

INTRODUCTION AND PURPOSE

INTRODUCTION

The developers of Bull Point, as stewards of one of the most pristine and majestic properties in Beaufort County, accepts the obligation to balance and protect the rights of each owner and to preserve the natural beauty and resources of the property. The two greatest natural amenities at Bull Point are the magnificent tree structures and the plentiful marsh views which surround the peninsula. To insure that these unique characteristics are protected in perpetuity, the developer has recorded a Declaration of Protective Covenants and Restrictions (“Covenants”) which provide for the establishment of an Architectural Review Board (ARB). The philosophy of the ARB is to treat each residence as a carefully planned addition to the natural setting with minimal impact on the immediate and surrounding environment.

Prior to any construction in the Bull Point Community, the property owner or designated agent is responsible for submitting their plans to the ARB for approval as outlined within these guidelines.

No site clearing, material deliveries or construction may begin without first obtaining a Bull Point Building Permit.

PURPOSE

The purpose of the ARB Guidelines and the Covenants is to establish design parameters and to create a uniform review and approval process to assist residential property owners who are planning to:

- Design and construct a new residence.
- Make additions to, or alter exterior of, an existing residence.
- Design and construct a dock or other structure
- Re-stain, re-roof, or otherwise change the exterior appearance of their home.
- Remove any protected trees or under story.
- Design new or change existing landscape plan.

OBJECTIVE

The objective of the ARB is to implement and enforce policies as stated in the Guidelines and the Covenants and to communicate openly and clearly with each property owner and/or their agent throughout the review, approval, and construction process. The ARB views its role with property owners and prospective buyers of new home sites as one of facilitating the mutual goal of preserving the natural resources of the peninsula. The ARB does not intend to restrict any individual design preferences, but does intend to work with each property owner and/or their agent to ensure preservation of the natural beauty of each lot and that the design of each residence is compatible with the overall development theme.

The authority of the ARB is derived from the Covenants. In the event of any conflict between the within Guidelines and the Covenants, the Covenants shall govern.

The primary focus of the ARB in the building process will be:

- the siting and overall setbacks,
- the property configuration, drainage plans, landscape plans, dock plans, and driveway layouts,
- the exterior colors, the type of exterior materials and the overall appearance,
- landscaping the site,
- and other features including the scale of the house and its compatibility with the surrounding area.

The ARB is not responsible for the enforcement of building codes, structural details, accuracy of plans and information, completeness of drainage plans and or techniques of construction. The ARB urges that property owners obtain architects and contractors who are familiar with or obligated to become familiar with the within ARB Guidelines and the Covenants, Department of Health and Environmental Control (DHEC) and other County and State laws and regulations governing construction in Beaufort County.

Bull Point Plantation
Architectural Review Board Guidelines

TABLE OF CONTENTS

Section I - Architectural Review Board and Its Review Process	6
A. The ARB and its Review Process	6
B. Composition of the ARB	6
C. Meeting Frequency	6
D. Architectural Seal	7
E. The Review Process	7
F. Application Phases and Results	7
1. Orientation Meeting	7
2. Conceptual Review	8
3. Preliminary Review	8
4. Final Application and Approval	8
G. Notification of Adjoining Properties	8
H. Variances	8
I. Stake-out	8
J. Change Order Request	9
K. Elements of Application	9
1. Tree and Topographic Survey	10
2. Site Plan	10
3. Application Form	10
4. Application Fees	11
5. Variance Request Form	11
6. Photos of Adjacent Properties	11
7. Stakeout and Tree Banding	11
8. Grading and Drainage Plan	11
9. Foundation Plan	11
10. Floor Plans	11
11. Elevation Drawings	11
12. Construction Detail Drawings	12
13. Landscape Plan	12
14. Color/Material Samples	12
15. Form and Quantity of Date Submittals	12
16. Setback Requirements	12
17. Design Guidelines and Aesthetics	14
a. Building Size and Height	14
b. First Floor Elevation	15
c. Foundation	15
d. Garages, Outbuildings and Driveways	15
e. Exterior Materials and Colors	16
f. Roofs	17
g. Windows	17
h. Shutters	18
i. Chimneys	18
j. Service Yard	18
k. Filling, Grading and Drainage	19
l. First Floor Elevation	19

