

*Rose Hill Plantation*

*Property Owners Association, Inc.*

ARCHITECTURAL STANDARDS

AND REVIEW PROCEDURES

Effective: January 1, 2007

## Table of Contents

1	Introduction .....	7
2	Philosophy .....	8
3	When Approvals Are Required.....	9
4	Composition of the ARB.....	10
5	Special Conditions .....	11
5.1	Plantation House.....	11
5.2	Polo Estates.....	11
6	Planning Your House .....	12
7	General Criteria.....	13
7.1	Required Flood Plain Elevation.....	13
7.2	Exterior Design .....	13
7.2.1	Site Utilization .....	13
7.2.2	Scale.....	13
7.2.3	Massing .....	14
7.2.4	Fenestration.....	14
7.2.5	Roofscape.....	14
7.2.6	Aesthetics .....	14
7.2.7	Above-Garage Rooms .....	14
7.3	Building Development Standards.....	14
7.3.1	Minimum and Maximum Square Footage (Heated/Air Cond. Space) .....	15
7.3.1.1	Lots of One (1) Acre or More in Size .....	15
7.3.1.2	Lots of Less Than One (1) Acre in Size.....	15
7.3.1.3	Lots in Block "O", Wood Eden.....	15
7.3.1.4	Patio Lots .....	15
7.3.2	Setbacks .....	15
7.3.3	Building Height.....	16
7.3.4	Materials and Colors.....	16
7.3.5	Off-street Parking and Driveway .....	17
7.3.6	Garages .....	17
7.3.7	Outbuildings.....	18
7.3.8	Fences .....	18
7.3.9	Deer Fences .....	18
7.3.9.1	Safety .....	19
7.3.9.2	Fence Height.....	19
7.3.9.3	Support Posts.....	19
7.3.10	Television and Radio Signal Receiving and Sending Devices .....	19
7.3.11	House Numbers and Nameplates .....	19
7.3.12	Exterior Lighting.....	20
7.3.13	Service Areas .....	20
7.3.14	Equipment Enclosures .....	21
7.3.15	Mailboxes.....	21
7.3.16	Modifications to an Existing House .....	21
7.3.17	Landscape Accessory Structures .....	22
7.3.18	Swimming Pools .....	22

7.4	Repetitive Designs .....	22
7.5	Patio Homes .....	22
7.5.1	Patio Walls, Including House Walls .....	23
7.5.2	Roof Gutters and Downspouts.....	23
7.5.3	Roof Overhangs.....	23
7.5.4	Overviews .....	23
7.6	Utilities .....	24
7.6.1	Water .....	24
7.6.2	Sewer.....	24
7.7	Landscaping.....	24
7.7.1	Objectives .....	24
7.7.2	Landscaping Review Process.....	25
7.7.3	Restricted Plant Materials.....	25
7.7.4	Use of Earth Mounds .....	25
7.7.5	Landscape Plans .....	26
8	Architectural Review Process .....	27
8.1	Application Form .....	27
8.2	Meetings .....	27
8.3	Architectural Review Board Response.....	28
8.4	Appeals Process .....	28
8.5	Concept Review.....	28
8.6	Site Preparation .....	29
8.7	Preliminary Application .....	29
8.7.1	Site Plan and Analysis .....	29
8.7.1.1	Tree Survey.....	29
8.7.1.2	Site Plan Scale.....	29
8.7.1.3	Trees.....	29
8.7.1.4	Topography.....	30
8.7.1.5	Boundaries.....	30
8.7.1.6	Elevations.....	30
8.7.1.7	Site Development.....	30
8.7.1.8	Neighboring Houses.....	30
8.7.1.9	Natural and Man-Made Features .....	30
8.7.1.10	Drainage Swales.....	30
8.7.1.11	Drainage Plan.....	30
8.7.2	Floor Plans.....	31
8.7.3	House Elevations.....	31
8.7.4	Landscaping .....	31
8.7.5	Bush-hogging.....	31
8.8	Final Application.....	31
8.8.1	Site Plan .....	31
8.8.2	Landscape Plan .....	32
8.8.3	Floor Plans.....	32
8.8.4	Elevations .....	32
8.8.5	Details.....	32
8.8.6	Submission of Typical Building Materials.....	33

8.9	Fees.....	33
8.10	Inspections.....	<b>Error! Bookmark not defined.</b>
8.10.1	Initial Inspection.....	33
8.10.2	Permitting.....	34
8.10.3	Foundation Survey & Elevation Certificate.....	34
8.10.4	Final Inspection.....	34
8.10.5	Additional Inspections.....	34
8.11	Completion.....	35
8.12	Occupancy.....	35
8.13	Changes.....	35
9	Construction.....	36
9.1	Pre-construction Activities.....	36
9.2	During Construction.....	36
9.2.1	Portable Toilet and Dumpster.....	36
9.2.2	Site Access.....	36
9.2.3	Site Clearing.....	37
9.2.4	Roadways.....	37
9.2.5	Access.....	37
9.2.6	Materials.....	37
9.2.7	Disposal.....	37
9.2.8	Utility Connections.....	38
9.2.9	Drainage and Erosion Control.....	38
9.2.9.1	Water Drainage.....	38
9.2.9.2	Soil Erosion.....	38
9.2.9.3	Run-off.....	38
9.2.9.4	Drainage Control.....	38
9.2.10	Burning.....	39
9.2.11	Tree Removal.....	39
9.2.12	Material Storage.....	39
9.2.13	Signs.....	40
9.2.14	Access and Work Hours.....	40
9.2.15	Radio Playing and Other Nuisances.....	40
9.2.16	Worker's Pets.....	40
9.2.17	Fishing by Workers.....	40
9.2.18	Dumping of Trash.....	40
9.3	Driveway Culvert Procedure.....	40
10	Violations of the Rules and Regulations.....	43
11	APPENDIX A.....	50

**List of Tables**

Table 1 Typical Activities That Require ARB Approval..... 44  
Table 2 Completion Deposits Require for New Construction ..... 46  
Table 3 Completion Deposits Required for Modifications to an Existing House ..... 47  
Table 4 Assessments for Violations of RHP Rules and Regulations..... 47

**List of Forms (pages 53 through 62)**

Application to Construct in Rose Hill Plantation

Request for Site Inspection

Request for Tree Removal

Change Request Form

Drainage Disclaimer Form

# 1 INTRODUCTION

This document describes the Architectural Review Board (ARB) process including when and how it applies to property in Rose Hill Plantation (RHP). It is the responsibility of every property owner to understand and follow this process. If there are any questions, please contact the ARB Administrator.

Most property owners will eventually require ARB approval for something that they wish to do to their property. This may be as simple as removing a tree or changing the color of their house or as complex as building a new house. A familiarization with these tables and Appendix A will avoid misunderstandings and facilitate a satisfactory construction process.

This document is divided into nine sections. These sections and a brief description of their contents are delineated below:

Section 2, Philosophy – Describes the philosophy by which the ARB is governed.

Section 3, When Approvals Are Required – Discusses when you need to get ARB approval.

Section 4, Composition of the ARB – Sets down the general rules for who is on the ARB, what constitutes a quorum, and voting procedures.

Section 5, Special Conditions – There are several areas within Rose Hill Plantation that have special requirements which are over and above the general rules contained elsewhere in this document. These special requirements are discussed in this document.

Section 6, Planning Your House – This section gives general information about planning your house.

Section 7, General Criteria – This is a large section which delineates the specific rules that governs those items which the ARB oversees.

Section 8, Architectural Review Process – Describes the ARB process.

Section 9, Construction – This section pertains to construction activities.

Section 10, Violations of the Rules and Regulations – This section describes the typical violations of the ARB that occur and the fines that may be imposed as a result of those violations.

## 2 PHILOSOPHY

Rose Hill Plantation is fortunate to be located in an area of great natural beauty. The rolling terrain, water features, and beautiful trees combine to create an aura of tranquility unmatched in the Carolina Low Country.

Simply stated, our philosophy is to protect this unique setting; to ensure that all structures built at Rose Hill Plantation add to the beauty and quality of the community rather than detract from it.

With that philosophy in mind, Rose Hill Plantation's ARB will be guided by these general concepts:

- A. Rose Hill Plantation will encourage a variety of compatible architectural styles. Even so, English Tudor, Spanish and Mediterranean styles are viewed as inappropriate for a southern low country setting, as may be some of the more modern designs.
- B. The ARB will continually evaluate the building styles and techniques at Rose Hill Plantation to determine those that have fulfilled development objectives. **A feature, color, or an entire home presently existing will not be construed as a precedent for repetition.**
- C. It is not necessary for every home at Rose Hill Plantation to be unique; however, frequent repetition of designs within a neighborhood will not be acceptable. Although building costs may continue to escalate, it is not in the interest of Rose Hill Plantation to permit lesser quality development in response to cost considerations.
- D. Speculative builders provide an important service within the community by providing homes for people who do not wish to build a custom home. The same standards will be applied in reviewing designs submitted by speculative builders as for all other applicants.



### **3 WHEN APPROVALS ARE REQUIRED**

Part I of the Class "A" Covenants provides for the establishment of an Architectural Review Board, sets forth the ARB's areas of responsibility and authority, and mandates that no trees may be removed, no excavations or filling may be started, and no building, fence, arbor, gazebo or other structure may be constructed or altered on any lot without written approval by the ARB. While the ultimate responsibility rests with Rose Hill Plantation Property Owners' Association (POA), the ARB acts as the POA's agent for all matters covered by Part I of the Covenants that pertain to these standards.

