARB for review and are subject to regulations and ordinances of Georgetown County.

##### **4.22.1.1 Definition**

Barriers are erected to totally enclose swimming pools, spas, and hot tubs for the purpose of preventing unauthorized access. Barrier pool fences are not considered vertical construction.

##### **4.22.1.2 Design Guidelines**

1. Barriers shall totally enclose the perimeter of the deck, be a minimum of four feet (4') above the top of the pool wall or surrounding deck and be of a design to discourage entry by children and animals.
2. The design, materials, and colors must be Samples of actual materials with proposed color finishes may be required
3. Barriers of a visually open type are required.
4. Additional landscaping may be required around the outside of or beyond the barrier for visual screening.
5. Acceptable materials, if appropriate, include:
  - a. Wood or metal pickets
  - b. Wrought iron type metal
  - c. Balusters within rigid balustrade framing
6. Unacceptable materials include:
  - a. Standard chain link with pipe framing
  - b. Metal or plastic slats, boards, or panels

##### **4.22.1.3 Compliance**

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

##### **4.22.1.4 Liability**

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

## **4.23 OTHER**

### **4.23.1 Freestanding Flagpoles**

Freestanding flagpoles are discouraged, may not be approved and cannot be approved unless an application together with a site plan prepared by a registered land surveyor is submitted to the ARB for review and possible approval prior to installation.

1. The location of the flagpole must be within the setback lines (the "building envelope").
2. The flagpole shall be of a color that compliments the residence and shall be no higher than twenty feet (20') from finished grade to the top of the pole.
3. Only the official flag of the United States of America can be displayed.
4. The flag shall be no larger than three feet by five feet (3' x 5').

#### **4.23.2 Unit Air Conditioners**

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

#### **4.23.3 Solar Collectors**

Solar collectors, either for the roof or ground placement, will be considered on a case-by-case basis with the following criteria:

1. Shall be designed to be inconspicuous.
2. The color of the panels for the roof must match the existing roof.
3. Minimal number of panels to be used based on the manufacturer's recommendations.
4. Panels, either on the ground or on the roof, must be placed on area limiting visibility from neighbors, street, golf course, beach and similar views.
5. Must be low profile.

#### **4.23.4 Wells**

Wells for heat pump operation may be approved. Prior to installation, an application must be submitted to and approved by the ARB. An application form, additional information, and requirements are available at the ARB office.

Above-grade wellhead piping must be visually screened. Wells for landscaping are covered in the Landscaping section of the manual.

#### **4.23.5 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.

#### **4.23.6 Clothes Lines**

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

#### **4.23.7 Dog Runs/Pet Yards**

Pet areas must be submitted on a site plan prepared by a registered land surveyor and the application approved by the ARB before construction.

1. Must not be located between the street and the residence.
2. Pet areas must be constructed and landscaped so as to be inconspicuous and appropriately screened from view by neighbors, the street and, if applicable, the golf course.
3. The fencing material and metal (aluminum or wrought iron) poles should be black or dark bronze and of sufficient height (the maximum allowed by Georgetown County of six feet is recommended) to contain the animal(s).

4. Chain link fencing normally is not permitted, but may be approved as necessary to securely enclose the animal(s).

#### **4.23.8 Manufactured Enclosures**

1. Structures which are primarily composed of prefabricated, pre-finished or pre-painted, metal or plastic components and which are assembled on site are not encouraged, but may be approved on a case by case basis and will be judged on the conditions and merits of the submission.
2. Manufactured enclosures include the following: Swimming pool and hot tub (spa) enclosures, room additions, porch additions, patio or deck enclosures (lanais), gazebos, greenhouses, planting/potting sheds and other miscellaneous structures.
3. "Modular homes" are not permitted and will not be approved.

##### **4.23.8.1 Compliance Requirements**

All such structures must aesthetically match and appear as an integral part of the house in regard to massing, proportions, roof lines, details, colors and finishes. Any such vertical construction cannot encroach into any required setback area.

Lanai-type enclosures may not be approved at the front or sides of a house.

##### **4.23.9 Window and Door Shutters**

All window and door shutters should be of the correct size to cover the window or door opening and shall be mounted in the correct location in relation to the window or door.

##### **4.23.10 Antennas/Satellite Dishes**

A direct TV broadcast dish antenna of one meter (1m) or less in diameter may be placed on single-family residential properties or on "exclusive-use" portions of multi-family properties. Antennae may not be installed on common property. In addition, a DBS antenna must be:

1. Not visible from the street, preferably on the rear or side roof, provided the location does not preclude reception of acceptable quality
2. Grey or black in color as per manufacturer
3. Properly screened from view with buffer plantings, if ground placement is necessary

While installations of DBS Antennae do not require a formal review by the ARB, written application for such installations must be submitted to the ARB for administrative approval. The application should indicate compliance with the criteria set forth above and the planned antenna location.

##### **4.23.11 Boat and Vehicle Parking**

Parking of recreational vehicles, campers, RV's, truck in excess of ¾ ton capacity, or commercial vehicles, unused, or inoperable vehicles, are prohibited at a residence unless the vehicle is parked within the garage of the residence.

A resident who uses a business vehicle or truck with business signs, or logos on it for transportation must ensure that the vehicle, when not in use, is parked inside the garage of the residence.

Boats must be parked within the garage of the residence or in the designated Dry Storage area within DeBordieu. On site storage of a boat, other than in a garage area, is only allowed if the storage area is screened from the street and neighbors. Prior ARB approval is required for the latter; screened on-site boat parking. Additionally, temporary storage spaces will be made available for a limited time and on a

first come, first serve basis. Contact DeBordieu Security for more information on Dry Storage and Temporary Space reservations.

#### **4.23.12 Play Equipment, Recreational Structures**

The ARB has the authority to control the use and location of play equipment if it has a negative effect on the aesthetics and overall harmony of the neighborhood and adjoining common areas, including the golf course, if applicable. Play equipment can be permanent or portable. It includes, but is not limited to swing sets, slides, trampolines, playhouses, tree houses, basketball goals and soccer nets. **THE ADDITION OF SIGNIFICANT PLAY EQUIPMENT (INCLUDING PLAYHOUSES AND TREE HOUSES) REQUIRES PRIOR ARB APPROVAL.**

##### **4.23.12.1 General Guidelines**

1. Play equipment is considered to be permanent if it is continuously left outdoors and in the same general area for a period of days.
2. Permanent play equipment must be screened or put in a location that does not negatively affect the aesthetics of the neighborhood.
3. It should be a subdued color; a natural wood look is preferred.
4. Particular care of placement should be taken for lots bordering the golf course or common areas.
5. Setback requirements for fixed structures must be followed.
6. If complaints are received about play equipment being left unattended in common areas or roadways (such as basketball posts and goals), the ARB will issue a warning for the first incident. Succeeding incidents will leave the property owner open to fines as determined by the ARB.

##### **4.23.12.2 Specific Guidelines**

###### **Location:**

1. Wherever possible, play structures/equipment should be located at the rear of a residence with special consideration given to adjacent residences and their living areas.
2. Play areas should be located away from neighboring master bedrooms, living and dining rooms.
3. Basketball goals may be located at the end of a guest parking pad or turnaround area; however, it cannot encroach the five-foot (5') buffer established for driveways.
4. The ARB can require that appropriate screening be added, the offending equipment be removed or the location changed.

**Sizes:** Sizes of play structures will be reviewed on a case-by-case basis. It is strongly recommended that any guidelines established by the U. S. Consumer Product Safety Commission, the manufacturer and owner's insurance company be followed.

**Color:** Earth tones are recommended so that the structures will blend in with the surrounding landscape. Basketball backboards and poles must be stained/painted Ebony Gray.

**Landscaping:** Recreational equipment and structures must be screened from the roadways, golf courses and adjacent residences with landscaping or fencing with prior ARB approval.

**Maintenance:** The owner must keep all play structures/equipment in good condition. ARB reserves the right to have equipment removed if it is not maintained accordingly.

**Protective Covenants:** Residents should abstain from activity, which is "intrusive on the peace and quiet of neighbors."

#### **4.23.13 Mailboxes**

Mailboxes are not required, but if installed are subject to federal regulations available at the Post Office and, unless in conflict with those regulations should also meet the standards enumerated below and depicted in Section 8.0. Any variation from the design in Section 8.0 requires prior ARB approval.

1. 4" x 4", or 6" x 6" square plain wood or metal post (White, Black or Matching Main Color of House).
2. 5' Maximum post height.
3. Medium or large solid color boxes are acceptable.
4. Placement of box/post is "arm's length from curb" and 36" from grade to bottom of box
5. 4" Minimum numbers to be placed on both sides of post (911 requirement).
6. Newspaper boxes, if desired, are to be affixed to post and should be plain - without advertising the name of the newspaper company.
7. Mailboxes that are badly rusted and/or faded must be replaced and/or repainted upon the request of the ARB. Similarly, mailbox posts must be kept straight and in good condition.
8. Plantings around mailboxes are discouraged because they interfere with DCA mowing and maintenance operations. If plantings have been installed, they shall not interfere with visibility of street numbers (911 identification), postal delivery or mowing and maintenance operations.
9. Mailboxes and posts should not normally be decorated except with tasteful decorations appropriate for significant holidays, such as Christmas, Halloween, Fourth of July, etc., and these decorations should be removed promptly after the holiday/event has passed.

#### **4.23.14 Commemorative Gifts and Plaques on DeBordieu Colony Property**

All requests for commemorative trees, plantings or other appropriate remembrances must first be submitted to the ARB for initial approval. If the ARB agrees with the request, a recommendation will be sent to the DCCA Board for final approval. Only items that would be an aesthetic or beneficial addition to the community will be considered.

A commemorative plaque can accompany the gift but must meet the following ARB guidelines:

1. The plaque must be bronze and cannot exceed 3"x 5" in size. A wood backing can be used as long as the wood is appropriate for outdoor use. The backing should not exceed 4"x6" in size. The plaque should be attached permanently to the gift in question. The wording and the plaque must receive prior ARB approval.
2. When considering a gift in honor of someone, it is important to choose a plant or item that will require little or no maintenance or care. If the selected item is a tree, the donor is responsible for making provisions for its care and survival. Should the item require removal for any reason, it is the responsibility of the donor to cover any costs involved. If the item in question is in the donor's immediate neighborhood, it is strongly recommended that the approval of the neighbors be obtained.