18.	Landscaping	19
	a. Landscape Design Considerations and Guidelines	20
	b. Landscape Plan	21
19.	Tree Removal, Replacement and Care	21
20.	Involvement of/with other Agencies	22
	a. Beaufort County	22
	b. Ocean Coastal and Resource Management	23
	c. Department of Health and Environmental Control	23
	d. South Carolina Electric and Gas	23
	e. Local Cable Company	23
	f. U. S. Post Office	23
	g. Property Owners Association	23
21.	Inspections	24
	a. Stake-out and Tree Banding Inspection	24
	b. As-Built Survey	25
	c. In-process Compliance Inspections	25
	d. Final Inspection No. 1 (Clean-up and Compliance)	25
	e. Final Inspection No. 2 (Landscaping)	25
Section II - External Amenities		27
A.	Swimming Pools and Spas	27
	1. Setback Requirements	27
	2. Other Requirements	27
B.	Fences	28
	1. Fence Setbacks	29
	2. Fence Heights	29
	3. Fence Materials and Colors	29
C.	Deepwater and Tidal Docks	30
	1. Shared Dock	30
	2. Walkways	30
	3. Floats	30
	4. Pier heads	30
	5. Ramps	30
	6. Rails	30
	7. Pilings	30
	8. Bulkheads	30
	9. Boat lifts	31
	10. Lighting	31
D.	Dock Design Review and Approval	31
E.	Dock Construction Permit	32
F.	Driveway Entrance Gates	32
G.	TV and Radio Antennas	32
H.	Mailboxes and Signs	33
I.	Water Wells and Water Source Heat Pumps	33
J.	Flagpoles and Statuary Elements	34
K.	Exterior Lighting	34
L.	Decks, Patios and Terraces	34
M.	Gazebos and Cabanas	35
Section III - Other Guidelines for Existing Residence		36

A.	Exterior Repainting or Re-staining	36
B.	Roof Repair or Replacement	36
C.	Tree Removal / or Pruning	37
D.	Resurfacing or Reshaping Driveways	37
E.	Interior Remodeling	38
F.	Landscape Maintenance and Modification	38
G.	Basketball Backboards	38
H.	Play Yard and Playhouses	39
I.	Window Coverings	39
Section IV -	Demolition of Existing Structures	40
Section V -	Special Rules for Builders	41
Section VI -	Penalties for Non-Compliance	45
Section VII -	Appeals	47
Table "A"	Application Requirements	49
Table "B"	Building Setbacks	50
Index of Forms		51
Form 1 -	Bull Point Orientation Meeting	52
Form 2 -	Bull Point Residential Building Permit Application	53
Form 3 -	Bull Point Building Permit Agreement	54
Form 4 -	Bull Point Swimming Pool Permit Application	57
Form 5 -	Bull Point Swimming Pool Permit Agreement	59
Form 6 -	Bull Point Dock Construction Permit Application	61
Form 7 -	Bull Point Dock Construction Permit Agreement	62
Form 8 -	Bull Point Demolition Permit Application	64
Form 9 -	Bull Point Demolition Permit Agreement	65
Form 10 -	Variance Request Form	67
Form 11 -	Bull Point Change Order	68
Form 12 -	Request for Exterior Repainting	69
Form 13 -	Request for Re-roofing	70
Form 14 -	Bull Point Application Fees	71
Form 15 -	Bull Point Escrow Deposits	72
Form 16 -	Schedule of Penalties	73
Form 17 -	Adjacent Property Owner Notification	75
Form 18-	Sign Criteria	76
Form 19-	Foundation Criteria	77

SECTION I

ARCHITECTURAL REVIEW BOARD FORMAT

A. THE ARCHITECTURAL REVIEW BOARD (ARB) AND ITS REVIEW PROCESS

This section includes information about Bull Point Building Permit application requirements and describes the ARB process for the review approval of such applications. Article 10 of the Bull Point Covenants and Restrictions provides architectural standards and use restrictions for Bull Point and further provides for the establishment of the Architectural Review Board for the purpose of reviewing and approving the plans for all proposed buildings and landscaping within Bull Point. *The ARB urges each property owner to read Article 10 of the Covenants and Restrictions prior to commencement of the ARB approval process.*

B. COMPOSITION OF THE ARCHITECTURAL REVIEW BOARD

The Board of Directors of Bull Point LLC shall establish the ARB which shall consist of up to five (5), but not less than three (3) voting members who may serve for a three (3) year term. The ARB shall be composed of the following positions.

1. Board Chairperson. The Chairperson shall be elected by the individual members of the ARB on an annual basis.
2. Alternate Members. The Alternative Members may be appointed by the ARB to participate in the ARB approval process on a non-voting basis (unless acting for an absent Board member).
3. Board Administrator. The ARB shall have the right to employ a non-voting administrator to present an analysis of building permit applications and plans for review at board meetings. He will also assist owners, architects, and builders during the ARB approval process and conduct on-site inspections throughout the construction process.
4. Consultants The ARB is authorized to retain the services of consulting architects, landscape architects, engineers, inspectors and or attorneys in order to advise and assist the Architectural Review Board in performing its functions.