Table 1 (page 44) shows a list of the typical activities that require ARB approval. This table also shows what forms and additional information are required and how long you can expect the process to take. Sample forms are contained in Appendix A for referral.

#### **4 COMPOSITION OF THE ARB**

The ARB may consist of property owners and/or outside professionals with diverse backgrounds appointed by the Chairman. The ARB Chairman shall be appointed by the Property Owners' Association Board of Director's President. The ARB will be assisted by Registered Professional Architect(s), licensed in the State of South Carolina, who reviews plans and make comments as necessary in accordance with the ARB Standards, etc. The ARB Administrator will interface and provide administrative assistance for and between the Architects, members, contractors and the ARB review board. Additionally, administrative assistance may be provided by the POA office staff of Rose Hill Plantation.

The ARB Administrator will attend and conduct meetings of the ARB.

## **5 SPECIAL CONDITIONS**

### **5.1 PLANTATION HOUSE**

**DUE TO THE HISTORICAL NATURE OF THE PLANTATION HOUSE AND ITS UNIQUE RELATIONSHIP TO ROSE HILL PLANTATION, THE PLANTATION HOUSE IS COVERED BY VERY STRICT STANDARDS WHICH GO BEYOND THE STANDARDS CONTAINED IN THIS DOCUMENT.**

### **5.2 POLO ESTATES**

**BECAUSE OF THEIR PROXIMITY TO THE POLO FIELD, SPECIAL ADDITIONAL RULES APPLY TO ANY CONSTRUCTION ON THESE LOTS. PLEASE CONTACT THE ARB ADMINISTRATOR FOR ADDITIONAL INFORMATION. THESE ARB STANDARDS APPLY TO ALL POLO ESTATE LOTS IN ADDITION TO THE POLO ESTATES SUPPLEMENTAL DESIGNSTANDARDS.**

## **6 PLANNING YOUR HOUSE**

A home is a significant investment, and construction practices may vary in different parts of the country. It is required that you consult an architect or approved designer familiar with the overall design concept of Rose Hill Plantation to help you plan your home. Each house must be designed for a specific site and for the particular needs of the owner.



neighboring houses. The location of the house with respect to the front setback line shall be consistent with the locations of neighboring houses.

### **7.2.3 Massing**

Massing is the relationship of the elements of the structure to one another.

### **7.2.4 Fenestration**

Fenestration is the relationship of exterior openings (doors, windows, etc.) to the solid portions of the design and to one another, compatibility with the design of the home, materials used and the manner in which fenestration is detailed.

### **7.2.5 Roofscape**

Roofscape is the relationship of roof shapes and treatment to the overall design concept of the home to ensure that the design will represent a comprehensive design solution.

### **7.2.6 Aesthetics**

Aesthetics refers to the overall design quality based on the judgment of the ARB.

### **7.2.7 Above-Garage Rooms**

A room over a garage shall blend with the main portions of the house in style, massing, proportion and roof line. Poor proportions shall be avoided. The garage element shall not be a predominant feature of the overall design. An increased setback for the two-story garage may be required in order to reduce the impact on the street and/or adjacent structures. Access to an above-garage room shall be only from the interior of the dwelling or the garage. Exterior access to an above-garage room is prohibited.

## **7.3 BUILDING DEVELOPMENT STANDARDS**

Specific development standards relating to land use, building type, building height, building quality, minimum living area and location of dwellings and structures on lots are contained in Rose Hill Plantation's Covenants and Restrictions and its various Addenda. All design efforts must be preceded by careful investigation of the restrictions pertaining to the specific lot on which construction is planned.

For reference, the most commonly applied standards and rules-of-thumb follow. Where any of these standards conflict with the Covenants and Restrictions, the latter will govern.

### **7.3.1 Minimum and Maximum Square Footage (Heated/Air Conditioned Space)**

Except as noted below, there are no maximum limitations. However, the ARB may reject a particular design if it feels that the house is too large for the lot or the house is not consistent with the surrounding houses.

#### **7.3.1.1 Lots of One (1) Acre or More in Size**

1. Minimum 1,800 square feet plus an attached or detached two-car garage
2. Minimum ground floor enclosed dwelling area of 1,100 square feet for multi-story construction.

#### **7.3.1.2 Lots of Less Than One (1) Acre in Size**

1. Minimum 1,600 square feet when the required two-car garage is attached.
2. Minimum 1,700 square feet when the required two-car garage is detached.
3. Minimum ground floor enclosed dwelling area of 1,000 square feet for multi-story construction.

#### **7.3.1.3 Lots in Block "O", Wood Eden**

1. Minimum 1,425 square feet on one or more stories plus an attached two-car garage.

#### **7.3.1.4 Patio Lots**

1. Minimum 1,100 square feet plus an attached or detached two-car garage.
2. Maximum square footage of 1,900 square feet for a single story dwelling and 2,400 square feet for a multi-story dwelling with the first floor not exceeding 1,600 square feet, plus an attached or detached two-car garage.
3. Maximum width of house is 50 feet at roof overhang.
4. Require a privacy wall on the zero lot line side.
5. **No variance shall be granted for the setback on the zero lot line side.**
6. **House must fit entirely within the "footprint" provided by the ARB.**

### **7.3.2 Setbacks**

To allow for flexibility in design and to accommodate specimen trees, topography and other design criteria, specific setback dimensions have not been established. However, the following minimum setbacks for all man-made structures (including decks, patios, porches, etc.) will be enforced by the ARB unless the ARB concludes, at its sole discretion, that lesser setbacks are justified by circumstances unique to a specific lot configuration or house design. Additionally, siting must be consistent with location of neighboring structures.

Example:

	Full Size Lots	Patio Lots
Front Yard Setback	30 feet	20 feet
Side Yard Setback	20 feet	Zero lot side 3 ft - Non-zero lot side 7 ft
Rear Yard Setback	25 feet	10 feet
From OCRM Line	50 feet From Critical Line	

Any proposed encroachment into setback must be clearly identified by the applicant on a variance request form, and approved by the ARB during Concept or Preliminary reviews. Although not recommended, encroachments will be considered on a case by case basis.

### 7.3.3 Building Height

All houses must be limited to two stories above grade or the minimum height established by the Federal flood zone regulations, if applicable.

### 7.3.4 Materials and Colors

The materials and colors selected for the exterior of your house are very important to its appearance and are expected to be in harmony with the character and natural surroundings of the community. Rough-sawn woods, brick, stucco, cementitious lap siding (e.g., hardi-plank) and other materials as approved by the ARB, in combination with subdued earth-tone colors are appropriate on any lot. Minimize use of non-indigenous materials such as stone.

Exterior finish materials shall be of the highest quality. Exterior materials of plastic, vinyl, metal (except for roofs) or other reflective materials will not be approved. Woods used for siding or trim shall be durable by type and/or treatment. Wood, brick, stucco and other materials proposed for exterior use must be submitted to the ARB and approved before installation. Outside vents shall be painted to match the surface they are mounted on.

The roof of a building is a major feature of its design, and the roofing material selected is very important. The proposed roofing material, color and application will be critical parts of the ARB's design evaluation. Roof shingles must be of material with a minimum



weight of 300 lbs. per square (100 sq. ft). Roof vents shall be painted to blend in with the roof.

Good quality windows and doors are required. Wood frame, wood frame encased by extruded aluminum or covered with a pre-formed rigid vinyl (PVC), or solid vinyl may also be used. Spec sheets are required with the application. Aluminum awnings, jalousie type windows or aluminum single-hung windows are not permitted. Window shutters are appropriate when sized to match window openings and mounted to appear functional.

Samples of all exterior materials, colors and textures must be submitted at the time of application for preliminary review. Color samples must be submitted on 4 inch by 4 inch samples of the actual material to which it will be applied. The samples must be mounted on 10 inch by 14 inch poster board.

### **7.3.5 Off-street Parking and Driveway**

Off-street turnarounds or backup areas must be provided to avoid the danger of backing from a driveway directly into a street. In addition to the garage, a driveway turnaround area at least 16 feet in width (capable of accommodating two cars) is required as off-street parking for each residence.

Every house must have a defined driveway constructed of concrete, asphalt, brick, or other hard and impervious material. Driveways must not be located closer than five (5) feet from a property line to allow for landscape plantings. Where a lot fronts on more than one street, access from the secondary street is preferred. Where possible, driveways should be curved gently for aesthetic purposes. All driveways must be at least 12 feet wide.

A concrete drainage pipe with tapered end pipes may be required where driveways cross drainage swales. The top of the opening of the tapered end pipe section should extend at least six feet beyond the paved edge of the driveway on each side. Drainage pipes under driveways must be set at an elevation that conforms to the master drainage plan to ensure the free flow of water within the street right-of-way, see 9.3 - Driveway Culvert Procedure (page 40). It shall be the builder's responsibility to maintain a swale to ensure free flow of water. The decision concerning a culvert requirement will be made by the ARB at the time of initial string-out.

### **7.3.6 Garages**

Garages must be designed to be compatible with the architecture of the home. Garage doors must be of the overhead type and made of wood, Masonite or steel clad, or suitably coated to resemble wood. Spec sheets are required with the application. Electric garage door operators are required. Detached garages should be connected to the house by a covered breezeway. Garage doors should be oriented so as not to face the traffic where possible. Garage door colors must be approved by the ARB. The



### **7.3.9.1 Safety**

Electrified and non-electrified deer fencing shall be installed no closer than 5 feet from the edge of any street or edge of trail and in such a manner so as not to create a hazard or to cause injury or damage to others.

In no event shall a deer fence be placed in such a manner as to prevent access to a fire hydrant.