#### **4.23.15 Lot Recombination Policy**

The DCCA requires that for any lots to be consolidated into one lot, the house or dwelling must be built upon across the shared side lot line of the two adjoining lots. If the owner of an improved lot purchases a vacant adjacent lot and seeks DCCA Approval to consolidate the two lots into one parcel, the owner must present architectural drawings to the ARB showing an extension of the existing/main

dwelling across the shared side lot line of the two adjoining lots. The process begins with a conceptual application to the ARB showing the site survey of the two lots, the location of the residence or proposed addition crossing over the side shared property line. If the ARB accepts the design concept, a request is made to the DCCA Board of Directors to approve the consolidation and reduction of all applicable community assessments from two parcels to one. Once approved by the DCCA, consolidation will be finalized for all matters pertaining to voting and assessments when ALL applicable building permits for construction to begin have been submitted to the ARB.

Additionally, once approval is granted for the lot consolidation, there can be no future subdividing of such lots at a future date. The building on the residual consolidated lot ensures there is no possibility of any future subdividing of these lots. Should at any time the house/improvements be demolished and the consolidated lots separated back into two lots, all back DCCA assessments (annual, beach and any back special assessments that would have been imposed by the Board of Directors during the consolidation period) are required to be paid back at closing or deed separation.

## **4.24 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 complement the approved drainage plan. Careful consideration should be given to the height and spread of all plantings at maturity. Foundation plantings should be appropriate in size for their function.

An informal natural appearance is desirable. Shrubs should be in groups rather than single plantings, should be planted in a staggered pattern rather than in a straight-line configuration, and should not interfere with drainage.

### **4.24.1 Objectives**

The purpose of landscaping is to:

1. Remove the new construction scar from the site
2. Soften the vertical elements, the corners, solid wall areas, foundations, piers, and other elements with foundation plantings in scale with the structure
3. Blend with the existing natural vegetation and landscape of adjacent properties
4. Specific Screening Areas and Buffer Zones:
  - a) Service Yard
  - b) HVAC Unit/Enclosures, all Mechanics, and Utility Boxes
  - c) Foundation
  - d) Approved boat parking areas
  - e) Recreational and play equipment
  - f) Side Property Lines
  - g) Garage door openings, parking pads, and guest parking areas
5. Reference the ARB Landscape Checklist in Section 7.7
6. Reference Deer Resistant plants in Section 7.8, and Firewise Fire Smart Plant list for SC in Section 7.9

### **4.24.2 Submittal Requirements**

The Landscape Plan for Softscape is filed as part of the Final Review as required by Sections 3.2.3.12 and 3.2.3.12.2 of this Manual.

#### **4.24.2.1 Landscape Plan for Renovation or Additions to Existing Structures**

Any request for a design review of plans for renovation of or an addition to an existing dwelling shall include a Landscape Plan for Softscape showing, as applicable, all new or relocated plantings and shall specify the number to be planted, the size, and the species and any other relevant information as would be required by Section 3.3.3.12.2.

#### **4.24.2.2 Major Landscaping Changes or Additions**

If significant (25% or more) changes or additions to an existing landscape are contemplated, a complete Landscape Plan for Softscape showing all existing landscaping and the proposed new work must be submitted. All new work shall be clearly indicated by the use of color highlight and all planting material specified as to the number to be planted, the size and species, as well as the extent of any new lawn or ground cover areas.

#### **4.24.3 Phased Installations**

A phased plan may not be approved but can only be approved if all objectives and submittal requirements are met by the first phase. If phased, the plan must clearly indicate the first phase to be installed by the use of color highlight.

#### **4.24.4 Lake, Marsh and Golf Course Views**

When there are adjacent private properties, improved or not improved, with lakes, ponds, lagoons, golf course, marsh, or similar views to the rear of the lot, a triangular area at each rear corner of the lot being landscaped is restricted to shrubs, new or existing, that will grow no higher than four feet (4') at maturity. Each such triangular area is defined by a diagonal line between two points measured from the rear corner(s) twenty feet (20') along the rear and side property lines.

#### **4.24.5 Irrigation**

Vegetation can benefit from irrigation and in varying amounts based on specific plant types. Over-watering is not beneficial. Due to the rapid drying rate of the sandy soils in DeBordieu, the installation of water-conserving systems using drip lines and separate lawn watering stations is strongly encouraged. Rain sensors are required. Sprinkler heads or piping should not be installed on DCCA rights-of-way and, if so, are subject to being removed by the DCCA at the cost of property owner.

#### **4.24.6 Ground Cover**

Ground cover planting, pine straw, mulch, bark, or other acceptable materials should be placed on all areas not otherwise planted. The use of white or colored stone or gravel as ground cover in large masses is discouraged.

#### **4.24.7 Color**

The use of flowering shrubs and trees as well as annual or perennial gardens is encouraged, but are not deer resistant.

#### **4.24.8 Vegetable Gardens**

Vegetable gardens on private property may be approved, should be screened by vegetation and must be approved by the ARB. The ARB may require a formal site plan or an informal drawing as may be necessary for review.

#### **4.24.9 Natural Areas**

The use of existing natural growth areas as a part of the landscape design may be acceptable. If allowed, these areas should be selectively pruned and weeded to present a neat appearance. These areas should be properly maintained and not allowed to become overgrown or unkempt.

#### **4.24.10 Landscaping Beyond Property Lines**

1. Landscaping, including the planting of trees, shrubs, lawn, the placing of ground cover, pruning, weed control, clearing, or any other similar landscape activity outside or beyond an owner's property lines is not encouraged.
2. In general, no landscaping work of any kind shall be done on any DCCA property, except for sod to be placed on road right-of-way from the private property line to the edge of the road pavement.
3. If a property owner wants to landscape on adjacent DCCA property a written request must be submitted to the ARB for its consideration and that of the DeBordieu Colony General Manager and the DeBordieu Colony Grounds Manager. The ARB will report any decision to the requesting property owner.
4. Those who have been given permission to landscape on DCCA property must acknowledge that this does not confer ownership rights or interest.
5. The DCCA reserves the right to remove and/or alter any plantings or landscape provisions for any purpose without obligation of replacement or remuneration.

#### **4.24.11 Ornamental Features**

It is recommended that ornamental features such as, but not limited to, garden pools, waterfalls, statuary and trellises be kept to a minimum. All ornamental features shall blend into the overall landscape design and shall not be a predominant feature.

1. Each proposed feature should be located and described on the Landscape Plan for Softscape.
2. No unapproved feature may be installed.
3. The use of multiple statuary and stationary or mobile ornaments may not be approved.

## **5.0 INSPECTIONS and REVIEWS**

### **5.1 PREFACE**

The ARB Administrator or an Inspector assigned by the ARB will conduct on-site inspections and reviews as required when the various applicable phases of the work are completed. The person responsible must call the ARB Administrator to schedule the inspection. For Stakeout Review and Compliance inspections, certain documentation required by the ARB Rules must be submitted at the time of the request for inspection or review. No inspection will be conducted until this information is received. Call the ARB Office at least 24 hours in advance of all requested inspections.

### **5.2 SUMMARY OF MANDATORY INSPECTIONS FOR NEW CONSTRUCTION**

Call the ARB Office at least 24 hours in advance of all requested inspections.  
The following are mandatory inspections for new construction:

1. Stakeout Review (prior to clearing lot)
2. Foundation Survey by registered land surveyor reviewed
3. In-Progress Construction Status Inspections

4. Driveway and Road Drainage Inspections
5. As Built Survey by registered land surveyor reviewed
6. Landscape Inspection
7. Final Compliance Inspection

A new dwelling shall not be occupied prior to the receipt of a Georgetown County Certificate of Occupancy. Deposits will not be refunded prior to issuance of the DeBordieu Colony Final Compliance Inspection Approval unless mitigating circumstances are approved in writing by the ARB.

## **5.3 STAKE-OUT**

### **5.3.1 Time Frame**

After all other conditions for the issuance of a DeBordieu Colony Building Permit are met and before lot clearing can begin, a stakeout of all vertical and horizontal construction must be reviewed prior to the issuance of the Permit. Informal, preliminary stake-outs can be done with the ARB Administrator at any time in order to clarify proposed siting of the improvements.

### **5.3.2 ARB Approval**

A letter requesting a stakeout review including the statement dated and signed by the surveyor, engineer or architect, "The property corners have been accurately located and the house and other site features are staked-out in accordance with the ARB approved plans," shall be submitted to the ARB Administrator.

### **5.3.3 Restrictions**

In no case nor for any reason shall any tree be removed, a site cleared, or any other preparation begun prior to the acceptable review and the issuance of the DeBordieu Colony Building Permit.

### **5.3.4 Requirements**

The stake-out must be marked and easily observed by the inspector, as follows:

1. The footprint of all vertical and horizontal construction defined by corner stakes
2. All property lines defined by corner stakes
3. When a lot abuts the OCRM line, the line shall be clearly marked by flags as required by the governing agency
4. Appropriate means in place to control run-off and/or spoilage

All trees approved to be removed flagged with RED ribbons. Tree clusters approved to be removed may be banded with RED ribbons.

## **5.4 DRIVEWAY AND ROAD DRAINAGE**

Stake-out review determines whether or not a culvert is required. After the driveway grading and the driveway culvert(s) are in place, the general contractor must call the ARB to arrange for a review. No paving of driveways shall begin until the driveway and road drainage reviews have been conducted and communicated.

## **5.5 AS BUILT SURVEY**

After all construction work has been completed and the lot brought to finished-grade condition (planned fill in place, shaped, and graded to a final surface condition ready for planting) and before

any landscape or irrigation work has begun, an as built survey prepared and signed by a registered land surveyor showing the following shall be reviewed:

1. Spot grades/elevations on the minimum or other grid as approved for the Site Plan under 3.2.3.2.2 (1) or (2) of the finished grades
2. Direction of drainage with spot finished grade elevations.
3. All construction, including hardscape, located by dimensions from the property lines. Edge of the roof overhang shown as a solid line and the walls below as broken lines.