C. MEETING FREQUENCY

The ARB will meet at least once a month to consider issues requiring Board approval or review. Property owners, their design professionals and contractors are welcome and encouraged to come to the ARB meetings to present and discuss their design submittals. A quorum of three (3) members are required to vote on any ARB issue. All votes by the ARB shall be by majority vote.

Meetings are normally held on the third Thursday of each month. To be included on the ARB agenda, a complete submittal for the level of approval being sought must be received by the Board at least seven (7) days prior to the monthly meeting. From time to time special meetings may be called by the ARB Chairperson. The ARB will review design documents and applications within thirty (30) days. Comments and recommendations from the Board will be provided within seven (7) days.

To confirm dates of meetings and submittal deadlines, applicants should contact the ARB Secretary at (843) 379-9940.

D. ARCHITECTURAL SEAL

A registered architect is required for approval of any new building plans, and most major additions and other significant exterior alterations. For minor changes, drawings prepared by the owner or contractor may be sufficient. The ARB Administrator shall determine whether drawings are sufficiently clear and detailed for ARB review.

E. THE REVIEW PROCESS

The ARB reviews all building, structure, landscape, drainage and outdoor lighting plans, etc. proposed for construction in Bull Point and encourages high quality architectural designs which complement the overall development theme of natural surrounds, and other environmental factors indigenous to the area. This review process has been set up to establish a systematic and uniform review of proposed construction.

Property owners, architects, builders and landscape architects should strive to create an attractive and harmonious addition to the community and preserve the natural amenities at Bull Point. It is not the intention of the ARB to stifle creativity, provided the design conforms to the Covenants and these ARB Guidelines. The Board, however, through its architectural review process, may disapprove any proposed construction on purely aesthetic grounds, where, in its sole judgment, such action is required to protect the enduring natural beauty and attractiveness of the area.

F. APPLICATION PHASES AND RESULTS

There are three (3) levels of review of progressively increasing detail dependent on the level of review and approval sought from the ARB. These submissions must be adhered to before a Bull Point Application for Building Permit (Form 2) will be accepted and considered by the ARB.

1. **ORIENTATION MEETING** - The first stage in the review process is the mandatory "orientation meeting" and site visit by the property owner and an ARB representative before any applications are submitted. This representative may be the ARB administrator or a designated board member. This meeting gives the property owner and their builder and/or architect the opportunity to familiarize themselves with the specific features of the site and to ask questions about the Covenants, ARB Guidelines, and the review and approval process. The meeting can be scheduled by the property owner by calling the ARB office at (843) 379-9940.
2. **CONCEPTUAL REVIEW** – This type of application review is suggested when the applicant has some concerns about the general acceptability of a contemplated residential project and would like to receive the Board's reaction before committing to the costly completion of the architectural and engineering plans. The ARB recommends submittal of drawings and site plan for this phase.

Property owners concerns may arise from:

- a. use of an unusual architectural design
- b. a variance request such as setback, first floor elevation, size or height
- c. impact of specimen trees on the site plan
- d. any other proposed departure from ARB guidelines.

3. **PRELIMINARY REVIEW** – Although not required, the ARB strongly recommends that a Preliminary Application be submitted for review and approval before all construction plans are completed, even if the proposed construction appears to conform to all ARB Guidelines and no variance, even minor, is involved. ARB approval of specific elements (i.e. siting, building height, etc) of a Preliminary Application will be made and remain binding and valid for a period of six (6) months, but may include recommended changes or conditions that can be accommodated in the FINAL APPLICATION drawings without the need and expense of major rework by architects and engineers.

Preliminary approval by the ARB is a formal expression of a general acceptability by the Board of the plan or design. It is an invitation to proceed to the final level of detail, which will include finished site plans and finished working drawings. The applicant receiving preliminary approval may rely upon the acceptability of the submitted plan or design by the Board. However, the Board reserves the right to disapprove all or altered from its preliminary approved form, or in the event that significant new information is brought to light during the final review. This could include, but is not limited to, variances not identified in the Preliminary Application, drainage conflicts, etc.