### **7.3.9.2 Fence Height**

One or two strands of wire may be constructed as a deer fence. The maximum height of the top strand shall be four feet above ground level.

### **7.3.9.3 Support Posts**

The use of in-line posts and support posts at property corners and driveways is permitted. Such posts shall not exceed dimension of 4 inch by 4 inch and shall not be more than 50 inches above ground level. Wooden posts shall not be painted. As an alternative, in-line support posts may be made of earth-tone metal. Such metal posts shall not exceed ½ inch in diameter and shall not be more than 50 inches above ground. When electrified wire is installed, dark green, brown or black insulators shall be used. In no event should deer fencing be attached to trees because of potential tree damage and increased threat of lightning strikes.

Any requests for exceptions to the fence guidelines must be submitted in writing and approved by the ARB.

### **7.3.10 Television and Radio Signal Receiving and Sending Devices**

Television antennae, towers or similar devices are not allowed per the Covenants and Restrictions. Small satellite dishes (less than one meter in diameter) are allowed to be installed on the exterior of a residence. The location of the dish must be approved by the ARB. Care should be taken to locate the dish so as not to be seen from the street, the golf course or neighboring homes. In addition, the wire must be painted to match the house and it may be necessary to paint the dish itself. Two satellite dish locations must be submitted with the application.

### **7.3.11 House Numbers and Nameplates**

Each house shall display the number assigned as a street address on the front of the house where it is clearly visible from the street. Letters or numbers may be used; however, letters or numbers must be a minimum of 3 inches and a maximum of 4 inches in height, minimum of ½ inch wide, and reflective. Nameplates are permitted provided they are mounted on the front wall of the house and do not exceed a total of

80 square inches. Numbers must be conspicuously placed above, on or at the side of the appropriate door fronting the street. If the house is more than 20 feet from the road, this number must also be placed on a post near the driveway. If the mailbox is directly in front of the residence, on the same side of the street, the numbers may be placed on the mailbox instead of on a post by the driveway. A primary purpose of house numbers is to assist emergency personnel when answering calls. House number locations should facilitate rapid identification.

### **7.3.12 Exterior Lighting**

The design and location of all exterior lighting is subject to the approval of the ARB. Lights shall not be of such intensity, location or direction as to adversely affect adjoining property owners. Exterior lighting must be shown on the plans and spec sheets must be provided.

### **7.3.13 Service Areas**

Plans must include an enclosed area to screen propane tanks, air conditioning compressors, garbage cans and electrical, telephone and cable TV service connections from view. Such areas must be made entirely of materials and colors compatible with the house and convenient to utility services to the site and must have sufficiently wide access to allow movement of garbage containers and must be shown on the plan.

At least one service yard is required on each house, adequate in size to contain all outside equipment and storage including, but not limited to, heat pump compressors, electric, telephone and cable TV service connections, water treatment equipment, propane tanks, swimming pool pumps, filters, heaters and any exposed piping, irrigation system controls, trash receptacles, and any maintenance equipment not otherwise stored.

The service yard must have a concrete floor and visually-solid enclosing walls not less than five feet six inches (5' 6") in height above the service yard slab; be of the same color and compatible material as the house siding, and have a self-closing latched access gate. 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 and utility service.

Any proposed encroachment into setbacks must be clearly identified by the applicant and requested on a "variance request" form and approved by the ARB during Concept or Preliminary reviews; encroachments into both side setbacks will not be considered under any circumstances. Service yards are considered a part of the main structure and must be positioned entirely within the required setback areas. All other conditions will be judged on an individual basis.

### **7.3.14 Equipment Enclosures**

All exterior equipment not contained within a service yard including, but not limited to, additional heat pump compressors, pool equipment, water treatment equipment, propane tanks, etc. shall be totally enclosed with visually-solid screening walls to a height of the greater of five feet six inches (5' 6") or six inches (6") above the highest part of any equipment enclosed therein. The enclosure must blend with the house, and landscape plantings alone may not be used to screen exterior equipment. A poured slab must fill the entire area defined by the screening walls. Any attached equipment enclosure must meet the same requirements as the service yard.

### **7.3.15 Mailboxes**

All mailboxes must be ordered through the ARB and will be installed upon your request prior to moving in. The cost of mailboxes is given on the "Application to Construct".

### **7.3.16 Modifications to an Existing House**

ARB approval is required for any of the following modifications to an existing house:

- A. Any modification which:
  - 1. Requires a building permit. This does not include modifications that only affect the interior of the house.
  - 2. Alters the footprint of the house (for example, a screened porch or deck).
  - 3. Changes the external appearance of the house (for example changing from siding to stucco).
  - 4. Changes the house color (roof, siding, trim, door, or accent colors).
  - 5. Modifies the driveway or sidewalk.
  - 6. Adds a skylight.
- B. The addition of a satellite dish.
- C. The addition of a new structure on the lot. For example: a pool, pool enclosure, barn, gazebo, or fence.
- D. Tree removal (for any tree which is more than 6 inches in diameter (measured four feet off the ground)).

ARB approval must be obtained before any of these modifications is started.

The same guidelines that apply to the construction of a new house also apply to modifications to an existing house.

If there is any doubt about whether or not your modification requires ARB approval, please contact the ARB before you start.

The forms and supporting information that you need for a specific modification and the typical times required for approval are delineated in Table 1 (page 44) and the sample forms included in Appendix A (page 50).

### **7.3.17 Landscape Accessory Structures**

Accessory structures such as playhouses, doghouses or dog runs are not permitted without specific approval of the ARB. If approved, these structures must be well hidden.

### **7.3.18 Swimming Pools**

Pool equipment shall be placed inside an enclosure, see Section 7.3.14, Equipment Enclosures.

Top of pool construction may not be over 2 feet above existing grade unless integrated into terraced construction and with ARB approval.

Backwash is not permitted to be discharged into the sanitary sewer system, storm water sewer system, or onto the golf course, and must be contained on the lot.

The size, shape and siting of swimming pools must be carefully considered to achieve a feeling of compatibility with the surrounding natural and man-made elements.

Pool and equipment enclosures must be architecturally related to the house and other structures in placement, mass and detail.

Unobtrusive bronze screening is preferred.

“Bubble” covers, bright aluminum pool enclosures and bright screens are not acceptable.

Due to potential disruption of natural features, the ARB will review all proposed pools on an individual basis. Pools must adhere to all setbacks.

## **7.4 REPETITIVE DESIGNS**

Some house designs may be unacceptable for a particular lot because of similarity to homes in the immediate neighborhood. If, in the judgment of the ARB, the massing, basic style, roof lines, exterior materials, colors or other features of a home are too similar to those of its neighbors, the design will not be approved.

## **7.5 PATIO HOMES**

A patio home is one of a group of architecturally related, detached, single-family dwellings designed to attain maximum privacy on a small lot by the use of interior courts and exterior walls and fences.

In those areas that have established "footprints" on a plat, floor plans must conform totally within the footprint. The house shall not exceed fifty feet (50') in width.

One side wall of a patio home will be located three feet from a property line, inclusive of a roof overhang, designated on the plat as the "zero lot line." This wall will be constructed without openings and extend to the front and rear of the dwelling to a length and height that will exclude interior views of the house from adjoining lots.

### **7.5.1 Patio Walls, Including House Walls**

Patio walls, including house walls must be solid construction with no openings allowed which includes, but is not limited to doors, windows, kitchen cook top vents, clothes dryer vents, and fireplace through-wall exhaust vents. Some or all of the above requirements may be waived if the patio wall side of the house is adjacent to twenty feet (20') or more of open space. Patio walls shall be designed with pattern or textured features to add interest, but must be compatible in design with other exterior walls of the house. Front and rear attached extension walls shall be solid construction with no openings, be a minimum of six feet (6') in height above the house main floor finish elevation, have a solid, masonry base closure to a minimum of six inches (6") above the finished grade with suitable footing, must have a twelve inch (12") minimum return at the ends, and extend a minimum of ten feet (10') beyond the house to ensure privacy to both the occupants and the adjacent property owners.

### **7.5.2 Roof Gutters and Downspouts**

Roof gutters and downspouts (if installed) must be installed on the patio wall side of the roof except where adjacent to an open space or right-of-way no less than twenty feet (20') in width or the roof pitch diverts the water run-off (gable ends). Downspouts must discharge on the house side of the patio wall extensions.

### **7.5.3 Roof Overhangs**

Roof Overhangs, including gutters, shall not encroach beyond the property line.

### **7.5.4 Overviews**

Over viewing of the living and recreational areas of adjacent properties from second floor doors, windows, balconies, decks, etc. is prohibited. Where overviews of adjacent properties would occur, wall extensions and/or screen walls are required to maintain privacy.

## **7.6 UTILITIES**

### **7.6.1 Water**

Beaufort-Jasper Water & Sewer Authority operates a central water system throughout the plantation. Private wells are not allowed except for irrigation purposes or as part of a residential heating/cooling system.

### **7.6.2 Sewer**

Beaufort-Jasper Water & Sewer Authority operates a wastewater treatment plant and collection system which serves the vast majority of lots in the plantation. A few lots, clearly identified in the HUD Property Report, are designed for septic tanks or other individual disposal systems. All effluent from the plant is disposed of by land application and there are no discharges into any bodies of water.

## **7.7 LANDSCAPING**

### **7.7.1 Objectives**

Considerable effort has been expended on careful land planning, conservation and enhancement of the natural environment throughout Rose Hill Plantation. Suitable landscaping for your new home is an essential part of our effort to create a quality development sensitive to its existing surroundings. Remember, the object of landscaping is to complement your house and not to compete with it for interest. Some of the functions of plant materials are accent, softening, separation or screening, shade, framing and background. It is the policy of the ARB that a landscaping plan must accompany all new architectural submissions.