Additional fill may not be added after the inspection without ARB approval.

The ARB Administrator, General Manager and Grounds Manager to be consulted on marginal drainage issues.

## **5.6 LANDSCAPING**

When the property owner or general contractor considers the landscaping complete in all respects according to the approved plans, a request for an inspection shall be made to the ARB Administrator. If additional fill has been added since the final grade inspection, the ARB may disapprove the additional fill and require that it be removed with a report to the ARB. The conditions upon which the softscape plan for landscape was approved must be met and all landscaping debris removed from the site.

## **5.7 FINAL COMPLIANCE**

After the general contractor has received a Certificate of Occupancy from Georgetown County and has furnished a copy to the ARB, a final compliance inspection shall be made by the ARB Administrator and a member of the ARB.

Occupancy may occur only after the following conditions have been met:

1. A Certificate of Occupancy from the Georgetown County and copy furnished to the ARB
2. The exterior of the house and landscaping are completed in all respects
3. A final compliance inspection has been approved
4. Dumpster and portable toilet removed from the site
5. The restoration of any damage to the road pavement, curbs, road right-of-way, and/or adjacent properties

## **5.8 ADDITIONS AND RENOVATIONS**

Additions and renovations to homes must comply with all inspection procedures stated above including, but not limited to, stake-out, drainage, landscape, and final compliance approval, as applicable.

The ARB Administrator has the authority to add or waive any inspection or review procedures that the ARB shall have determine may or may not be applicable to the project.

It is recommended that, prior to the start of the construction of any addition, the owner and/or the builder consult with the ARB Administrator to determine what inspection and review procedures must be met.

# 6.0 RULES & REGULATIONS GOVERNING CONSTRUCTION & MAINTENANCE

## 6.1 INTRODUCTION

### 6.1.1 Contractor Documents and Insurance

All contractors and subcontractors must carry and must provide the ARB with proof of coverage as follows: (a) Comprehensive General Liability Insurance of no less than \$500,000 and (b) Workers Compensation Coverage must be carried by the general contractor.

No DeBordieu Colony Building Permits will be issued without this coverage so documented. Conducting business within DeBordieu Colony without meeting this requirement will result in a stop work order and be subject to a fine.

### 6.1.2 General

All contractors, subcontractors, suppliers, service companies and their employees, delivery staff and any other personnel and agents shall abide by all applicable regulations and requirements in the ARB Manual. The general contractor and the property owner shall be responsible for all personnel on the job site for compliance with these rules.

Contractors are liable for damage to road, utility infrastructure, and the landscape on both private and common property including road rights-of-way.

DeBordieu Colony Community Association, its Board of Directors, Security Department and all other employees, assume no liability for the loss or destruction of any contractor's vehicle(s), trailer(s), construction equipment, or materials on or from any property within DeBordieu Colony.

## 6.2 CONSTRUCTION HOURS

1. Working hours are limited to 7 AM – 6 PM on any workday, Monday through Friday. All workers must leave DeBordieu by 6 PM. DeBordieu Management must authorize exceptions by 4 PM for that day.
2. A request must be made by 4 PM the previous workday for permission to work on a Saturday.
3. Entrance to DeBordieu is limited to 9 AM to 6 PM on these days. Any such work must be interior or non-noise work.
4. No contractors, including lawn maintenance and landscaping crews, will be allowed to enter DeBordieu Colony on Sunday or the following Holidays\*:

<b>New Years Eve and Day</b>	December 31 <sup>st</sup> and January 1 <sup>st</sup>
<b>Easter</b>	Saturday
<b>Memorial Day</b>	Monday
<b>July 4<sup>th</sup></b>	The 4 <sup>th</sup>
<b>Labor Day</b>	Monday
<b>Thanksgiving</b>	Thursday, Friday, Saturday
<b>Christmas Eve and Day</b>	December 24 <sup>th</sup> and December 25 <sup>th</sup>

*\*Emergency repairs are the exception and will be allowed*

## 6.3 TRAFFIC LAWS, ACCESS, PARKING and WORKER CONDUCT

1. Posted speed limits and safe driving practices are strictly enforced within DeBordieu Colony by the Security Department.
2. The parking of vehicles and trailers shall be limited to the job-site property wherever possible.
3. The road right-of-way may be used for parking only when on-site space is not available. The road right-of-way in front of improved properties shall not be used.
4. Caution shall be exercised to avoid damage to the road rights-of-way.
5. Any damage to the road rights-of-way shall be restored to the original condition at the completion of the project.
6. Under no circumstance shall parking interfere with the flow of traffic or cause hazardous traffic conditions.
7. Contractors may not leave heavy construction equipment at a jobsite overnight, unless:
  - a) it is a project permitted through the ARB
  - b) special permission has been granted by the ARB Administration

### 6.3.1 Gate Access

1. All vehicles entering DeBordieu must obtain a pass from DeBordieu Security. Vehicle Passes are to be authorized by the general contractor or property owner
  - a. The following documents are **required** to purchase a daily pass, swipe card, or bar code and decal
    - i. Valid Driver's License
    - ii. Current Registration (of the vehicle entering the community)
    - iii. Current Proof of Insurance (of the vehicle entering the community)
2. Any person requesting a pass without authorization from the general contractor or property owner will be refused.
3. All persons issued a pass will have their job site listed on the pass and will be limited to that job site.
4. Passes are assigned to and for an individual's exclusive use and are valid only for the vehicle to which it is assigned. Guests accompanying workers will not be allowed.
5. Passes must be visible on the dash of the vehicle at all times while in DeBordieu.
6. The general contractor shall be responsible for notifying DeBordieu Security whenever they terminate an employee or subcontractor and shall return the pass to DeBordieu Security.
7. The general contractor shall supply workers names, location of job, and job phone number to DeBordieu Security for emergency notification purposes.
8. All annual fleet passes must be registered in the Company name and the registration presented to security.
9. A contractor and/or a subcontractor may not use a pass assigned to any person or vehicle not assigned to them. The person or persons responsible will be fined and may be restricted from future entry to DeBordieu Colony.
10. All vehicles used by Contractors or Sub-Contractors for construction work must be identified as commercial vehicles and will be required to have a commercial pass, swipe card, or commercial decal and bar code.
11. Daily and Weekly passes are to be purchased at the Security Gate.

### **6.3.2 Conduct of Workers**

The general contractor shall be responsible for the acts of all their personnel while in DeBordieu Colony, including but not limited to employees, sub-contractors, or suppliers:

1. Workers are not allowed to bring any animals into DeBordieu.
2. Children under sixteen (16) years of age and pets are not permitted on any construction site.
3. Fishing, hunting, swimming, drinking or possession of open containers of alcoholic beverages, or activities unrelated to the job is strictly prohibited, even if the property owner has granted permission to the worker.
4. Workers must drive directly to and from the authorized job site only.
5. Firearms or other weapons are prohibited within DeBordieu.
6. All vehicles shall be subject to periodic searches by DeBordieu Security.
7. Persons walking, jogging, riding bicycles, or golf carts within DeBordieu have the right-of-way.
8. Drivers must avoid endangering their safety by reducing speed or stopping if necessary.
9. Speed limits are strictly enforced. Offenders are subject to South Carolina State Summons, and can be called to appear before the DeBordieu Security Director.
10. The DCCA shall not be liable for any loss, injury to persons, or damage to property while workers are traveling within DeBordieu or working on the site.
11. Loud radios or offensive language will not be permitted. Offending persons may be removed from DeBordieu Colony.
12. Contractors or workers will not be permitted entrance on Sundays.

### **6.4 PERMITTING**

Prior to Issuance of DeBordieu Building Permit, the following items must be completed:

1. A completed construction sign must be securely positioned on the property. Sign must include the lot number, nameplates of the owner, architect and contractor. Construction signs can be rented from DCCA ARB for a fee, currently \$125 for the duration of construction. Contractors must obtain name and lot number plates.
2. Side property lines strung.
3. The residence foundation and grade height measurement staked and provided by a surveyor.
4. Soil erosion and drainage measures installed to prevent stormwater run-off to an adjacent neighbor, pond or body of water, street, golf course, etc.
5. Portable toilet properly screened and a trash receptacle or dumpster to be on site unless request is made and approved for delay. In any event, both devices must be on site prior to starting construction and be emptied frequently to prevent overflow and offensive odors.
6. Silt Fencing: Where required, silt fences, culvert and fill, and road shoulder protection must be in place prior to site clearing.
7. Tree protection.
8. Gravel or stone entrance.

## **6.5 SITE ACCESS AND PROTECTION OF COMMUNITY PROPERTY**

1. 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.
2. Whenever possible, the site access shall be in the same general location as the permanent driveway entry.
3. The edge of the road pavement shall be protected from damage by construction vehicles. Heavy wood planks, gravel, or any other effective means to make the transition between the pavement and the road shoulder shall be used.
4. 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.
5. 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. Final compliance will not be approved until all damaged areas are satisfactorily restored.

## **6.6 SITE PREPARATION**

1. No lot can be cleared, no site prepared, or any other construction activity started without both a Georgetown County Building Permit and a DeBordieu Colony Building Permit having been posted.
2. Where required, silt fences, culvert and fill, and road shoulder protection must be in place prior to site clearing.
3. 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.
4. The use of water and electric services from adjacent residences is prohibited.

## **6.7 DRAINAGE CONTROL, EROSION CONTROL & ENVIRONMENTAL PROTECTION**

### **6.7.1 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:

1. Water Drainage Control
2. Soil Erosion Control
3. Road Pavement and Curb Protection
4. Road Right-of-Way Protection
5. Tree Protection

### **6.7.2 Responsibilities during Construction**

1. There will be no digging in any road right-of- ways or easement areas before information is obtained concerning utility lines from the appropriate utility company and DCA.
2. The general contractor is responsible for repairing, at his cost and to the satisfaction of DCA, any damages to utilities, roadways, access areas, bike paths or adjoining properties.
3. Absolutely no dumping or disposal of litter, waste material, or debris (including paint) is permitted within DeBordieu. Anyone violating this rule is subject to a fine and will be required to clean the area.
4. No dumping of material in lakes or lagoons.
5. No feeding of alligators or other wild animals anywhere in DeBordieu.
6. Repeated violations will result in the revocation of the offender's work permit.
7. Fires of any size are prohibited in DeBordieu. Burning of construction debris or open warming fires is prohibited.