4. **FINAL APPLICATION and APPROVAL** – Though a Conceptual and/or Preliminary Review may be omitted, the Final Application for Building Permit (Form 1), including all requisite drawings and data described in the following section, is a mandatory submittal requirement for anyone planning any type of construction within Bull Point.
- G. **NOTIFICATION OF ADJOINING PROPERTIES** - Before final approval of plans is granted for all new houses and major additions or alterations, the ARB may formally notify (and invite comments from) adjacent and nearby property owners of the intended construction. The property owners so notified will have up to ten (10) days to preview the application at the ARB office and if desired, to file written comments or objections regarding the proposed construction. The Board will review the comments or objections at its next regular Board meeting and advise the applicant and the property owners who presented the objections, of its decisions.
- H. **VARIANCES**: If the proposed construction includes any variance(s) from the ARB Guidelines, it (they) should be requested specifically on the Variance Request Form (Form 9) and submitted with the Application for Building Permit (Form 1) and building plans. The ARB reserves the right to grant variances from its own established guidelines should the conditions and circumstances of a project appropriately warrant but in no event does the ARB have the authority to grant any variance from the Covenants. If, during its review, the ARB discovers a variance that was not requested on a separate Variance Request Form (Form 9), the ARB shall automatically disapprove the application. The applicant may submit another application with plans revised to eliminate the variance, or modify the submittal with the variance specified on the Variance Request Form.
- I. **STAKE-OUT**: Permit applicants must complete a construction stakeout (as described below) a minimum of seven (7) days in advance of the scheduled ARB meeting at which the Final permit application review is desired. Failure to complete the state-out within the required lead time will result in deferral of application for future review. The permit applicant is responsible for placing a red tape band on all trees, irrespective of site location or condition that are designated for removal. Trees proposed for removal must be identified and documented on the tree and topography survey and site plan by placing an (X) on each tree. No other trees should be marked or banded after the Bull Point Building Permit is issued. If trees have already been banded during the tree identification survey, then a contrasting color must be used for trees that are contemplated for removal. It is the responsibility of the contractor to insure that NO trees are removed which have not been approved by the ARB and Beaufort County.

During this stake-out, it is essential that all property corners be staked and labeled, and that all property lines be shown by strings between corners. This will verify the perpendicular setback of building corners from the nearest property line. The "footprint" of each separate building planned, including above-grade decks, should be shown with stakes on each corner and with strings marking the entire perimeter. The boundary of driveways and walkways should be marked by short blue or yellow flags set on approximately four-foot centers to assist in verifying needed tree removal.

Though the stakeouts for additions to existing homes can be a bit simpler, the ARB inspector must nevertheless be able to quickly and accurately verify setback conditions and tree removal needs during his site visitation. For swimming pools, the perimeter of the pool deck must be staked and strung.

This submission demands the greatest level of detail on the part of the applicant and the design professional. The Final Application, if approved by the ARB will result in the authority for the ARB Administrator to issue a Bull Point Building Permit

The Bull Point Building Permit is issued only after the following:

- (a) The ARB has reviewed and approved the Final Submission Plans
- (b) The ARB Administrator and all board members must visit the site to verify the stakeout of the proposed building placement, correct banding of trees for removal and familiarize themselves with the setting of the proposed construction and its relationship to the existing structures on neighboring properties.
- (c) The contractor has obtained a Beaufort County Building Permit and provides a copy with mandated changes, if any, to the ARB
- (d) An Approval and Bull Point Building Permit Agreement (Form 3) has been signed by the owner, architect and builder, and returned to the ARB along with specific escrow deposits (Form 15).

If the project is not approved, a letter citing the reasons for disapproval shall be sent to the applicant. The applicant may then either submit revised plans that are in compliance with the Board's letter, or may appeal the Board's decision in accordance with the procedures in Section VII (P. 35).

- J. **CHANGE ORDER REQUEST** Once a plan has been approved, if any siting or exterior change, including color or materials, is desired, before or after construction has begun, approval is required by the Board. Request must be submitted on the Change Request Form (Form 11) along with modified or marked-up plans defining the proposed change. If the change constitutes a variance, a Variance Request Form (Form 10) must be included. No additional fee is required. No work on such change shall be performed until the Board renders its decision on the changes and amends the Building Permit. Internal floor plan changes that have no effect on the exterior shape or appearance of the project should also be submitted but require no Board approval or permit amendment.

No site clearing, material deliveries or construction may begin without first obtaining a Bull Point Building Permit.

- K. **ELEMENTS OF APPLICATION**

Table A (Page 49) lists the required elements that must be included with an application, depending upon the level of ARB review and approval sought. This table should be used as a "checklist" when compiling an application for submittal. All drawings are to be prepared at the scale of 1/4" = 1'0", except as noted in the following sub-sections.