The ARB recognizes that the landscape plan is subject to change as the construction process unfolds. However, before the ARB can grant permission to begin construction, it must have received and approved a detailed preliminary landscape plan that has been developed by a qualified landscape professional.

Any changes to the landscape plan that involves the design, size, quantity, or location of the plants must be submitted to the ARB for approval.

The ARB also recognizes that the time when the construction is completed may not be the optimum time for the landscaping to be installed. This is particularly true for the grass. However, due to the cost of landscape installation, the ARB may withhold a significant portion (or all) of completion deposit until the landscaping is completed to the ARB's satisfaction..

The ARB prefers that all grass be installed as sod. However, should the property owner choose to use seed instead, the completion deposit will not be refunded until the ARB has determined that the grass has reached an adequate height and thickness.



The following are specific guidelines to assist you in submitting your request.

1. Landscaping must be adequate to properly complement the house and site.
2. Landscaping must be harmonious with the natural environment of Rose Hill Plantation. Proposed plant materials and their configuration must be suitable to local climate and wildlife conditions. While it is difficult to recreate the natural landscape, new planting must appear compatible with the old.
3. No trees measuring 6" or larger in diameter at a height of 4 feet above original grade and more than 10 feet from the perimeter of new construction may be removed without the approval of the ARB. Care should be exercised to protect all other trees from equipment damage and/or filling. Barriers and tree wells should be used for protection.
4. The area from the front property line to the street (the POA easement area) must be sodded.

In addition to the above, the following proposals will be denied:

1. Unwarranted removal of specimen trees.
2. Intensive use of plants with forms or colors not native to the area.
3. Earth fill that threatens existing trees.
4. Large unplanted windowless walls. (Except on the zero lot line side of patio homes.)

### **7.7.2 Landscaping Review Process**

The landscape plan is a basic part of your architectural submission and is subject to the review and approval process of the ARB. The landscape plan must be submitted by a professional landscape designer.

If seed is planted rather than installed sod, the deposit will be withheld until the grass is established.

### **7.7.3 Restricted Plant Materials**

Plants that are very unlike local coastal vegetation or those plants associated with exotic effects must be avoided.

Use of materials and site furniture that are inconsistent with the character of Rose Hill Plantation and the low country coastal area should be avoided. Fountains and other decorative lawn ornamentation must be approved by the ARB.

### **7.7.4 Use of Earth Mounds**

As with plant materials, any earth forms used should be consistent with the natural setting. Generally, the topography of the coastal area is very flat. Earth can add

interest to a home site, but if used, should be done with great sensitivity. Nothing looks more artificial than a small earth mound rising abruptly from a flat landscape. An earth mound with gentle slopes can require a rather large open area to blend naturally into the existing topography of the site. Since earth fill on roots can kill existing trees, earth mounds must be held away from the trunks of trees. Any mound must be indicated on the plan.

#### **7.7.5 Landscape Plans**

Because of the variety of plant material available and the infinite choice of plant locations and massing, landscaping often becomes one of the more difficult aspects of planning and building a home. Your landscape plan must always identify the name, quantity, location and gallon size of each plant being installed. Plans must be drawn to show all plants at initial and mature size (height and girth). Shrubs shall be a minimum of 3 gallon size. The use of a professional landscape architect is recommended.

## **8 ARCHITECTURAL REVIEW PROCESS**

The ARB Administrator shall maintain a list of Architects and Designers with whom the ARB has established a satisfactory working relationship. Those architects and designers who are on the list must demonstrate considerable knowledge of the type of construction that is acceptable in Rose Hill Plantation and a willingness to work with the ARB to achieve an acceptable level of construction.

The ARB shall review this list periodically and add and/or delete Architects and Designers as the ARB sees fit.

Plans for all construction must have the "Seal" of a Professional Architect registered by the state of SC (or experienced, professional, local home designer who has applied to, and been pre-approved by the ARB) affixed thereto, and must be approved by the ARB. Subsequent alterations or additions may also require, at the discretion of the ARB, the "Seal" of a Registered Professional Architect or pre-approved home designer as described above. Any alteration or addition requires architect-sealed plans and a completion deposit. Exceptions will be considered on a case by case basis. Significant improvements such as pools, garages, detached buildings and barns also require completion deposits. Exterior color changes must be approved by the ARB.

The following policies and procedures will be followed.

### **8.1 APPLICATION FORM**

Application must be made on the "Application to Construct in Rose Hill Plantation." A blank form is attached to these guidelines. Applications are complete only when review fee is paid, the application completed and signed by all parties involved, and the materials list is completed. Incomplete applications will not be reviewed.

### **8.2 MEETINGS**

The ARB currently meets at least once each month at Rose Hill Plantation. The times and dates are subject to change. Complete applications received by the Architectural Review Administrator no later than the close of business one week prior to the scheduled meeting will be reviewed.

Except as noted below, the ARB does not allow applicants to attend the meetings.

If an applicant wishes to attend a meeting for a special purpose, the request (with the reason for attendance stated) must be received at least one week prior to the next scheduled ARB meeting. The ARB Chairman will make the decision whether or not to allow the applicant to attend the meeting and the applicant will be notified of the decision.

### **8.3 ARCHITECTURAL REVIEW BOARD RESPONSE**

The submitted plans must conform to the general criteria as indicated in Section 7 (page 13) of this document. However, the ARB may reject an application based solely on the judgment of its members without citing specific ways to remedy the deficiencies found.

Applicants will receive a decision from the ARB by US mail or fax. Only owners and/or authorized agents as listed on the application will receive notification.

### **8.4 APPEALS PROCESS**

When the ARB disapproves a design or a change from the approved plans during construction, the applicant must submit amended plans to comply with the ARB comments. If the applicant feels that the ARB position is not reasonable, he has not been given due consideration, or a hardship can be proven, the applicant may request, by written format, a presentation hearing to appear before the ARB at its next scheduled meeting.

During an appeal meeting, the Applicant will have 15 minutes to state his appeal. A handout with relevant information is encouraged. The ARB members may ask the applicant questions. A decision will not be made while the applicant is present. If, after the ARB hearing, the applicant is still dissatisfied with the outcome, he may then appeal to the POA Board of Directors for further review.

To appeal to the POA Board, the applicant must write a letter of request to the POA Board. After reviewing the facts, the POA Board may schedule a "mediation" session with the applicant and the ARB. If the mediation session is unsuccessful, the applicant may wish to go before the POA Board to be heard. In either case, the POA Board decision will be final.

This same process may be followed to appeal fines/assessments levied by the ARB.

### **8.5 CONCEPT REVIEW**

The ARB encourages submission of a character sketch and rough site plan prior to a formal review submission. The ARB will provide a non-binding opinion of the suitability of the major concepts. No fee will be charged, and no stake-out or underbrush clearing are required at this time.

## **8.6 SITE PREPARATION**

Prior to preliminary review, the lot must be bush-hogged cleared of underbrush, corner lot monuments or steel pins must be located, staked out and strung with the lot lines and outlines of proposed buildings, drives and walkways clearly indicated. Trees that are to be removed must be clearly identified with red, pink, or orange ribbon. Do not mark trees that are to remain. Note: If the tree and topography survey does not properly identify the existing trees, the request may be denied. Also note that the removal of any tree within the OCRM setback requires approval from the county. The ARB will not consider any tree removal in the OCRM setback until Beaufort County approval is obtained. (No tree removal permitted at this time.)

## **8.7 PRELIMINARY APPLICATION**

While it is permissible to combine the preliminary and final applications, the ARB recommends that the applicant submit a preliminary application for its comment prior to the preparation of construction drawings. In this manner conceptual errors may be resolved and the possibility of a lengthy review period avoided. The preliminary application should include one set of plans and the following supporting information:

### **8.7.1 Site Plan and Analysis**

#### **8.7.1.1 Tree Survey**

Provide a tree survey that clearly identifies the species, location and diameter of all trees six inches (6") or larger in diameter at a height of 4 feet (4'), as well as the location of significant clusters of smaller trees. On lots of one acre or larger, such tree survey may be limited to the section or "envelope" within the lot where trees will be removed to accommodate the house, surrounding open yard and driveways. If this approach is used, however, no trees may be removed outside the surveyed envelope without ARB approval.

#### **8.7.1.2 Site Plan Scale**

Draw site plan at a scale of  $1/8" = 1'$  superimposed over the existing tree survey. On lots over 1 acre, a scale of  $1/16" = 1'$  is acceptable.

#### **8.7.1.3 Trees**

Show and identify species and diameter of all trees as described above, and indicate trees to be removed and reason for removal. Note tree removal limitations in Section 7.7.1, page 24.

#### **8.7.1.4 Topography**

Show existing and proposed topography. Show fill plan. Draw arrows to indicate the direction of drainage. You are responsible for avoiding any unfavorable drainage impact on neighboring property. Certain lots may require a drainage plan designed by a certified civil engineer. Please refer to paragraph 8.7.1.11.

#### **8.7.1.5 Boundaries**

Show property boundaries, location of house and setbacks from all lot lines. Indicate overhang by means of a dotted line.

#### **8.7.1.6 Elevations**

Show elevations: finished floor, lot corners, culvert inverts, edge of roadway.

#### **8.7.1.7 Site Development**

Indicate site development, including walks, driveways and turnarounds, patios, decks, fences, etc.

#### **8.7.1.8 Neighboring Houses**

Show the corners of neighboring houses and indicate their FFE (Finished Floor Elevation).