## **6.8 PROTECTION OF TREES AND NATURAL VEGETATION**

1. Compliance with the DeBordieu Tree Policy (see Section 4.2.1 et seq.) will be strictly enforced.
2. Only those trees indicated for removal on the approved Site Plan can be removed.
3. Caution should be exercised to protect all other trees and natural vegetation from equipment damage and/or fill dirt cover.
4. Protective barriers and tree wells should be installed wherever necessary.

## **6.9 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.

## **6.10 SANITARY FACILITIES**

A portable sanitary facility must be in place on each new construction site prior to or upon issuance of the Lot Clearing Permit and the commencement of any work. The portable sanitary facility must have wood or vinyl lattice on both sides and the rear and be located in an inconspicuous area hidden by

trees when possible, and be 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 away from the street and neighboring houses. Clean and sanitary conditions must be maintained at all times.

## **6.11 DUMPSTERS**

For any project that generates more debris than can be removed daily by the contractor, the contractor 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 DeBordieu Colony.

## **6.12 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 Community is placed under **Hurricane Watch** contractors will begin preparation to secure all job sites. Be prepared to remove dumpsters and portable toilets. By the time the DeBordieu Colony is placed under a **Hurricane Warning** all dumpsters will be out of DeBordieu Colony 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.

### **6.12.1 Spills**

Should any spill occur, the contractor involved is responsible for the clean-up of the street and other affected areas immediately after the spill. Should this not be feasible, contact must be made to DCCA Security to advise of the spill and an approximate time for clean-up. In the event the DCCA cleans up the spill due to the contractor's failure to comply the contractor shall reimburse all costs incurred by the Association for 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.

## **6.13 SIGNAGE**

The only sign permitted at a construction site is the approved standard sign (see Section 6.4.1) not intended to advertise, but rather to identify the owner, architect and contractor.

Every construction job site must contain a sign identifying the architect, contractor, the property owner and lot number. The front of the sign (architect and contractor information) shall face the street. The rear of the sign is to be used for posting permits and other applicable information. No signs shall be nailed or attached to trees. All signs will be located on the boundary between the DCA road right-of-way and the property being developed and, if possible, be positioned against a backdrop of vegetation for softening of appearance. The job sign must be removed from the property before a Final

Compliance Inspection can be requested. The job sign must conform to community requirements. Failure to provide a jobsite sign will subject the contractor to an appropriate enforcement fee.

The DCCA reserves the right to remove any sign that is not in compliance with the above regulations. Such signs will be held at the DCCA Administration Building. A sign not reclaimed within two (2) weeks may be disposed of. The DCCA and ARB assume no responsibility for damage to or loss of any sign.

## 6.14 EXTERIOR LIGHTING

It is the contractor's responsibility on all unoccupied structures to turn off all exterior lights except when work is being done and at any time work is not allowed.

## 6.15 DEMOLITIONS

1. An application for demolition must be submitted to the ARB for Administrative approval. There is no fee.
2. An ARB Permit is required to be posted prior to Demolition.
3. All construction rules shall be in effect as applicable.
4. Barricade Protection shall be erected around trees, natural growth and other locations as directed by the ARB.
5. Removal of trees or natural growth is subject to the Tree Policy and must be approved by the ARB.
6. In the case of total demolition, all utilities shall be terminated at the entry onto the property prior to demolition.
7. Air-borne dust must be minimized by means of wetting-down the area.
8. All debris must be removed from DeBordieu Colony. Loads must be covered.
9. All vertical and horizontal construction shall be removed from the site as may be required by the ARB.
10. In the case of total demolition, the lot must be restored within thirty days (30) after the completion of demolition to unimproved condition by means of grading and ground cover. No bare earth areas shall remain.
11. If a partial demolition is proposed, a site plan or drawings must be submitted clearly showing the area (s) which will be demolished.

## 6.16 ENFORCEMENT FEE SCHEDULE

The following is a schedule of fines that may be levied when a property owner or a prime contractor or subcontractor violates the covenants or ARB Rules. When applicable such fines will be deducted from the owner escrow deposit or prime contractor compliance deposit as appropriate. A stop order or other actions may also be taken for serious and/or repetitive violations.

1. Nonconforming Job Sign (after one warning).....\$100.00 per day
2. Severe Damage (health/viability of tree is severely threatened) to a Protected Tree (8" or greater DBH, see Section 3.2.3.2.1); expense of assessment of damage and replacement of tree as necessary will also be assessed and deducted ..... \$500.00 per tree
3. Unauthorized Tree Removal during Site Clearing or construction (fee and replacement):
  - a. Unprotected tree (4" DBH or greater, see Section 4.2.1.6, but less than 8" DBH, see Section 3.2.3.2.1) or Protected Tree (8" DBH or greater, but less than 16" DBH, see Section 3.2.3.2.1) ..... \$300.00 per tree
  - b. Significant Tree (16" DBH or greater, see Section 3.2.3.2.1)..... \$1,000.00 per tree
  - c. Landmark Tree (24" DBH or greater, see Section 3.2.3.2.1)..... \$1,500.00 per tree
4. Damage to Community Property Natural Areas (if not repaired) ..... up to \$500.00 per occurrence
5. Vehicles Parked on Adjacent Property (after one prior warning) .....\$100.00 per day

6. Unauthorized Burning on Lot..... \$1,000.00 per occurrence
7. Unauthorized Site Plan/Building Change of up to a total of 500 sq. ft. to be determined by the ARB ..... up to a maximum of \$500.00
8. Unauthorized Site Plan/Building Change exceeding a total of 500 sq. ft. to be determined by the ARB ..... up to a maximum of \$2,500.00  
(siting of house, total height, roof and wall changes or other major changes)
9. Building without proper permitting ..... up to \$2,500.00
10. Poorly Maintained Improved Property
  - a. Exterior of Building (first 90 days) ..... \$500.00
  - b. Lawn, landscaping & natural areas (first 90 days)..... \$500.00
11. Damage to roadways not repaired within 10 Days after warning .....up to \$500.00 per day
12. Other miscellaneous construction violations after prior warning: (Improper location of temporary sanitary facilities, littered construction site, Dumpster or Materials on Right of Way, Materials on adjacent Property, Overflowing Dumpster, Failure to use gravel at curb cut, Contractor and subcontractor misconduct) ..... up to \$100.00 per day or occurrence
13. Other miscellaneous parking violations after prior warning (Improper storage and parking. Including but not limited to: boat, trailer, vehicle, recreational vehicle) ..... up to \$100.00 per day or occurrence.
14. Other violations of Requirements and Procedures after warning: .....\$100.00 a week

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.

The ARB, in its sole discretion, has the authority to assess a fine or in recognition of any mitigating circumstances to adjust the amount of or to waive fine.

After the ARB has assessed a fine, the matter shall be referred to the DeBordieu Colony General Manager for collection.

## **6.17 APPEALS RELATED TO ENFORCEMENT FEES**

A dispute concerning the imposition of an enforcement fee (violation fine) must be submitted for resolution through the Appeals Process as provided in Section 3.4 of this Manual.

## 7.0 FORMS, DIAGRAMS AND MISCELLANEOUS DOCUMENTS

**Introduction:** The following forms, diagrams and documents may be printed or published in a different format so long as the content is the same and the words and terminology conform to that provided below.

## 7.1 LETTER OF ACKNOWLEDGEMENT (EXHIBIT A)

**DeBordieu Community Association  
Architectural Review Board  
181 Luvan Boulevard  
Georgetown, SC 29440**

### LETTER OF ACKNOWLEDGEMENT

The undersigned Owner(s) acknowledges receipt of and agrees to comply with the following:

1. Covenants and Restrictions for DeBordieu Colony
2. By-Laws of DeBordieu Colony
3. Architectural Review Board Guidelines, Review Procedures, Rules and Regulations

The undersigned Owner(s) understands and agrees to the following:

1. I cannot make any exterior alteration or change of an approved plan to my home such as trim, siding, shingles, stain, fences, driveway and/or walk location, shutters, doors, windows, garage, trellis, outdoor lighting, etc. and/or changes to an approved landscape plan without prior submission of a written request for the change(s) to the Architectural Review Board, and its written approval received.
2. I will abide by the fee schedule for ARB submittals and the schedule of fines as stipulated in the Manual.

**AGREED:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

\_\_\_\_\_  
*(Property Owners' Signatures)*

**Lot/Unit No** \_\_\_\_\_ **Street** \_\_\_\_\_ **Section** \_\_\_\_\_

## 7.2 OWNER COMPLIANCE DEPOSIT AGREEMENT

**DeBordieu Community Association  
Architectural Review Board  
181 Luvan Boulevard  
Georgetown, SC 29440**

### 7.2.1 New Construction (Exhibit B-1)

#### COMPLIANCE DEPOSIT RECEIPT AND AGREEMENT FOR NEW CONSTRUCTION

The undersigned property owner(s) have deposited the sum of Six Thousand Dollars (\$6,000.00) with the DeBordieu Colony Architectural Review Board and guarantee and assure that the house will be constructed and finished in accordance with the plans given Final Review Approval by the Architectural Review Board. This deposit is also the property owner's guarantee of compliance with all rules and regulations including specifically without limitation drainage, construction, tree removal, placement of portable toilets, refuse containers, and maintaining a trash and litter free construction site. Failure to comply may result in fines levied against the deposit, or possibly, forfeiture of the entire deposit.

It is further agreed that this Deposit will be held in a non-interest bearing account and will be refunded, without interest and less any enforcement fees (fines) imposed, to the undersigned after all conditions and approvals are fulfilled, to include completion of all work within 90 days of receipt of Certificate of Occupancy from Georgetown County or within eighteen (18) months of construction, whichever occurs first.