1. Tree and Topographic Survey – A Tree Identification and Topographical Survey prepared by a South Carolina licensed land surveyor or registered engineer which shows the seal of the responsible professional. This survey must:
 - (a) be drawn at a scale of 1/10"= 1"0' (or larger).
 - (b) show the legal lot boundaries and all recorded easements.
 - (c) show Ocean Coastal Resource Management (OCRM) setback lines and Beaufort County River Overlay District lines when applicable.
 - (d) indicate the natural topography with one-foot contours and lot corner elevations.
 - (e) show all trees six inches (6") or larger in diameter as measured to six feet (6') above grade by species and size.
 - (f) note any existing manmade drainage provisions on or near the lot.
 - (g) indicate the position of adjacent roadways, lakes, bicycle or walking paths.
 - (h) show the exact position of all existing residential and amenity structures on adjacent lots within thirty feet (30') of the common property lines. An "as-built" survey for all existing residential and amenity structures on adjacent lots can be obtained from the ARB.

2. Site Plan – This plan will use the Tree and Topographic Survey as a base, and will superimpose at least the following information:
 - (a) The setback lines as specified by the subdivision plat, or by ARB guidelines, or by any more restrictive agency, as appropriate for a given lot, including separate setback lines for horizontal construction (i.e. in-ground pools) when needed.
 - (b) The footprint(s) of proposed construction, including main house structure, any accessory building, driveways (i.e. culvert at street when needed), swimming pools, decks, etc.
 - (c) Outline of the roof overhang.
 - (d) Location of Aerobic Treatment Unit (ATU) and drainage fields with South Carolina DHEC approval.
 - (e) Trees proposed to be removed marked by an "X".
 - (f) Location of fenced service yard(s), including location of HVAC compressors, pool equipment, and utility meters or wells.
 - (g) Finished first floor elevation to be noted inside house footprint and note which indicate the following area calculations (in square feet). This does not include overhangs.
 - (i) area covered by building roofs (including all heated and unheated spaces).
 - (ii) area of all first floor decks, stairs, and porches.
 - (iii) area of all impermeable driveways, walks, and pools.
 - (iv) the total of these areas of improvements.
 - (v) the total area of the lot;
 - (vi) the total area of all improvements (i.e. item (E) above) also expressed as a percentage of the total lot area.
 - (vii) the "buildable area" within setback lines; and
 - (viii) the "building envelope" area encompassed by closed walls, also expressed as a percentage of buildable area.

3. Application Form – The Bull Point Application for Building Permit (Form 2) serves as the "cover" document and must be submitted with the first application, regardless of type, and resubmitted (updated) with each subsequent submittal for the same project. Please fill out both sides of the form and be sure to include complete and accurate current mailing addresses and telephone numbers for the owner, the architect, and for

the builder (when known) so that communications can be made by ARB staff with the parties involved when necessary. For Conceptual and Preliminary Application the “Exterior Materials and Colors” section on the back of the form may be omitted unless planned materials and colors will deviate from ARB Guidelines.

4. Application Fees – Permit Application fees are to be paid according to the Bull Point Application Fees (Form 10). These fees must be paid in full with the first application – regardless of whether Preliminary or Final or no action will be undertaken by the ARB. The ARB, at its sole discretion, has the right to waive payment of the fees at the Conceptual Application stage, and in that event, all fees will be paid upon the filing of the Preliminary Application.
5. Variance Request Form – The Variance Request Form (Form 10) must be completed and submitted along with any application that includes a variance from ARB Guidelines. If this form is not included and the Board’s analysis review reveals the existence of any variance, the entire application will be automatically deferred for disapproval.
6. Photos of adjacent Residences – Color photographic prints of the front of adjacent residences on both sides of the proposed construction, except for corner lots or where an adjacent lot is undeveloped. These photos will assist the Board in assessing the fit and compatibility of the project with the neighboring properties.
7. Stakeout and Tree Banding – The specific requirements for such are defined in Section I (pg.8). The applicant should indicate the date by which the stakeout and tree banding will be ready for ARB inspection on the Bull Point Application for Building Permit form (Form 2).
8. Grading and Drainage Plan – This separate site plan sheet, prepared at a1/10” = 1’0” scale should clearly depict how storm rainwater from the roofs and all paved areas the proposed construction will be directed away from adjacent residential lots and either retained on-site or directed to existing off-site lakes or other drainage structures. Setback lines and trees to be removed should not be shown on this sheet. All planned changes from original grade should be depicted (with one foot (1’) contour lines) proposed fill areas should be highlighted, the location and shape of diversion swales or berms should be shown, and surface water flow direction should be indicated on the plan by large arrows. This plan should also indicate the location of wells, ATU septic unit, drain fields and how the drainage system will prevent inundation of these fields. Driveway surface slopes and the outfall location(s) of any roof gutters and downspouts should be depicted.
9. Foundation Plan – A dimensioned plan showing the foundation design and particularly how the design will relate to the root system of nearby specimen trees.
10. Floor Plans – Dimensioned architectural floor plans depicting the layout of each level of the proposed building, including windows, doors, interior stairways, etc. All rooms should be labeled as to function and basic overall room dimensions should be shown. The elevation(s) of the finished first floor should be shown on that floor plan. The computed heated/air conditioned and screened areas should be show (in square footage) on each floor plan.
11. Elevation Drawings – These architectural plans shall accurately represent the vertical view of each and every side of the proposed construction. Elevations (above Mean Sea Level) should be delineated for every floor on each drawing and the height from the lowest finished floor elevation to the highest roof peak should be dimensionally shown as