#### **8.7.1.9 Natural and Man-Made Features**

Designate natural or man-made features which could affect the design.

#### **8.7.1.10 Drainage Swales**

On lots where a driveway is proposed to cross a drainage swale, a reinforced concrete pipe with tapered end pipes may be required. This pipe must extend at least six feet beyond the edge of the driveway on both sides. See Page 40 for culvert requirements. Show layout of culvert pipe under driveway; indicate direction of drainage flow; the inverts of the culverts; and the inverts of the nearest neighboring culverts upstream and downstream.

#### **8.7.1.11 Drainage Plan**

The builder is required to submit a drainage plan that has been prepared by an architect or a professional engineer who is qualified by the state of South Carolina to prepare a drainage plan. The preparer of the drainage plan must sign the plan and affix his seal to the plan. The property owner, the builder, and the preparer of the drainage plan must also sign the "Drainage Disclaimer", see Appendix A.

### **8.7.2 Floor Plans**

Floor plans should conform to the following requirements:

- A. Draw to a minimum scale of 1/4" = 1foot.
- B. Show changes in level, relationship to important site features, etc.
- C. Show location of service entrances for electric, telephone and cable TV within service yard as well as the location of the propane tank, if applicable.

### **8.7.3 House Elevations**

House elevations should conform to the following requirements:

- A. Draw to same scale as floor plans.
- B. Show all elevations.

### **8.7.4 Landscaping**

Show proposed landscaping, indicating general massing of plants and trees and intended use of plant materials. This plan should be superimposed over the site plan, but must be separate.

### **8.7.5 Bush-hogging**

Lot must be bush-hogged, staked and strung out prior to Preliminary Review. Only lots that have been bush-hogged and staked will be reviewed. A fine of \$50 will be assessed if the ARB visits a site which has not been bush-hogged or staked out.

## **8.8 FINAL APPLICATION**

Two complete sets of documents shall accompany the final application. Each sheet of drawings and the first page of other documents shall include the lot number, street name, applicant's name, architect and date of drawings. Revised submittals for final approval shall be a complete set of plans. All drawings must be to scale.

### **8.8.1 Site Plan**

Show all information required for a preliminary submittal. Drawings must identify all materials, be full-dimensioned and show the roof plan (unless shown on a separate drawing) and exterior lighting, if any.

Documents to be submitted include the following:

### **8.8.2 Landscape Plan**

A separate landscape plan, superimposed over the site plan, show the location, bounds, numbers and species of all plants, trees, shrubs and ground covers (Common and Latin names), as well as the size of shrubs to be planted with initial and mature height and girth noted. A plant schedule is required including total number of each species, gallon sizes at installation, type and square footage of sod, etc.

### **8.8.3 Floor Plans**

The following requirements shall apply to floor plans

1. Draw to a minimum scale of  $\frac{1}{4}$  inch = 1 foot.
2. Show any changes in floor level.
3. Show all dimensions.
4. Include door and window symbols and schedules.
5. Show all attached decks, patios, fences, ornamentation, aquatic elements (pools, ponds, etc) and other appurtenances including detail of the service yard(s) enclosure.
6. Show locations of service entrances for electric, telephone and cable TV within service yard(s) as well as the location of the propane tank(s), if applicable.

### **8.8.4 Elevations**

The following requirements shall apply to elevations

1. Draw to a scale of  $\frac{1}{4}$  inch = 1 foot.
2. Show all exterior views of the house including those which will be partially blocked from view by garages, fences or other parts of the building.
3. Indicate all exterior finish materials and colors.
4. Show finished floor elevations and existing and proposed grade lines.
5. Show all exterior openings.

### **8.8.5 Details**

Draw the following to a minimum of  $1 \frac{1}{2}$  inch = 1 foot.

1. Wall section
2. Window head/sill detail
3. Service yard detail
4. Rake Detail
5. Corner Detail
6. Screen porch detail
7. Railing/column details



8. Detached fencing and paddock details
9. Indicate roof pitch.
10. All drawings must be to scale.

### **8.8.6 Submission of Typical Building Materials**

On the form provided in the application, indicate the name, grade, and description of proposed exterior materials. Provide physical samples of colors applied to a sample of the material to be used and roofing material. The samples should be on 4 inch by 4 inch actual material samples. An application will not be reviewed without these exterior samples. Where applicable, manufacturer's name must be supplied (roofing, doors, windows, etc.)

## **8.9 FEES**

A processing fee is required with all ARB submissions to help offset the cost of architectural reviews. A Completion Deposit fee and mailbox installation fee are also required upon receiving final approval and prior to issuance of a Building Permit. The purpose of the Completion Deposit is to ensure that the completed house complies with the approved plans and the ARB Guidelines. Any fines that may be incurred during the construction process will be deducted from the deposit and the balance (if any) will be refunded. Table 3 lists the amounts assessed for various violations. The "Application to Construct in Rose Hill Plantation" in Appendix A contains a list of fees for all construction.

The ARB believes that ensuring that the ARB Guidelines are followed is a joint responsibility of the property owner and the builder. Therefore, two completion deposits are required, one from the property owner and one from the builder. Any fines that are incurred will be deducted in equal proportion from the two deposits.

The deposits that are required from both the property owner and the builder are shown in Table 2.

### **8.9.1 Initial Inspection**

Prior to preliminary review of plans by the ARB, clear the site of under-brush, stake and string the lot lines and an outline of the proposed buildings, drives and walkways. Flag only trees to be removed. Remove tags from trees not to be removed. Use red, pink, or orange ribbon.

Re-stake and string the lot as necessary if requested changes were required by the ARB.

### **8.9.2 Permitting**

After ARB approval of the final application, but prior to the issuance of a Rose Hill Plantation Building Permit to start clearing and construction, the applicant or his builder should install the builder's sign at the construction site.

Upon verification of adherence, a Rose Hill Plantation Building Permit will be issued.

Temporary toilet facilities and construction refuse dumpster must be placed on site prior to any construction activity. The entrance must be turned towards the construction site. If extensive site clearing is required, the ARB will allow a delay in the placement of the portolet and dumpster until the site is cleared, however, the site still must be kept clear of trash and unsightly debris.

### **8.9.3 Foundation Survey & Elevation Certificate**

After batter boards are in place, and prior to installing any foundation or pouring a slab, the owner will cause a Foundation Survey to be performed by a registered South Carolina Surveyor showing the exact location and elevations of foundations/slab on site plan. The results must be in accordance with the ARB-approved site plan. A Sealed Survey and Elevation Certificate must then be submitted to the ARB for approval prior to installing foundation or pouring the slab. Foundation surveys are also required for garages, barns, pools, detached buildings and significant additions.

### **8.9.4 Final Inspection**

When the buildings and landscaping are complete and a Certificate of Occupancy has been received from the Building Department of Beaufort County, the applicant must provide a copy of the C.O. to the ARB Administrator and request a final inspection in writing to ensure conformance with all approved plans.

The Completion Deposit will be returned after an inspection has determined that construction has caused no damage to the surrounding area, that all construction (including materials, colors, drives, decks, etc.) has been completed in accordance with the approved building plan, and that your landscaping has been installed in accordance with the approved landscape plan. Any violations of the Rules and Regulations of Rose Hill Plantation will be deducted from this deposit (Table 3 Assessments for Violations of RHP Rules and Regulations, page 47).

### **8.9.5 Additional Inspections**

Additional inspections such as a dry-in inspection and a driveway inspection may be performed by the ARB when they deem them to be appropriate.

### **8.10 COMPLETION**

Total project, including landscaping, must be complete within sixty (60) days of issuance of Beaufort County Certificate of Occupancy OR one year from Rose Hill Plantation permit date, whichever comes first regardless of whether the residence will be occupied at that time.

### **8.11 OCCUPANCY**

All exterior construction, including painting, drives, and decks must be completed prior to occupancy, plus Certificate of Occupancy received, and final inspection completed and approved. Penalties may be assessed for violations (Table 3 Assessments for Violations of RHP Rules and Regulations, page 44). In addition to having obtained a Certificate of Occupancy from Beaufort County, all exterior construction, including painting, drives, and decks must be completed and final inspection conducted by an ARB member. Penalties may be assessed for violations or changes that were not approved by the ARB. Requests for exceptions to this requirement must be made in writing to the ARB prior to moving into construction.

### **8.12 CHANGES**

Any exterior changes to approved plans desired during construction must be submitted to the ARB for approval using the Change Request Form. No work on an exterior change may begin prior to ARB approval. There will be a \$100 fee each time a change to an approved plan is submitted that requires a review by the ARB and the ARB staff architect. This includes tree removal. Failure to request approval will result in a \$500 fine per occurrence and may result in a "stop work" order. There will not be a charge for changing the selected colors, but there may be a fine if the colors are changed without approval.

## **9 CONSTRUCTION**

The purpose of this section is to inform both the owner and the builder of policies and procedures required or suggested by Rose Hill Plantation which will eliminate potential problems and further ensure the construction of a quality house. It is important to remember that the Covenants and Restrictions of Rose Hill Plantation require that once a permit is issued, all work must be completed within one year. No home may be occupied until all exterior construction, including painting, driveways and landscaping has been completed; a Certificate of Occupancy has been granted by the County Building Inspector and presented to the ARB, and a final inspection approved by the ARB. Written requests for exceptions due to special circumstances must be submitted to and approved by the ARB in advance. Some lots may require approval by the OCRM.