#### **ADDITIONAL TERMS AND CONDITIONS:**

1. Upon written request, and for compelling reasons only, the Architectural Review Board may grant an extension of the time for completion.
2. Landscaping without an approved plan, including the addition of excessive fill, may result in forfeiture of a part, or all, of the deposit.
3. Construction not in accordance with approved plans (construction and finishes) may result in forfeiture of the entire deposit.

**AGREED:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

\_\_\_\_\_  
*(Property Owners' Signatures)*

#### **\*\*PLEASE TYPE OR CLEARLY PRINT THE FOLLOWING INFORMATION:**

**PROPERTY OWNER'S NAME(S):** \_\_\_\_\_ **MAILING ADDRESS:** \_\_\_\_\_  
\_\_\_\_\_  
**CITY/ST/ZIP:** \_\_\_\_\_  
\_\_\_\_\_  
**TELEPHONE:** \_\_\_\_\_

**Lot/Unit No** \_\_\_\_\_ **Street** \_\_\_\_\_ **Section** \_\_\_\_\_

**7.2.2 Addition and Renovations of 500 Total Square Feet or Larger (Exhibit B-2)**

**DeBordieu Community Association  
Architectural Review Board  
181 Luvan Boulevard  
Georgetown, SC 29440**

**OWNER COMPLIANCE DEPOSIT AGREEMENT FOR ADDITION OF 500 TOTAL SQUARE FEET OR LARGER**

The undersigned property owner(s) have deposited the sum of Two Thousand Dollars (\$2,000.00) with the DeBordieu Colony Architectural Review Board and guarantee and assure that the house will be constructed and finished in accordance with the plans given Final Review Approval by the Architectural Review Board. This deposit is also the property owner's guarantee of compliance with all rules and regulations including specifically without limitation drainage, construction, tree removal, placement of portable toilets, refuse containers, and maintaining a trash and litter free construction site. Failure to comply may result in fines levied against the deposit, or possibly, forfeiture of the entire deposit.

It is further agreed that this Deposit will be held in a non-interest bearing account and will be refunded, without interest and less any enforcement fees (fines) imposed, to the undersigned after all conditions and approvals are fulfilled, to include completion of all work within six (6) months of construction.

***ADDITIONAL TERMS AND CONDITIONS:***

1. Upon written request, and for compelling reasons only, the Architectural Review Board may grant an extension of the time for completion.
2. Landscaping without an approved plan, including the addition of excessive fill, may result in forfeiture of a part, or all, of the deposit.
3. Construction not in accordance with approved plans (construction and finishes) may result in forfeiture of the entire deposit.

**ACCEPTED BY:** \_\_\_\_\_ **Date:** \_\_\_\_\_

\_\_\_\_\_  
***(Property Owner's Signatures)***

**\*\*PLEASE TYPE OR CLEARLY PRINT THE FOLLOWING INFORMATION:**

**PROPERTY OWNER'S NAME(S):** \_\_\_\_\_ **MAILING ADDRESS:** \_\_\_\_\_

\_\_\_\_\_  
**CITY/ST/ZIP:** \_\_\_\_\_

\_\_\_\_\_  
**TELEPHONE:** \_\_\_\_\_

**Lot/Unit No** \_\_\_\_\_ **Street** \_\_\_\_\_ **Section** \_\_\_\_\_

**7.2.3 Landscape Renovation Involving Vertical Construction (Fence, Columns or Similar Improvements) (Exhibit B-3)**

**DeBordieu Community Association  
Architectural Review Board  
181 Luvan Boulevard  
Georgetown, SC 29440**

**OWNER COMPLIANCE DEPOSIT AGREEMENT FOR LANDSCAPE RENOVATION INVOLVING CONSTRUCTION OF FENCE OR SIMILAR IMPROVEMENTS**

The undersigned property owner(s) have deposited the sum of One Thousand Dollars (\$1,000.00) with the DeBordieu Colony Architectural Review Board and guarantee and assure that the fence/improvements will be constructed and finished in accordance with the plans given Final Review Approval by the Architectural Review Board. This deposit is also the property owner's guarantee of compliance with all rules and regulations including specifically without limitation drainage, construction, tree removal, placement of portable toilets, refuse containers, and maintaining a trash and litter free construction site. Failure to comply may result in fines levied against the deposit, or possibly, forfeiture of the entire deposit.

It is further agreed that this Deposit will be held in a non-interest bearing account and will be refunded, without interest and less any enforcement fees (fines) imposed, to the undersigned after all conditions and approvals are fulfilled, to include completion of all work within six (6) months of construction.

***ADDITIONAL TERMS AND CONDITIONS:***

1. Upon written request, and for compelling reasons only, the Architectural Review Board may grant an extension of the time for completion.
2. Landscaping without an approved plan, including the addition of excessive fill, may result in forfeiture of a part, or all, of the deposit.
3. Construction not in accordance with approved plans (construction and finishes) may result in forfeiture of the entire deposit.

**ACCEPTED BY:** \_\_\_\_\_ **Date:** \_\_\_\_\_

\_\_\_\_\_  
*(Property Owner's Signatures)*

**\*\*PLEASE TYPE OR CLEARLY PRINT THE FOLLOWING INFORMATION:**

**PROPERTY OWNER'S NAME(S):** \_\_\_\_\_ **MAILING ADDRESS:** \_\_\_\_\_

\_\_\_\_\_  
**CITY/ST/ZIP:** \_\_\_\_\_

\_\_\_\_\_  
**TELEPHONE:** \_\_\_\_\_

**Lot/Unit No** \_\_\_\_\_ **Street** \_\_\_\_\_ **Section** \_\_\_\_\_

**7.2.4 Contractor Compliance Deposit (Exhibit B-4)**

**DeBordieu Community Association  
Architectural Review Board  
181 Luvan Boulevard  
Georgetown, SC 29440**

As required by Section 3.9.2, the undersigned prime contractor has deposited the sum of \_\_\_\_\_ Thousand Dollars (\$\_\_\_\_\_.00) with the DeBordieu Colony Architectural Review Board to guarantee and assure that all rules and regulations will be followed (initial the appropriate provision below):

1. \_\_\_\_for one home the Contractor Compliance Deposit is Six Thousand Dollars (\$6,000.00).
2. \_\_\_\_Any additional new home more than three (3) under construction at the same time qualifies for the Multi-Project Deposit Schedule and no additional deposit is required so long as a balance of Ten Thousand Dollars remains on deposit (\$10,000.00).

**See** Section 3.9.2 for further applicable provisions.

**ACCEPTED BY:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
*(Individual General Contractor) -OR-*

\_\_\_\_\_  
**PLEASE PRINT: (Name of corporation/other business entity as Prime Contractor)**

**\*\*PLEASE TYPE OR CLEARLY PRINT THE FOLLOWING INFORMATION:**

**PROPERTY OWNER'S NAME(S):**                    **MAILING ADDRESS:** \_\_\_\_\_

\_\_\_\_\_  
**CITY/ST/ZIP:** \_\_\_\_\_

\_\_\_\_\_  
**TELEPHONE:** \_\_\_\_\_

**Lot/Unit No** \_\_\_\_\_ **Street** \_\_\_\_\_ **Section** \_\_\_\_\_

## 7.3 APPLICATION FOR DESIGN REVIEW (EXHIBIT C)

### APPLICATION FOR DESIGN REVIEW

Plans are not accepted for review without a completed application and required fees paid.  
NOTE: See Section 3.10 for DESIGN REVIEW FEE SCHEDULE

#### 7.3.1 APPLICATION FOR DESIGN CONCEPTUAL REVIEW (EXHIBIT C - CONCEPTUAL) (see Section 3.2.1)

DeBordieu Community Association  
Architectural Review Board  
181 Luvan Boulevard  
Georgetown, SC 29440

\$\_\_\_\_\_ Fee Due      \$\_\_\_\_\_ Fee Paid

#### To be entered by ARB Administrator:

1. Date Submitted: \_\_\_\_\_, 20\_\_
2. Property Owner (is)(is not) current on all Assessments

**Property Owner Name:** \_\_\_\_\_

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Telephone Number(s) w/Area Code

\_\_\_\_\_  
City / State / Zip

\_\_\_\_\_  
Fax Number w/Area Code

**Signature(s) & Date:** \_\_\_\_\_

**Architect Name:** \_\_\_\_\_

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Telephone Number(s) w/Area Code

\_\_\_\_\_  
City / State / Zip

\_\_\_\_\_  
Fax Number w/Area Code

**Signature(s) & Date:** \_\_\_\_\_

**Contractor Name:** \_\_\_\_\_

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Telephone Number(s) w/Area Code

\_\_\_\_\_  
City / State / Zip

\_\_\_\_\_  
Fax Number w/Area Code

**Signature(s) & Date:** \_\_\_\_\_

(Continued on Back)

**Brief Description of Construction:** \_\_\_\_\_

\_\_\_\_New

\_\_\_\_Addition or Renovation

**Required Documents (see Section 3.2.1.1) (also see Section 3.1)**

1. \_\_\_\_A Tree and Topographic Survey prepared as required for Final Review and containing all information required for Final Review.
2. \_\_\_\_Copies of the applicable Indenture Deed, recorded plat, and deeded restrictions.
3. \_\_\_\_A rendering or sketch of the proposed structure and any photographs that might be helpful in describing the concept.
4. \_\_\_\_A site analysis describing the design principles and explaining how the house will fit contextually onto the site.

**Additional Documents (see Section 3.2.1.2)**

The ARB can require additional documents as it deems necessary to evaluate the submittal.