well. Roof slopes should be symbolically indicated. Proposed finished grades at the house sides should be outlined on each elevation drawing so that expected foundation exposure is evident. All exterior wall materials are to be accurately and fully depicted.

12. Construction Detail Drawings – To include typical construction details such as wall section, corner detail, privacy fence/wall detail, service yard fence wall detail, chimney cap detail, entry step and handrail detail, deck seating detail window and door details, and all other details necessary to explain the materials and finishes to be used on the building exterior. **Catalogue cuts of exterior lights (Section II.I Exterior Lighting, Page 31) also are to be included.** Scale of these details is at the discretion of the architect.
13. Landscape Plan – A Landscape Plan may be submitted to the ARB for Preliminary and/or Final approval. By Board policy (Section I.13 Landscape Plan, Page 7) the landscape plan is not normally required until six (6) months after a Bull Point Building Permit is issued for a new house (thirty (30) days for alterations). However, the ARB prefers that the landscape plan (Section I.6 for content details) be presented at least in a preliminary form, with any application, particularly if the plan will clarify how the landscaping will afford neighbor privacy or screening of exposed foundations, etc.
14. Color/Material Samples – Color samples must be submitted to the ARB for final approval. If the roofing will be either natural (unstained) wood shake or asphalt/fiberglass shingles of either the GAF Timberline or Elk Prestique series, or metal, no roofing sample need to submitted. However, other colors of all exterior surfaces, excepting glass, must be submitted in sample form of sufficient size(s) of representative materials. Manufacturers’ “color chips” or brochures will not be acceptable since the colors so represented often vary markedly from actual applications. Stain samples should be on actual wood siding and/or trim boards of 6-12” length. Stucco color samples should show actual finished texture on foam or other stiff backing of an approximate 12” x 12” size. Roofing color material samples should be a single actual shingle (or tile or painted metal) but not larger than 12” x 12”. The ARB has the right to establish pre-approved stain colors and upon selection of a pre-approved stain color, no color samples need to be submitted for such.
15. FORM AND QUANTITY OF SUBMITTALS

All architectural plans and drawings shall be in AIA specifications format. Penciled-in comments and “red-lined” changes/additions normally will not be considered in the ARB review process.

One (1) copy of the final application plans and drawings are needed. All drawings will be retained by the ARB for use during inspections and for our permanent file.

16. SETBACK REQUIREMENTS

“Setback” is defined as the minimum distance from a property line that any structure may be placed. Some setbacks are established by Bull Point Covenants and Restrictions, some by the office of DHEC/OCRM, and the remainder by the ARB Guidelines.

For the purpose of this discussion of setback guidelines, the term “vertical construction” is defined as any structure whose highest point is more than twenty-four inches (24”) above the existing (pre-construction) grade; and the term “horizontal construction”

defines any structure, such as driveways, patios, swimming pools and decks, whose highest point is twenty-four inches (24") or less above the existing grade.

The envelope defined by the setback lines for any lot, no matter by whom or when established, determines the "buildable area", within which the primary house, any accessory building and any other vertical structure must be completely placed. Building setback requirements apply to the outside wall or surface of a structure. Roof eaves may overhang setback lines and fenced service yards are allowed to protrude into the specified setback areas. Slight setback variances may be permitted by the ARB but only of its own features to accommodate an irregularly shaped lot or when the ARB determines in its sole discretion that a variance is otherwise appropriate to the site. A house should not touch the setback line on any of all four (4) sides.

This section deals principally with the setbacks for vertical structures. The setbacks for horizontal structures such as in-ground swimming pools, decks and patios, driveways, etc., will be defined in later sections of this document.

Table B (Page 50) summarizes the ARB recommended setback guidelines for various types of lots for which other, more restrictive guidelines are not established by covenants and or other entities. Some of these guidelines allow setbacks to be set by the ARB and not by a set number of feet as it is the overall theme to hide home placement on lots whereby this can be achieved without penalizing the property owner. On most home sites that are on the water or marsh, the property owner will want to locate as close to the marsh or water as he can and as long as a fifty feet (50') River Overlay District setback is maintained, this can be achieved.