### **9.1 PRE-CONSTRUCTION ACTIVITIES**

1. Except for under-brushing, stake-out and stringing, no work may be done on a lot prior to receiving approval of the ARB. In no event may trees be removed or earth moved prior to ARB approval and issuance of a Rose Hill Plantation building permit.
2. A Building Permit must be obtained from the Beaufort County Building Inspections Department. If your lot is to be served by a septic tank system, a permit must be obtained from the Beaufort County Health Department located in Bluffton, South Carolina. There is no fee for the soil test, but a fee is required by the State of South Carolina for a permit to construct a septic tank system.

### **9.2 DURING CONSTRUCTION**

#### **9.2.1 Portable Toilet and Dumpster**

A portable toilet and a construction refuse dumpster must be in place before work begins. They must be maintained during the entire construction process. In placing the portable toilet, the entrance must face the construction, not the road or neighboring lots. Beyond the portable toilet facility and dumpster no other temporary structures or trailers may be placed on a lot without the written permission of the ARB. If allowed, such structures may never be used as residences and may not remain on the lot after construction has been completed.

#### **9.2.2 Site Access**

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. It is suggested that, whenever possible, the site access be in the same general location as the permanent driveway entry and gravel/fill be placed in this area in order to prevent damage to the road right-of-way. A curb cut, driveway culvert (where

required), and entrance drive must be in place prior to the clearing of the lot, placement of fill or delivery of materials to the site.

In the case of ditches and swales, the grade elevations must be maintained to prevent any blockage of the road drainage system. The ARB will determine if a permanent culvert is to be installed during the initial stakeout inspection. The edge of the road pavement shall be protected from damage by construction vehicles.

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. Failure to comply with the above requirements during construction may result in assessments levied and/or a stop work order. The total cost of necessary repairs of damage to the street, curbs, common areas or adjoining lots will be charged to the owner of the property (see Table 3, page 44).

### **9.2.3 Site Clearing**

No lot may be cleared or construction otherwise started without a Rose Hill Plantation building permit. Where appropriate, culvert and fill and/or road shoulder protection must be in place. Site clearing is subject to the construction hours and Sunday/holiday restrictions.

### **9.2.4 Roadways**

Roadways in front of and adjacent to site shall be cleaned at the end of each workday, as needed, of dirt, mud, muck and debris.

### **9.2.5 Access**

Access to a building site by means of adjacent property will not be allowed. Parking of workers' vehicles/equipment will be limited to the construction lot only. Applicant is responsible for damages done by workers' vehicles to adjacent property, easements and roads around work area.

### **9.2.6 Materials**

No materials may be placed in the right-of-way or on adjacent property even on a temporary basis.

### **9.2.7 Disposal**

There are no disposal areas available in Rose Hill Plantation, nor is there a pit for obtaining fill dirt.

### **9.2.8 Utility Connections**

A water meter must be installed after final approval of the ARB so that construction water is available. Contact Beaufort-Jasper Water and Sewer Authority.

Palmetto Electric Cooperative will provide a temporary power source during construction. Application for this service may be made at Palmetto Electric's office. An inspection of the service connection by the Beaufort County Inspection Department is required before the service can be activated.

All utility services at Rose Hill Plantation are buried in the street rights-of-way. Before digging in a right-of-way it is required that you ask each utility to identify the location of their lines to prevent damage.

### **9.2.9 Drainage and Erosion Control**

Prior to and during all construction activity, including the clearing and filling of the lot, the following protective actions must be taken: Water Drainage Control; Soil Erosion Control; Road Pavement and Curb Protection; Road Right-of-Way Protection and Tree Protection. It is the responsibility of the general contractor to prevent drainage and erosion onto any adjacent property whether private or common.

#### **9.2.9.1 Water Drainage**

Water drainage shall be directed into the Plantation drainage system including road swales, ditches, culverts or lagoons. This shall be accomplished by means of rough grading, earth berms, swales, and drain lines or by retention entirely within the construction site property lines.

#### **9.2.9.2 Soil Erosion**

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

#### **9.2.9.3 Run-off**

Hay bales or silt fences must be placed to control run-off and/or spoilage into the coastal critical line of lots abutting marsh or water. Protection of wetlands is closely monitored by the SC Dept. of Health and Environmental Control (DHEC), as well as the ARB and the POA.

#### **9.2.9.4 Drainage Control**

After completion of the foundation work, the general contractor shall establish the finish grade at the perimeter of all new construction no less than six inches (6") below any

wood finish. Earth should be sloped away from the house to a minimum of ten feet (10') on all sides of full-sized lots and at the front and rear of patio lots. Drainage restrictions apply at the sides of all lots. When house construction is complete, and before any landscape work may begin, all planned fill must be in place and the lot brought to final grading.

**THE FAILURE TO CONTROL DRAINAGE AND EROSION MAY RESULT IN ASSESSMENTS LEVIED, A STOP-WORK ORDER, AND THE COST OF ALL REQUIRED RESTORATION WORK.**

**9.2.10 Burning**

No burning of any kind will be permitted. Debris from clearing (i.e., tree stumps, branches, logs, underbrush, etc.) and from construction (i.e., scrap wood, drywall, packaging materials, etc.) must be disposed of off Rose Hill Plantation at an appropriate disposal site.

**9.2.11 Tree Removal**

No trees measuring six inches (6") or larger in diameter at a height of four feet (4') above original grade and more than ten feet (10') from the perimeter of new construction may be removed without proper justification and approval of the ARB.

**Please note that the fact that a tree is messy or that the owner/builder feels that the tree is an undesirable type is not a sufficient reason for removal.**

The final decision on tree removals will be made prior to final approval. Care should be exercised to protect all other trees from equipment damage and/or filling. Barriers and tree wells should be used for protection.

**9.2.12 Material Storage**

The storage of materials should be in an inconspicuous area of the site and contractors are required to make frequent clean-ups of surplus materials, trash, wrappers, etc. A refuse dumpster must be maintained on each site for the disposal of construction debris, trash and litter. All dumpsters are to be emptied when level full so that overflow of trash does not occur. Dumpsters cannot be placed on POA right of way.

If a complaint from a property owner is received about unkempt conditions, Security will verify the information and then notify the builder and owner. If the job site is not cleaned immediately upon notification, a \$100 penalty per day will be assessed against the owner of the property (see Table 3, page 47).

### **9.2.13 Signs**

One sign identifying the contractor and/or architect may be displayed on the lot. This sign must not exceed four square feet in area and must be in harmony with the design standards of Rose Hill Plantation. The sign is to be displayed facing the road; no sign will be displayed directly facing the golf course. When the job is completed, the sign must be removed immediately. No other signs will be displayed at any time.

### **9.2.14 Access and Work Hours**

Construction access to Rose Hill Plantation is allowed between 7 a.m. and 5 p.m. Monday through Saturday. Work is to be performed only between 7 a.m. and 6 p.m. Eastern Standard Time (during winter months) and from 7 a.m. to 7 p.m. Daylight Savings Time (during summer months). No exterior construction activities are to be conducted on Sundays; interior work which does not generate noise levels perceptible to neighbors may be permitted under certain conditions but must be cleared in advance by the Rose Hill Plantation Chief of Security. Work on holidays is prohibited.

### **9.2.15 Radio Playing and Other Nuisances**

The playing of radios, tapes, etc. at volume levels that disturb surrounding neighbors will not be permitted.

### **9.2.16 Worker's Pets**

Workers are not allowed to bring pets to the job site.

### **9.2.17 Fishing by Workers**

Workers are not allowed to fish in Rose Hill Plantation lagoons, creeks or rivers nor permitted use of community pools, tennis courts or picnic areas.

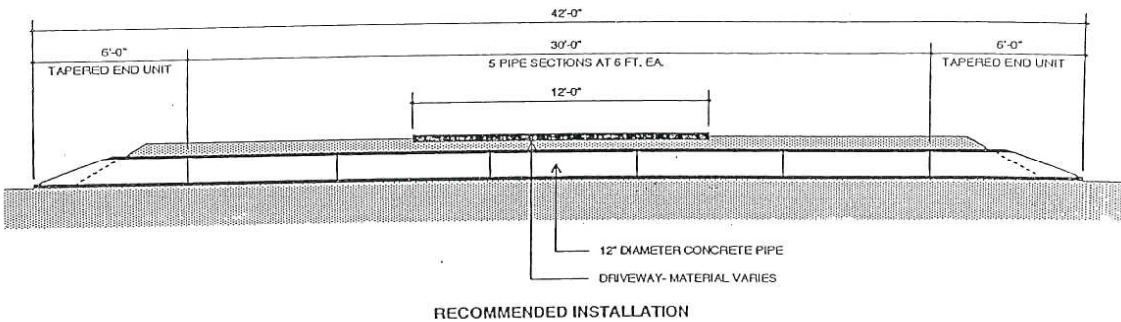
### **9.2.18 Dumping of Trash**

Rose Hill Plantation does not have a dump. There will be a two hundred dollar (\$200.00) penalty for dumping refuse of any type on Rose Hill Plantation property.

## **9.3 DRIVEWAY CULVERT PROCEDURE**

On those lots requiring culverts (when the driveway crosses a drainage swale) the Rose Hill Plantation ARB requires the use of concrete pipes. The driveway culvert should be installed as shown in the diagram below.





At least 4 to 7 feet of grass or sod should cover the pipe from the edge of the driveway to the top of the flared end wall. A normal 12 ft. wide driveway would require five 6 foot sections of 12 inch pipe, and two tapered end pipes. The depth and grading of the drainage swale and the elevation of the building lot determine the culvert requirement.