**REMARKS:**

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**If applicable, list any requested variances from the ARB Regulations and/or Guidelines and state your justifications:**

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**Lot/Unit No** \_\_\_\_\_ **Street** \_\_\_\_\_ **Section** \_\_\_\_\_

**7.3.2 APPLICATION FOR DESIGN PRELIMINARY REVIEW (EXHIBIT C - PRELIMINARY)**  
**(see Section 3.2.2)**

**DeBordieu Community Association**  
**Architectural Review Board**  
**181 Luvan Boulevard**  
**Georgetown, SC 29440**

**(see Section 3.10.1)**

\$\_\_\_\_\_ Fee Due      \$\_\_\_\_\_ Fee Paid

**To be entered by ARB Administrator:**

1. Date Submitted: \_\_\_\_\_, 20\_\_
2. Property Owner (is)(is not) current on all Assessments

**Property Owner Name:** \_\_\_\_\_

\_\_\_\_\_  
**Street Address**

\_\_\_\_\_  
**Telephone Number(s) w/Area Code**

\_\_\_\_\_  
**City / State / Zip**

\_\_\_\_\_  
**Fax Number w/Area Code**

**Signature(s) & Date:** \_\_\_\_\_

**Architect Name:** \_\_\_\_\_

\_\_\_\_\_  
**Street Address**

\_\_\_\_\_  
**Telephone Number(s) w/Area Code**

\_\_\_\_\_  
**City / State / Zip**

\_\_\_\_\_  
**Fax Number w/Area Code**

**Signature(s) & Date:** \_\_\_\_\_

**Contractor Name:** \_\_\_\_\_

\_\_\_\_\_  
**Street Address**

\_\_\_\_\_  
**Telephone Number(s) w/Area Code**

\_\_\_\_\_  
**City / State / Zip**

\_\_\_\_\_  
**Fax Number w/Area Code**

**Signature(s) & Date:** \_\_\_\_\_

**Brief Description of Construction:** \_\_\_\_\_

\_\_\_\_New      \_\_\_\_Addition or Renovation

**(Continued on Back)**

**Required Documents (see Section 3.2.2.2) (also see Section 3.1)**

1. \_\_\_ A completed, signed and dated Application for Design Review accompanied by the appropriate design review fee. By signing the Application for Design Review, the Architect certifies and the Owner acknowledges that the proposal is in compliance with the ARB Rules and with all applicable statutes, covenants and restrictions. A copy of the applicable Indenture Deed, deed restrictions and recorded plat shall be furnished with the Application for Design Review.
  - a. The Owner, Architect and Surveyor or Engineer are urged to review the title insurance policy/commitment and/or attorney’s opinion of title to assure that all applicable restrictions and conditions provided by deeds and plats have been considered in the design process and are shown on each site plan submitted for Review.
2. \_\_\_ A Tree and Topographic Survey prepared as required for Final Review and containing all information required for Final Review.
3. \_\_\_ A Site Plan prepared as required for Final Review and containing all information required for Final Review.
4. \_\_\_ Copies of the applicable Indenture Deed, recorded plat and deed restrictions.
5. \_\_\_ Floor Plan(s) at Scale: 1/4" = 1'-0" showing overall house dimensions, room sizes, windows and doors. All rooms shall be labeled as to function.
6. \_\_\_ The exterior elevation drawings at Scale: 1/4" = 1'-0" with all exterior materials clearly indicated.
7. \_\_\_ Wall Sections and Details as necessary to interpret the plans, elevations, and features raising concern.

**Note:** Complete detailing, dimensions, structural plans, or an electrical plan are not required.

**Additional Documents (see Section 3.2.2.3)**

The ARB can require additional documents as it deems necessary to evaluate the submittal.

**REMARKS:**

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**If applicable, list any requested variances from the ARB Regulations and/or Guidelines and state your justifications:**

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**Lot/Unit No** \_\_\_\_\_ **Street** \_\_\_\_\_ **Section** \_\_\_\_\_

**7.3.3 APPLICATION FOR DESIGN FINAL REVIEW (EXHIBIT C - FINAL)**  
**(see Section 3.2.3)**

**DeBordieu Community Association**  
**Architectural Review Board**  
**181 Luvan Boulevard**  
**Georgetown, SC 29440**

**(see Section 3.10.1)**

\$ \_\_\_\_\_ Review Fee Due (unless previously paid)

\$ \_\_\_\_\_ Fee Paid

**(see Section 3.10.2)**

\$ \_\_\_\_\_ Infrastructure/Service Fees Due

\$ \_\_\_\_\_ Fee Paid

**To be entered by ARB Administrator:**

1. Date Submitted: \_\_\_\_\_, 20\_\_
2. Property Owner (is)(is not) current on all Assessments

**Property Owner Name:** \_\_\_\_\_

\_\_\_\_\_  
**Street Address**

\_\_\_\_\_  
**Telephone Number(s) w/Area Code**

\_\_\_\_\_  
**City / State / Zip**

\_\_\_\_\_  
**Fax Number w/Area Code**

**Signature(s) & Date:** \_\_\_\_\_

**Architect Name:** \_\_\_\_\_

\_\_\_\_\_  
**Street Address**

\_\_\_\_\_  
**Telephone Number(s) w/Area Code**

\_\_\_\_\_  
**City / State / Zip**

\_\_\_\_\_  
**Fax Number w/Area Code**

**Signature(s) & Date:** \_\_\_\_\_

**Contractor Name:** \_\_\_\_\_

\_\_\_\_\_  
**Street Address**

\_\_\_\_\_  
**Telephone Number(s) w/Area Code**

\_\_\_\_\_  
**City / State / Zip**

\_\_\_\_\_  
**Fax Number w/Area Code**

**Signature(s) & Date:** \_\_\_\_\_

**(Continued on Back)**

**Brief Description of Construction:** \_\_\_\_\_

\_\_\_\_New      \_\_\_\_Addition or Renovation

Heated Square Footage: \_\_\_\_\_ Total Square Footage: \_\_\_\_\_

**Required Documents (see Section 3.1)**

See Section 3.2.3.1

See 3.2.3.2 Site Plans

See 3.2.3.2.1 Separate Tree and Topographic Survey

See 3.2.3.2.2 Separate Site Plan

See 3.2.3.2.3 OCRM Jurisdiction Requirements

See 3.2.3.3 Drainage Plan

See 3.2.3.4 Floor Plans

See 3.2.3.5 Roof Plan

See 3.2.3.6 Elevation Drawings

See 3.2.3.7 Wall Sections

See 3.2.3.8 Details

See 3.2.3.9 Electrical Plan (minimum shown on elevation)

See 3.2.3.10 Landscape Plan

See 3.2.3.10.1 Hardscape

See 3.2.3.10.2 Softscape

See 3.2.3.11 Color and Material Samples

**Required Documents for Specified Construction Types**

See 3.2.3.12 Additions, Alterations (Renovations)

See 3.2.3.13 Swimming Pool Submittal Requirements

See 3.2.3.13.1 Decorative Pools

See 3.2.3.14 Bulkheads, Seawalls and Docks

**Lot/Unit No** \_\_\_\_\_ **Street** \_\_\_\_\_ **Section** \_\_\_\_\_

**7.3.4 APPLICATION FOR DESIGN FINAL REVIEW: ALTERATIONS – EXTERIOR CHANGES  
(EXHIBIT C – FINAL: ALTERATIONS – EXTERIOR CHANGES)  
(see Section 3.2.3.12)**

**DeBordieu Community Association  
Architectural Review Board  
181 Luvan Boulevard  
Georgetown, SC 29440**

**(see Section 3.10.1(2))**

\$\_\_\_\_\_ Review Fee Due

\$\_\_\_\_\_ Fee Paid

**(see Section 3.10.2(2))**

\$\_\_\_\_\_ Infrastructure/Service Fees Due

\$\_\_\_\_\_ Fee Paid

**To be entered by ARB Administrator:**

1. Date Submitted: \_\_\_\_\_, 20\_\_
2. Property Owner (is)(is not) current on all Assessments

**Property Owner Name:** \_\_\_\_\_

\_\_\_\_\_  
**Street Address**

\_\_\_\_\_  
**Telephone Number(s) w/Area Code**

\_\_\_\_\_  
**City / State / Zip**

\_\_\_\_\_  
**Fax Number w/Area Code**

**Signature(s) & Date:** \_\_\_\_\_

**Architect Name:** \_\_\_\_\_

\_\_\_\_\_  
**Street Address**

\_\_\_\_\_  
**Telephone Number(s) w/Area Code**

\_\_\_\_\_  
**City / State / Zip**

\_\_\_\_\_  
**Fax Number w/Area Code**

**Signature(s) & Date:** \_\_\_\_\_

**Contractor Name:** \_\_\_\_\_

\_\_\_\_\_  
**Street Address**

\_\_\_\_\_  
**Telephone Number(s) w/Area Code**

\_\_\_\_\_  
**City / State / Zip**

\_\_\_\_\_  
**Fax Number w/Area Code**

**Signature(s) & Date:** \_\_\_\_\_

**(Continued on Back)**

**Brief Description of Construction:** \_\_\_\_\_

\_\_\_\_New                      \_\_\_\_Addition or Renovation

Heated Square Footage: \_\_\_\_\_ Total Square Footage: \_\_\_\_\_

**Required Documents (See Section 3.2.3.12 (Requirements 2 through 10))**

1. \_\_\_\_A completed, signed and dated Application for Design Review accompanied by the appropriate design review fees. By signing the Application for Design Review, the Architect certifies and the Owner acknowledges that the proposal is in compliance with the ARB Rules and with all applicable statutes, covenants and restrictions. A copy of the applicable Indenture Deed, deed restrictions and recorded plat shall be furnished with the Application for Design Review.
  - a. The Owner, Architect and Surveyor or Engineer are urged to review the title insurance policy/commitment and/or attorney’s opinion of title to assure that all applicable restrictions and conditions provided by deeds and plats have been considered in the design process and are shown on each site plan submitted for Review.
2. \_\_\_\_A current 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.
3. \_\_\_\_Photographs of the existing structure showing the areas of the new work.
4. \_\_\_\_Indicate direction(s) of the photograph(s) on the Site Plan.
5. \_\_\_\_Floor Plan(s) and elevation at scale 1/4" = 1'-0".
6. \_\_\_\_Details necessary to define the extent and intent of the proposed work.
7. \_\_\_\_All new work shall be clearly delineated.
8. \_\_\_\_Indicate any dismantlement (demolition) work required.
  - For any project that requires a Georgetown County Building Permit, a copy of that Permit and all changes to the plans must be filed with the ARB prior to the issuance of the DeBordieu Colony Building Permit.
  - When additions 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.