However, on marsh and water front lots, property owners will be encouraged to locate as far off the road as possible without encroaching the 50' setback required by the "River Overlay District". In most cases, this will allow the property owner to locate at least seventy-five feet (75') from the road.

For all lots in Bull Point, other setback guidelines established by the ARB include the following:

- (a) The setbacks as established in Table B (Page 50) reflect the minimum setback and the ARB, at its sole discretion, can require more stringent setbacks for a lot based upon topography, tree structure, drainage, archeological site, irregular shaped lots, location of residences on adjoining lots, building envelopes on adjoining lots, and to maintain the natural setting of the residences with minimal impact on the immediate or surrounding environment.
- (b) It is intended that residences will have varied front setbacks in order to produce a random and un-crowded streetscape. The goals of the ARB shall be to shield the residences from view from the roads as much as practical in order to maintain the natural appearance of Bull Point.
- (c) Any property bounded on any side by tidal waterways or wetlands will be affected by County, DHEC/OCRM and Covenant "baseline" (setback) restrictions which may be more severe than the Guidelines. For all such properties, a building permit application, must first present evidence that the requested building plan for the residence must seek approval of OCRM and/or Beaufort County. The ARB will not take any action on these types of properties without evidence that the setback restrictions comply with the above regulations.

- (d) Any property bounded on any side by the OCRM critical line will be subject to the Beaufort County "River Overlay District" setback requirements. In the event the river overlay setback requirements are violated, a variance must be received by the applicant from the county prior to the submission of the application other than a Conceptual Review Application with the ARB.

17. DESIGN GUIDELINES AND AESTHETICS

The ARB is dedicated to continue to create and maintain a unique and ecologically sensitive community. The architectural design and construction philosophy of the ARB is that homes should be unobtrusive in form and color in order to complement their natural setting. The main concern is that the overall community be harmonious in feeling and free from discordant architectural styles and colors which vie for attention to create a greater visual impact than a neighbors.

Every residence should be a carefully planned addition to the natural setting which embraces its site. Building shapes should provide interest and be sympathetic to Southern aesthetics respecting historic architectural patterns. Large homes can be made to appear smaller and small homes to appear larger by the manipulation of shapes and forms, and by the effective use of decks, carports, garages, and screen porches. The roofscape of each home should complement the design of the home, the natural surroundings, and neighboring house designs.

The aesthetic appearance of a residence depends greatly upon the situation of the siding, roofing, details, fenestration, walls and fences. Windows should be selected and located to provide for views, light and natural ventilation. Walls, fences and screens should be used to provide privacy, enclose service areas and HVAC units, and to reduce the scale of large masses. Details at the soffit, fascia, base, corners, windows and decks should have common elements that help unify the appearance.

The exterior design of every single-family residence shall be "one-of-a-kind" within Bull Point (i.e. no building shall be constructed that appears the same or very similar to any other existing or previously approved building within Bull Point).

(a) Building Size and Height

Building heights shall be determined by lot location, tree cover and relationship to neighboring homes. A house shall not exceed two (2) stories in height as viewed from the street. The ARB will consider living space at the basement level where the existing natural contours of the lot allows. The habitable space in an approved basement will not be considered a story.

There is no maximum building size square footage limitation of heated area. The Board will not approve any submittal, at its sole discretion, which crowds the site or is out of context with the other structures in the area. The minimum square footage shall be 2000 square feet of heated area. The maximum height of any house cannot be higher than thirty-five feet (35') as measured from the finished first floor elevation to the highest roof peak. Homes that have parking, and/ habitable or uninhabitable area below the finished first floor level are to be specifically designed for the lower topographical areas which have been approved as home sites. Many of the home sites on the peripheral of Bull Point would qualify; however, the ARB would have the final discretion when elevated homes are contemplated.

(b) First Floor Elevation

It is the view of the ARB that certain elevation limits will be considered on a case-to-case basis so that new houses do not unnecessarily tower over adjacent existing homes or appear discordant with a neighborhood of relatively low, single-family dwellings.

(c) Foundation

At Bull Point, F.E.M.A. requires the first floor finished elevations to be at nine feet (9').

Foundation reveal should be 30" above grade. Fill will only be allowed in certain areas to achieve this revealment. In areas where fill will slope down over existing specimen tree roots, the ARB will disallow. When concrete block or masonry foundation walls are filled and then a slab is poured to obtain the minimum revealment, the ARB will disallow where footings have to be dug that will impact and/or destroy root structure of existing trees.