Culvert materials are available locally, and the cost and installation of culvert pipes, where required, is the responsibility of the property owner or the general contractor. The culvert pipes must be a minimum of 12 inches in diameter (larger if required) reinforced concrete with tapered end pipes, and installed according to POA standards. Any applicant/property owner who does not adhere to these regulations, and causes a drainage problem as a result of incorrect installation, will be required to remove the faulty culvert pipes, and correctly replace. The applicant/property owner will be responsible for all corrective costs to include any damage to curbs, streets and common areas as a result of construction.

## 9.4 Water and Sewer

### 9.4.1 Broken Water and Sewer Lines

Builders are financially responsible for the repair of any water or sewer line broken during construction. If a builder damages or breaks a water or sewer line, Beaufort-Jasper Water & Sewer Authority should be contacted immediately.

### 9.4.2 Backflow Preventers

All temporary water service during construction must have backflow preventers installed. This is a requirement of the South Carolina Department of Health and Environmental Control.

### 9.4.3 Water Meters

Water meters will normally be installed from one to five working days after a meter request has been submitted to Beaufort-Jasper Water & Sewer Authority.

#### **9.4.4 Sewer Tap Location**

A request for sewer tap location must be made to Beaufort-Jasper Water & Sewer Authority at least two working days before the plumber plans to make connection.

#### **9.4.5 Sewer Cleanouts**

Sewer cleanouts must be installed in all lines connected to the Beaufort-Jasper Water & Sewer Authority sewer system.

## 10 VIOLATIONS OF THE RULES AND REGULATIONS

The assessments for violations of the rules and regulations of Rose Hill Plantation are presented in Table 3, page 47. The ARB reserves the right to assess these fines.

A successful completion of a final ARB inspection is required prior to occupying a new house. It is common for these inspections to uncover items that must be fixed. This requires a re-inspection. If the violations are significant, the ARB may not give approval to occupy the house. **If the house is occupied without ARB approval, there can be a fine of \$100 per day. This will be deducted from the home owner's completion deposit.** At the ARB's sole discretion, the ARB may permit occupancy when only minor infractions are found during the final inspection. However, the completion deposit will not be returned until all discrepancies have been addressed to the ARB's satisfaction.

A successful completion of a final ARB inspection is required before any completion deposit can be returned. In the event that the corrections required by the final inspection are not addressed within one year of the final inspection or date of occupancy, whichever comes first, the entire completion deposit will be forfeited and the money will be transferred to the general POA account.

### 10.1 Removal of unauthorized construction

The ARB reserves the right to require the builder / owner to remove any unauthorized or unapproved construction, whether new or an addition to an existing structure, at the sole expense of the owner / builder.

### 10.2 Legal Recourse

The ARB reserves the right to seek legal recourse, at the owner's sole expense, for satisfaction of any differences arising from violation of any guideline requirements or unanswered requirements of the ARB.

Table 1 Typical Activities That Require ARB Approval

<b>Activity</b>	<b>Forms Required</b>	<b>Additional Information Required</b>	<b>Time You Should Allow</b>	<b>Comments</b>
Building a new house	Application to Construct		6 weeks minimum	See Section 8 Architectural Review Process, page 27.
Tree Removal	Request For Tree Removal		2 weeks. Emergency cases (eminent danger to life or property will be acted upon sooner)	Routine tree removal requests are assigned to an ARB member at the next ARB meeting.
Satellite TV Dish	Written request	Sketch showing 2 potential locations	2 weeks	Satellite TV dish requests are assigned to an ARB member at the next ARB meeting.
Exterior Color Change	Written request	Color board showing the house, trim, and roof colors. Color samples must be rectangular, a minimum of 4 inches on a side. The color board must be rectangular with a max size of 10 by 14 inches	2 weeks	Color change requests are evaluated at the next ARB meeting. These requests require an onsite inspection. Information on the existing colors and the colors of the adjacent house is useful.

Activity	Forms Required	Additional Information Required	Time You Should Allow	Comments
Modification to an existing home	Change Request Form		3 weeks	Any request to change the external appearance of the house should include pictures of the houses on either side.
Addition to an existing home	Application to Construct		3 weeks	Includes enlarging the existing structure and adding garages, swimming pools, barns, sheds, fences, etc.

**Table 2 Completion Deposits Required**

Rose Hill Plantation  
Architectural Review Board  
Fee and Deposit Schedule

Type:	Application Fee	Inspection Fee	Homeowner Deposit	Builder Deposit
New Construction of Dwelling:	\$1000	\$450	\$3500	\$4500
Addition of Outbuilding:	\$250	\$450	\$250	\$2500
Swimming Pools	\$250	\$100	\$100	\$2500
Porch or Deck Addition	\$250	\$100	\$100	\$2500
Porch or Deck Enclosure (existing)	\$250	\$100	\$100	\$1000
Fences (Survey Required)	\$250	0	\$100	\$2500
Misc. Modifications	\$250	TBD	\$100	\$1000

**Table 3 Assessments for Violations of RHP Rules and Regulations**

No	Type of Violation	Assessment
1	Culvert not installed when required	\$500 per violation. May warrant expulsion of the contractor and denial of future construction within RHP
2	Construction that does not conform to plans approved by the ARB	\$500 per violation plus correction of the construction that does not conform. May warrant expulsion of the contractor and denial of future construction within RHP
3	Clearing site without stakeout approval (includes unauthorized tree removal)	\$500 per violation. May warrant expulsion of the contractor and denial of future construction within RHP
4	<b>Failure to clean roadways at end of each workday when required</b>	<b>\$100 per day</b>
5	<b>Not providing trash receptacle for construction or not keeping site clean of debris at all times</b>	<b>\$100 per violation per day.</b>
6	Construction trash fires	\$50 per violation
7	Improperly hauling trash	\$50 per violation plus cleaning costs
8	Violation of any sign rule	\$25 per violation per day
9	Failure to provide portable toilet	\$25 per violation per day
10	Pets belonging to construction workers on construction site	\$25 per violation per day
11	Fishing in lagoons or lakes; use of recreation facilities by construction workers	\$25 per violation per day
12	Damage to street, curbs, common areas or adjoining lots	A minimum of \$50 plus total cost of repairs. If not corrected within 5 working days, a stop work order will be

No	Type of Violation	Assessment
		issued
13	Dumping of any kind on RHP property	\$200 per violation plus cleanup costs
14	Trespassing on adjoining lots and properties, equipment, material, etc. Trespass of private property is prohibited, as is parking of builder's vehicles on common property.	\$25 per violation per day
15	Failure to complete landscaping per approved landscape plan within 60 days after receipt of Certificate of Occupancy.	Total completion deposit forfeiture
16	Failure to initiate construction within 90 days of ARB approval	Revocation of approval, deposits and building permit
17	Failure to initiate construction within 30 days from site clearing	\$500 fine
18	<b>Occupying residence prior to final ARB inspection and approval</b>	<b>\$100 per day</b>
19	<b>Failure to provide Certificate of Occupancy to ARB before occupying residence</b>	<b>\$100 per day</b>
20	Final approval re-inspections caused by owner or builder	\$50 per occurrence
21	<b>Failure to prevent improper water drainage and/or provide soil erosion control.</b>	<b>\$50 per violation plus restoration costs. If not corrected within five working days, a stop work order will be issued.</b>
22	Playing loud music, inappropriate language or conduct.	\$25 per violation
23	Trash, fill dirt, landscape debris, paint or concrete spills on roads	\$50 per violation plus cleanup costs
24	Failure to display RHP building permit	\$50 per occurrence



No	Type of Violation	Assessment
25	Violations of ARB guidelines not covered in items 1 through 24.	To be determined by the ARB.

**Note:** The assessments presented in this table will be enforced when a contractor, or owner violates the Covenants and Regulations of Rose Hill Plantation. Violations will be communicated to the responsible party along with the assessed fine. The violations and the assessed fine are subject to the Due Process Policy established by the RHP POA Board of Directors.

Fines that are not paid prior to the completion of construction will be deducted from the completion deposit.

## 11 Appendix A

The following pages contain samples of the following ARB forms:

- Application to Construct in Rose Hill Plantation
- Request for Site Inspection
- Request for Tree Removal
- Change Request Form
- Drainage Disclaimer Form

ROSE HILL PLANTATION POA – ARCHITECTURAL REVIEW BOARD  
APPLICATION TO CONSTRUCT OR MODIFY EXISTING DEWLLING

Name of Owner: \_\_\_\_\_

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

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

Date of Application: \_\_\_\_\_

Type of Application:

New Construction

Exterior Alteration:

Repaint/ReStain/ReStucco

Landscape Alteration/Addition

Addition

Outbuilding

Swimming Pool

ReRoof

Patio/Porch Enclosure

Other

Submitted for: \_\_\_\_\_ Date: \_\_\_\_\_

Conceptual Approval \_\_\_\_\_

Preliminary Approval \_\_\_\_\_

Final Approval \_\_\_\_\_

FOR REVIEW BOARD USE ONLY:

Stake Out       Foundation       Framing       Driveway

Landscaping       Final

**LOT:** \_\_\_\_\_ **Address of Construction:** \_\_\_\_\_

**OWNER INFORMATION:**

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

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

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

**ARCHITECT OR DESIGNER:**

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

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

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

**CONTRACTOR OR BUILDER:**

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

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

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Mobile: \_\_\_\_\_ Email: \_\_\_\_\_

**AUTHORIZED REPRESENTATIVE:**

\_\_\_\_\_  
*The Authorized Signer and the Property Owner must read and comply with the Rose Hill ARB Guidelines . Signature of this application acknowledges said responsibility.*

LOT # \_\_\_\_\_ STREET ADDRESS: \_\_\_\_\_

EXTERIOR MATERIALS AND COLORS

Color Samples, on actual materials, must accompany this application for preliminary or final approval on a color board no larger than 8” by 11”.