**See the following Sections (if applicable) for Required Documents**

See 3.2.3.12 Additions, Alterations (Renovations)

See 3.2.3.2.3 OCRM Jurisdiction Requirements

See 3.2.3.3 Drainage Plan

See 3.2.3.10 Landscape Plan

See 3.2.3.10.1 Hardscape

See 3.2.3.10.2 Softscape

**Required Documents for Specified Construction Types**

See 3.2.3.11 Color and Material Samples

See 3.2.3.13 Swimming Pool Submittal Requirements

See 3.2.3.13.1 Decorative Pools

See 3.2.3.14 Bulkheads, Seawalls and Docks

**Lot/Unit No** \_\_\_\_ **Street** \_\_\_\_\_ **Section** \_\_\_\_\_

## 7.4 DEBORDIEU COLONY COMMUNITY ASSOCIATION PERMITS

### 7.4.1 BUILDING PERMIT

Date Issued: \_\_\_\_\_

Permit #: \_\_\_\_\_ Expiration: \_\_\_\_\_

Property Owner(s): \_\_\_\_\_

Property: Lot #: \_\_\_\_\_ House #: \_\_\_\_\_

Street: \_\_\_\_\_

Section: \_\_\_\_\_

Nature of Work: \_\_\_\_\_

Date of ARB Approval Letter: \_\_\_\_\_

Contractor: \_\_\_\_\_

Address: \_\_\_\_\_

Business Phone #: \_\_\_\_\_ Cell Phone #: \_\_\_\_\_

Issued To: \_\_\_\_\_

Issued By: \_\_\_\_\_

*(Signature/ARB Administrator)*

### NOTICE

**This Permit shall be construed to be a license to proceed with the work as authorized by the ARB Approval Letter and shall not be construed as authority to violate, alter or set aside any provision or provisions of the ARB Architectural Guidelines, Review Procedures, Rules and Regulations ("ARB Manual"), nor shall the issuance of this Permit prevent the ARB or the ARB Administrator from hereafter requiring a correction of error in plans of in construction or violations of the ARB Manual.**

**I/We hereby certify that I/we have read and examined the ARB Approval Letter above referenced and know it to be correct. All provisions of the ARB Manual and the Laws and Ordinances governing this work will be complied with.**

\_\_\_\_\_  
Property Owner(s) Date

\_\_\_\_\_  
Contractor License No. Date

**7.4.2 WORK PERMIT**

Property Owner(s): \_\_\_\_\_  
\_\_\_\_\_

Property: Lot #: \_\_\_\_\_ House #: \_\_\_\_\_

Street: \_\_\_\_\_

Section: \_\_\_\_\_

Nature of Work: \_\_\_\_\_

Date of ARB Approval Letter: \_\_\_\_\_

Contractor: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Business Phone#: \_\_\_\_\_ Cell Phone #: \_\_\_\_\_

Issued To: \_\_\_\_\_

Issued By: \_\_\_\_\_  
*(Signature/ARB Administrator)*

**NOTICE**

**This Permit shall be construed to be a license to proceed with the work as authorized by the ARB Approval Letter and shall not be construed as authority to violate, alter or set aside any provision or provisions of the ARB Architectural Guidelines, Review Procedures, Rules and Regulations ("ARB Manual"), nor shall the issuance of this Permit prevent the ARB or the ARB Administrator from hereafter requiring a correction of error in plans of in construction or violations of the ARB Manual.**

**I/We hereby certify that I/we have read and examined the ARB Approval Letter above referenced and know it to be correct. All provisions of the ARB Manual and the Laws and Ordinances governing this work will be complied with.**

\_\_\_\_\_  
Property Owner(s) Date

\_\_\_\_\_  
Contractor License No. Date

**7.4.3 UNDERBRUSHING/LOT CLEARING PERMIT**

Under Brushing: \_\_\_\_\_ Lot Clearing: \_\_\_\_\_

Property Owner(s): \_\_\_\_\_  
\_\_\_\_\_

Property: Lot #: \_\_\_\_\_ House #: \_\_\_\_\_

Street: \_\_\_\_\_

Section: \_\_\_\_\_

Contractor: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Business Phone#: \_\_\_\_\_ Cell Phone #: \_\_\_\_\_

Issued To: \_\_\_\_\_

Issued By: \_\_\_\_\_

*(Signature/ARB Administrator)*

**NOTICE**

**This Permit shall be construed to be a license to proceed with the work as authorized by the ARB Approval Letter and shall not be construed as authority to violate, alter or set aside any provision or provisions of the ARB Architectural Guidelines, Review Procedures, Rules and Regulations ("ARB Manual"), nor shall the issuance of this Permit prevent the ARB or the ARB Administrator from hereafter requiring a correction of error in plans of in construction or violations of the ARB Manual.**

**I/We hereby certify that I/we have read and examined the ARB Approval Letter above referenced and know it to be correct. All provisions of the ARB Manual and the Laws and Ordinances governing this work will be complied with.**

\_\_\_\_\_  
Property Owner(s) Date

\_\_\_\_\_  
Contractor License No. Date

**7.4.4 STOP WORK ORDER**

Property Owner(s): \_\_\_\_\_  
\_\_\_\_\_

Contractor: \_\_\_\_\_

Property: Lot #: \_\_\_\_\_ House #: \_\_\_\_\_

Street: \_\_\_\_\_

Section: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Business Phone#: \_\_\_\_\_ Cell Phone #: \_\_\_\_\_

Date: \_\_\_\_\_

Reason: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**NO FURTHER WORK OF ANY KIND MAY CONTINUE ON THIS PROJECT UNTIL THIS ORDER IS RESCINDED OR PERMISSION IS GRANTED BY THE ARB, THE ARB ADMINISTRATOR OR THE DCCA GENERAL MANAGER.**

ARB office: 843-527-5033  
ARB fax: 843-546-8704  
General Manager: 843-527-4436

Issued By: \_\_\_\_\_  
**(Signature/ARB Administrator)**

**7.4.5 TREE REMOVAL PERMIT**

Request Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Phone#: \_\_\_\_\_ Cell Phone #: \_\_\_\_\_

Property: Lot #: \_\_\_\_\_ House #: \_\_\_\_\_

Street: \_\_\_\_\_

Section: \_\_\_\_\_

Property Owner(s): \_\_\_\_\_

Section 4.2.1.3 basis for the requested removal: \_\_\_\_\_

Date of ARB Approval Letter for \_\_\_ Removal and/or

\_\_\_ Mitigation: \_\_\_\_\_

Contractor: \_\_\_\_\_

Address: \_\_\_\_\_

Business Phone#: \_\_\_\_\_ Cell Phone #: \_\_\_\_\_

Issued To: \_\_\_\_\_

Issued By: \_\_\_\_\_

*(Signature/ARB Administrator)*

**NOTICE**

**This Permit shall be construed to be a license to proceed with the work as authorized by the ARB Approval Letter and shall not be construed as authority to violate, alter or set aside any provision or provisions of the ARB Architectural Guidelines, Review Procedures, Rules and Regulations ("ARB Manual"), nor shall the issuance of this Permit prevent the ARB or the ARB Administrator from hereafter requiring a correction of error in plans of in construction or violations of the ARB Manual.**

**I/We hereby certify that I/we have read and examined the ARB Approval Letter above referenced and know it to be correct. All provisions of the ARB Manual and the Laws and Ordinances governing this work will be complied with.**

\_\_\_\_\_  
Property Owner(s) Date

\_\_\_\_\_  
Contractor License No. Date

**7.5 REQUEST FOR VARIANCE**  
**(see Section 3.3)**

**The undersigned Applicant requests a variance** from the requirements of the Guidelines Section(s): \_\_\_\_\_; and/or the requirements of the DCCA Covenants and Restrictions or By-Laws Article \_\_\_\_\_, Section \_\_\_\_\_; and/or the following described requirement(s) of recorded restrictive covenants or plat(s): \_\_\_\_\_. Other (describe):\_\_\_\_\_.

**Description of Property:**

Owner(s): \_\_\_\_\_  
Tax Map No.: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
Lot: \_\_\_\_\_

**Requirements:**

By the attached narrative the Applicant responds to each of the following requirements and states the reasons for this request:

- 1. a unique hardship described by the applicant exists preventing the design or construction of a residence and/or other improvement(s) on the subject property;
- 2. extraordinary and exceptional conditions described by the applicant exist preventing the design or construction of a residence and/or other improvement(s) on the subject property;
- 3. such hardship and conditions are peculiar to the particular piece of property; and
- 4. the requested relief, if granted
  - a. would not cause substantial detriment to the DeBordieu Colony community nor to owners of adjoining property
  - b. would not impair the intent of the ARB Rules, and
  - c. shall not constitute a precedent.

**Notices:**

The ARB Administrator shall notify in writing all owners of property adjoining the subject property owned by the applicant and all owners of property located within 200 feet of a boundary line of the subject property owned by the applicant. The notice shall briefly describe the variance requested and shall give each owner 10 business days notice to respond as being in favor of or opposed to the variance requested. The Applicant has furnished by separate page attached to this request. The ARB Administrator will verify the accuracy and completeness of the names and mailing addresses of all such owners.

**The Applicant affirms** that all statements made on this Application and all attachments are true and correct to the best of the Applicant’s knowledge and belief.

\_\_\_\_\_  
**Signature**

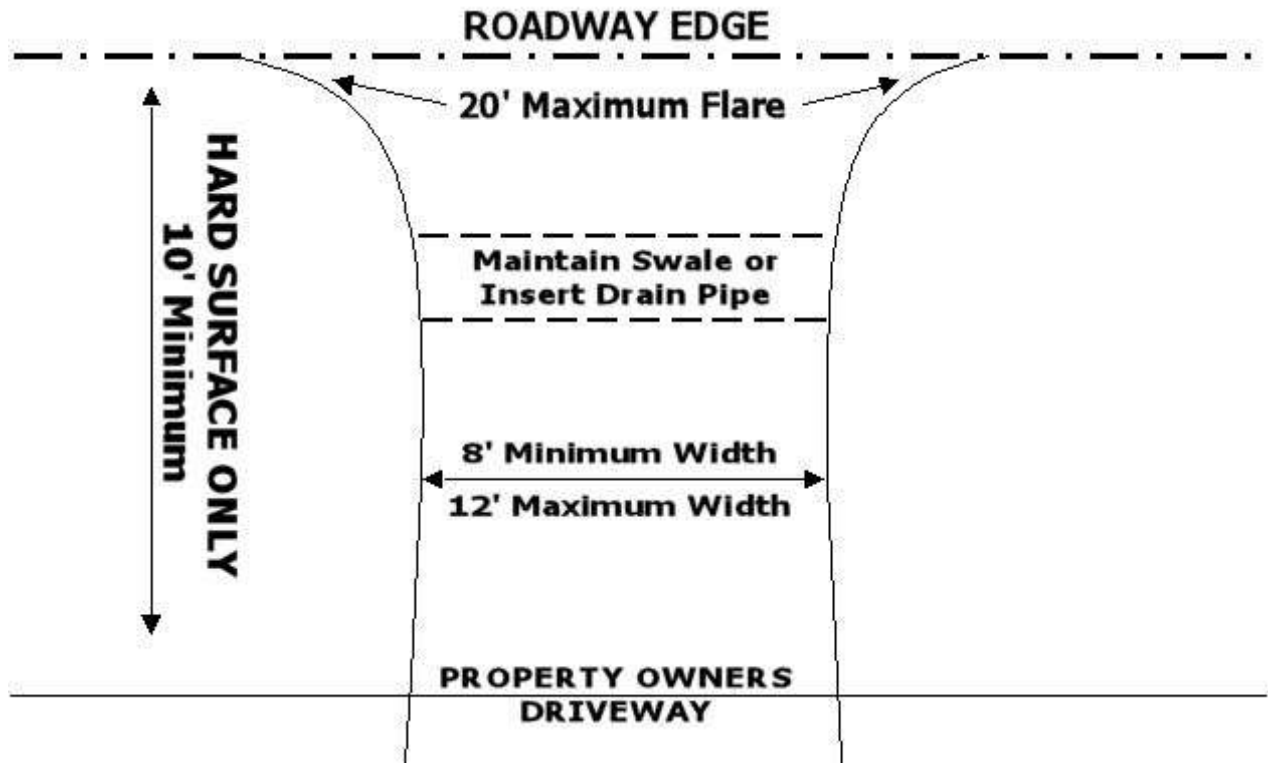
\_\_\_\_\_  
**Date**

**MAILING ADDRESS:** \_\_\_\_\_

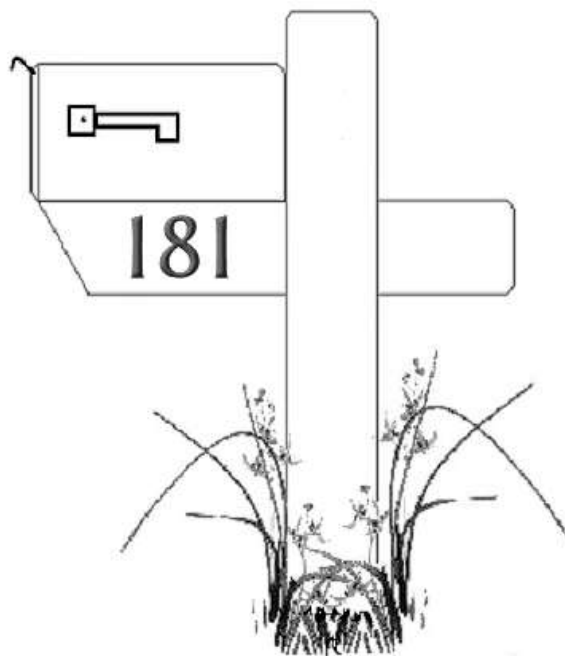
**TELEPHONE:** \_\_\_\_\_

**CITY/ST/ZIP:** \_\_\_\_\_

**7.6 DRIVEWAY CONSTRUCTION DIAGRAM**  
(see Section 4.2.5)



**7.7 STANDARD APPROVED MAILBOX DESIGN/DIAGRAM**



## 7.8 ARB LANDSCAPE CHECKLIST

# ARB Landscape Checklist

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

	YES	NO
<b>Foundation Plants On All Sides of House:</b>		
<i>Mulched</i>		
<i>Weeded</i>		
<i>Evergreens</i>		
<i>3 Gallon Minimum</i>		
<b>Side Property Lines Planted:</b>		
<i>Mulched</i>		
<i>Weeded</i>		
<i>Evergreens</i>		
<i>3 Gallon Minimum</i>		
<b>Beds Within Lawn:</b>		
<i>Mulched</i>		
<i>Weeded</i>		
<i>Evergreens</i>		
<i>3 Gallon Minimum</i>		
<b>Parking Area Screened:</b>		
<i>Evergreens</i>		
<i>5 Gallon Minimum</i>		
<b>Entrance to Side Garage Screened:</b>		
<i>Evergreens</i>		
<i>5 Gallon Minimum</i>		
<b>Sod or Seeded Lawn Area:</b>		
<i>Healthy</i>		
<i>Sod to Street</i>		
<b>HVAC Screened on all sides to Ground:</b>		
<i>Hardscape</i>		
<i>Evergreens or Vines</i>		
<b>Meter and Irrigation Equipment Screened:</b>		
<b>Service and Trash Storage Areas Screened:</b>		
<i>Evergreens</i>		
<b>Drainage Swales Maintained:</b>		

## 7.9 SUGGESTED DEER RESISTANT TREES, SHRUBS, GROUND COVERS & VINES

<b>Trees:</b>	<b>Evergreen Shrubs &amp; Small Trees:</b>	<b>Deciduous Shrubs:</b>
Live Oak Tulip Tree Red Oak Cow Oak Swamp Red Maple Cypress Dogwood Crepe Myrtle* Oriental magnolia Crab Apple* Bradford Flowing Pear Cherry Laurel American Holly Red Bud River Birch Sweet Magnolia Gardenia Red Bay Loblolly Pine Japanese Black Pine Long Leaf Pine Bald Cypress Leland Cypress Southern Magnolia	Camellia* Sasanqua Camellia* Reeve's Spirea Wax Myrtle Wax Leaf Ligustrum Gardenia American Olive* Banana Shrub Wild Azalea Elaeagnus Dwarf Palmettos Oak Leaf Hydrangea* Pineapple Guava Nandina Oleander Rosemary Savannah Holly Carissa Holly Dwarf Yaupon Holly Yaupon Holly (Upright & Weeping) Foster Holly Fragrant Tea Olive Spring Bouquet Viburnum Anise Florida Anise Glossy Abelia Cast Iron Plant Spanish Bayonet Dwarf Gardenia Heller Japanese Holly East Palatka Holly Thorny Elaeagnus Dwarfed Horned Holly Pampas Azalea (Formosa & Southern Charm)*	American Beautyberry Butterfly Bush Chaste-Tree Japanese Barberry  <b>Bedding Plants &amp; Perennials:</b> Salvia "Victoria Blue" Dusty Miller Marigold Prostrate Podocarpus Trailing Lantana Plumbago  <b>Ground Covers &amp; Vines:</b> English Ivy Fig Vine Wood Fern Algerian Ivy* Vinca (Big Periwinkle) Periwinkle Aspidistra Daylily* Trumpet Honeysuckle Muscadine Grape Confederate Jasmine* Carolina Jasmine Lady Banksiae Rose Asian Jasmine Liriope Monkey Grass

\*Susceptible to being eaten by deer population – "Deer will eat new growth at times and will eat old growth when extremely hungry. Trees and shrubs should be large enough, or protected while growing larger, so that the deer cannot reach edible parts. Also, the lower bark should be watched for deer rubbing or gnawing which could damage the plant".

## 8.0 FIRE SMART Plant List for SC

While there no “fireproof” plants, some are more fire resistant than others. The following lists, although non-inclusive, include native and ornamental plant material to consider when designing landscape or planting or mulching an area in or near forested areas. The highly flammable list is not recommended for use adjacent to any structure, including homes, decks or fences. If used, consider placing away from the home. Although any plant will burn given sufficient exposure to heat, the less flammable list offers plants that are less likely to ignite from a wildfire and are suggested by the South Carolina Forestry Commission in accordance with the Fire Wise Communities/USA, an organization which DeBordieu Colony became a member in 2012. These organizations offer assistance and standards that must be met annually to retain the Fire Wise Community status.

<b>HIGHLY Flammable:</b>	<b>LESS Flammable: (some fire resistance)</b>		
<p><b>Trees:</b> Bald Cypress Eastern Red Cedar Eucalyptus Leyland Cypress</p> <p><b>Shrubs:</b> Aborvitae Hollies Junipers Oleander Pampas Grass Podocarpus Saw Palmetto Wax Myrtle Yaupon</p> <p><b>Mulch:</b> Pine Straw</p>	<p><b>Trees:</b> Ash Birch Chinese Pistache Crab Apple Dogwood Elm Hophornbeam Japanese Zelkova Maple Oak Plum Redbud Southern Magnolia Sweetbay Magnolia Tulip tree (Yellow Poplar) Willow</p>	<p><b>Groundcover &amp; Vines:</b> Ferns Honeysuckle Lantana Liriope Monkey Grass Pachysandra Periwinkle, Vinca Sedum Stonecrop Yellow Jessamine</p> <p><b>Mulch:</b> Cypress</p>	<p><b>Shrubs:</b> Azalea Barberry* Boxwood* Burning Bush Butterfly Bush Button Bush Camellia* Cleyera Crepe Myrtle Eleagnus Forsythia Gardenia Hydrangea Indian Hawthorne* Ligustrum, Privet*</p> <p>Loropetulum Mahonia* Muhlenbergia Nandina Photinia* Pittosporum Rhododendron Rose Russian Olive Smoke Bush Spirea Viburnum Weigela Witch Hazel Yew Pyranantha, Firethorn*</p>

\*These plants may be more flammable due to their waxy, resinous leaves.

“Fire Smart” plants: (Produced by the SC Forestry Commission through a Grant from the USDA Forest Service.)

- Are usually deciduous with broad, thick leaves
- Are low growing or smaller
- Have a higher moisture content
- Are easy to maintain and prune
- Have an open branch pattern
- Are drought resistant and require less irrigation
- Have less accumulated debris and fewer dead branches
- Have stems and leaves that are not resinous, oily, or waxy