ITEM:	MATERIAL	COLOR	MANUFACTURER/MODEL#/NAME
Siding (Wood/HardiPlank)	_____	_____	_____
Siding (Masonry)	_____	_____	_____
Roofing (Weight _____)	_____	_____	_____
Fascia	_____	_____	Minimum 30 Year Warranty
Trim	_____	_____	No metal/vinyl allowed
Soffit	_____	_____	_____
Shutters	_____	_____	No metal/vinyl allowed
Front Door	_____	_____	_____
Exterior Doors	_____	_____	_____
Garage Doors	_____	_____	_____
Windows	_____	_____	_____
Chimney	_____	_____	_____
Driveways	_____	_____	_____
Swimming Pool/Spa	_____	_____	_____

Fireplace: Woodburning \_\_\_\_\_ Propane \_\_\_\_\_ (If propane, indicate location of tanks on floor plan)

ENCLOSED DWELLING AREA (SQUARE FEET)  
(Include unfinished dwelling areas and “bonus “ rooms)

First Floor \_\_\_\_\_ Second Floor \_\_\_\_\_ Bonus Room \_\_\_\_\_ Total Enclosed Area: \_\_\_\_\_

## FEES FOR NEW CONSTRUCTION

### Concept Review Only:

- ❑ No fee required. ARB opinion is non-binding

### Preliminary Review:

- ❑ Review Fee of \$1000 (Non Refundable) must be paid at time of submission of application

### Permitting:

- ❑ Inspection Fee of \$400 (Non Refundable)
- ❑ Completion Deposit: Owner:\$3500 Builder: \$4500 (Refundable)

## FEES FOR ALTERATION OF EXISTING HOMES

(Additions, Outbuildings, Porch or Deck Additions or Enclosures. Other modifications-contact ARB Administrator.)

For repainting or reroofing – application required if changing color or material, no application fee required. Sample of roof material must be provided. No application fee required for major landscaping but application is required.

### Concept Review Only:

- ❑ No fee required. ARB opinion is non-binding

### Preliminary Review:

- ❑ Review Fee of \$250 (Non Refundable) must be paid at time of submission of application

### Permitting:

- ❑ Addition or Outbuilding: Inspection Fee of \$250  
Compliance Bond –Owner: \$250 Builder \$2500
- ❑ Porch or Deck Addition: Inspection Fee of \$250  
Compliance Bond –Owner: \$250 Builder \$2500
- ❑ Porch or Deck Enclosure: Compliance Bond –Owner: \$100 Builder \$2500
- ❑ Other Modifications: Contact ARB Administrator

Lot# \_\_\_\_\_ Street Address: \_\_\_\_\_

The owner warrants that all construction and landscaping will be completed in accordance with the approved plans, within 60 days of the issuance of the Certificate of Occupancy, or within one year of the date of the Rose Hill building permit, whichever comes first. However, no owner may occupy the newly constructed residence without having requested, in writing, a final inspection by the Architectural Review Board. Failure to comply with this request could result in fines that will be deducted from the refundable compliance deposit. Re-inspections caused by an owner or builder will be assessed at the rate of \$50 per inspection and will be deducted from the compliance deposit prior to refund.

\_\_\_\_\_ Initial

Application for a permit to construct or alter a single family residence at Rose Hill Plantation is made by the parties listed on page 5 with the full knowledge and understanding of the Recorded Covenants and Restrictions and of the Architectural Guidelines and Review Procedures published and enforced by the Architectural Review Board. The parties agree to adhere to these Covenants, Restrictions, and Guidelines and to all conditions set out in this application.

\_\_\_\_\_ Initial

The parties below understand that the Architectural Review Board and Rose Hill Plantation Property Owners' Association and their various affiliates have not part nor responsibility in the contractual relationship between the homeowner and building contractor (s). Also, the parties have no recourse to Rose Hill Plantation for any problems between the owner and the contractor in either the performance of the work under contract or the financial settlement of the contract. In addition, the ARB's function does not extend to taking responsibility for layout, dimensions, etc. ARB approval of the stake-out is only for orientation to the lot.

\_\_\_\_\_ Initial

The parties below understand that the house cannot be occupied until the Beaufort County Certificate of Occupancy has been received and the house has successfully passed a final inspection conducted by the Rose Hill ARB. **Waiver of this requirement must be requested in writing prior to occupancy.** Occupying the house prior to final ARB Inspection approval will result in a fine of \$100 per day until the inspection by the ARB has been completed

\_\_\_\_\_ Initial

## HURRICANE PREPAREDNESS POLICY

In the event of a hurricane warning at the OP-CON III level established by Beaufort County, you must observe the following:

1. The Op Con Level will be published on the community bulletin board at the entrance to both the North and South sides of the Plantation just beyond the gates.
2. If a hurricane watch has been established, it is the builders responsibility to monitor the status of the hurricane.
3. No construction will be allowed after the OP CON III level has been established.
4. All debris must be removed from the dumpsters and any materials must be secured. It is preferred, if time permits, to remove the dumpster from the job site. It must otherwise be secured.
5. The portolet must be removed from the jobsite. If there is not sufficient notice, the portolet must be secured to prevent it from causing any damage to adjacent properties.

*The builder agrees to be aware of the status of any hurricane or tropical storm warning and comply with the above rules.*

\_\_\_\_\_                      \_\_\_\_\_                      Initial



**ROSE HILL PLANTATION  
ARCHITECTURAL REVIEW BOARD**

**REQUEST FOR SITE INSPECTION**

DATE: \_\_\_\_\_

OWNER OR BUILDER:

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

LOCATION OF PROPERTY TO BE INSPECTED:

LOT # \_\_\_\_\_ STREET ADDRESS: \_\_\_\_\_

TYPE OF INSPECTION: STRING STAKE OUT \_\_\_\_\_ OTHER \_\_\_\_\_

---

STAKE OUT INSPECTION APPROVED: \_\_\_\_\_

STAKE OUT INSPECTION DENIED: \_\_\_\_\_

REASON FOR DENIAL \_\_\_\_\_

---

DATE OF INSPECTION: \_\_\_\_\_

INSPECTION PERFORMED BY: \_\_\_\_\_

Signature of Site Inspector

**Rose Hill Plantation  
Architectural Review Board  
Request For Tree Removal**

Owner: \_\_\_\_\_ Lot Number: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Tree size is defined as the diameter in inches at a height 4 feet above grade level.  
Trees whose size is less than 6 inches may be removed without ARB approval.  
All trees that you would like to remove must be tagged with red, orange, or pink ribbon. No other trees should be marked.

Reasons for Removal:

- A Tree is dead.
- B Tree is diseased.
- C Tree has significant damage such that there is a significant risk that it will fall over.
- D Tree is too close to the house.
- E Tree is leaning toward the house or other structure in a hazardous manner.
- F Other (please specify the justification in the notes area at the bottom of the page). Please note that the fact that a tree is messy or that owner feels that the tree is an undesirable type is not a sufficient reason for removal.

Size (in.)	Type (e.g., oak, pine, gum)	Location with respect to the house (e.g., front)	Reason for Removal (see code above)	These columns for ARB use only.		
				Approved (Initials and date)	Disapproved (Initials and date)	Comments

Notes: \_\_\_\_\_  
\_\_\_\_\_

**Rose Hill Plantation  
Architectural Review Board**

1 Rose Hill Way, Bluffton SC 29910 (843) 757-2450, fax (843) 757-2451  
**E-mail: [rhpgm@hargray.com](mailto:rhpgm@hargray.com)**

**CHANGE REQUEST FORM**

DATE: \_\_\_\_\_

**OWNER**

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

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

\_\_\_\_\_

CONSTRUCTION ADDRESS: \_\_\_\_\_

DESCRIPTION OF CHANGE (Attach revised or marked-up plans if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  Owner  Owner's Agent

Builder

Applicant's Signature \_\_\_\_\_

Date \_\_\_\_\_

**Rose Hill Plantation**

**Acceptance of Responsibility for Site Drainage Plan**

1. The rules and regulations of the Rose Hill Plantation Architectural Review Board (the "ARB") require that a drainage plan that has been signed and sealed by an architect or qualified engineer be submitted with each application for approval of construction. If such drainage plan is approved by the ARB, it only indicates that the ARB has determined that the plan contains the required minimum content and is not a representation or warranty by the ARB or by the Rose Hill Plantation Property Owners Association, Inc. (the "Association") that the drainage plan will function properly

2. The Association, the ARB, and their respective members, officers, employees, and agents (collectively the "Released Parties") shall not be liable in damages to anyone submitting architectural and drainage plans and specifications for approval, or to any owner of property as the result of mistake in judgment, negligence, or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve or disapprove any such plans or specifications. Every person who submits plans or specifications and every owner agrees that such person or owner will not bring any action or suit against the Released Parties to recover any damages in connection with the approval of such plans and/or specifications and hereby release, discharge, and covenants not to sue the Released Parties for all claims, demands, and causes of action arising out of or in connection such review and approval of the plans and/or specifications.

3. The undersigned accept full responsibility for the design and implementation of a properly functioning drainage plan for the property located at Lot \_\_\_\_\_ in Rose Hill Plantation, which drainage plan must not adversely affect the surrounding properties, including but not limited to the adjacent lots.

\_\_\_\_\_  
Owner's Signature and Date

\_\_\_\_\_  
Owner's Signature and Date

\_\_\_\_\_  
Signature of Person Who Prepared and Signed the Drainage Plan