Ideally it is the preference that all dwellings are designed with piers and wood joists over a crawl space. In these designs, all open areas under the dwellings shall be finished with an appropriate design of brick, wood, or stucco that is aesthetically pleasing. The ARB shall have final discretion in this matter. Unless a home is designed to accommodate a garage and other habitable or uninhabitable area below, it shall not exceed 60" from the original grade to the first floor level street elevation where by at the maximum five feet (5') of foundation area is left exposed.

When permitted by the ARB, all raised homes that include garages and storage areas beneath the dwellings shall be enclosed on all sides of the house. Foundation vents such as louvers, lattice or other woodwork designs may be included in the overall foundation design but should not exceed 60% of the exposed foundation area on any side. All boards must have a minimum finished thickness of ¾" to reduce warping potential and to insure aesthetic appeal.

(d) Garages, Outbuildings and Driveways

A home may have up to two small detached accessory buildings which include one each of the following (garage, guest house, pool house or storage building), provided the lot is not over-crowded. But in no event can one owner build two garages or two guesthouses or two pool houses. A Guest Suite may be included as part of the main house or the accessory building. Garages may have finished bonus rooms or living areas above, complete with baths.

Experience has shown that long-term outdoor parking of automobiles in our natural environment is detrimental to the condition, appearance and value of the vehicles as well as detracting from the appearance of a home. Thus, the ARB requires that a garage for at least two cars be included with each new house constructed on each lot. On several lots, flood requirements have forced the first floor to be placed high enough above the ground to permit placement of the garage under the living area of the house rather than extending it to the street. The ARB encourages this practice since it retains more open space on a lot. The ARB also encourages the design of detached garages where practical covered by an arbor or walkway to the main house.

Additionally, for each house (all size lots), a minimum of two off-street guest parking spaces must be provided. Off-street turn-around or backup areas also must be provided so that departing vehicles need not back into the street. The ARB may limit the number of driveway connections to the street (curb cuts) to one per single-family residence. The area of the driveway must be kept to a minimum, and the form of the driveway should be softened to distort any long views down or across same. Driveways must be set back at least five feet (5') from all property lines.

Garages and carports, driveways, and off-street parking should not be overly apparent from the street. Side entry garages are strongly preferred. Garage doors must not dominate the front of the house, but should be screened with planting. The driveway approach must be carefully integrated into the grading and landscaping scheme with gentle curves presenting a natural path through the site. Straight driveways leading directly to blank garage doors are not appropriate. Driveways should not parallel side property lines. Double-cut driveways are discouraged unless the street property line is exceptionally long, and are approved by the ARB. Off-street parking spaces should be integrated into the driveway path and adequately screened from views with landscaping. Impervious surfaces, such as concrete, are discouraged for driveways and parking areas. Plantation mix or similar stone/gravel surfaces which promote better drainage and are aesthetically more fitting with Bull Point home styles are preferred. Concrete driveways will not be allowed. Concrete aprons extending no more than five feet (5') from the garage will be allowed.

Property owners whose lots are bordered by walking paths are responsible for the installation of culverts (when necessary) to insure proper roadway drainage. The owner must also grade and asphalt the area of their driveway between the street and the walking path. The culvert style and dimensions must be approved by the ARB and will be considered a part of the landscape plan and should be installed before construction begins.

(e) Exterior Materials and Colors

All exterior materials should complement and blend with the surrounding environment. The principal use of natural woods such as cypress or cedar for siding, either in horizontal or vertical board alignment, is encouraged. The use of board and batten, weathered wood, wood shingle/shake siding and combinations of wooden siding with tabby, stucco, stone or brick may also be effectively used to blend with the natural environment. The ARB will consider such combinations in a case-by-case review. Plywood and fiberboard (or other wood composites), plastic and metal siding materials are not accepted. The use of Hardi-plank or similar substitute approved by the ARB is appropriate. Aluminum or vinyl siding may not be used. The use of vinyl will be considered for soffit areas only.

Stucco and brick may be used throughout Bull Point; however, it is not the intent of the ARB to exclusively allow brick and stucco on each lot. Discretion by the ARB will be used to effectively mix the exterior so that each home compliments surrounding homes. The color of brick and/or stucco is subject to ARB approval. The use of an all stucco home at Bull Point will not be encouraged as it does not embrace or compliment the natural wooded setting at Bull Point.

The exterior colors of residential homes should blend with the surrounding environment and not contrast with it. A two-color exterior is acceptable to the ARB. Two-tone color schemes (i.e. where siding and trim colors, or siding and foundation colors, are to be different) should use both colors of the same hue to provide apparent shadow lines or sun shade/shadow relationships. Sharp contrasts between the two colors should be avoided.

(f) Roofs

Roof forms throughout Bull Point should be sympathetic to one another to help achieve a pleasant, homogenous character. Flat roofs are discouraged. Gable and hip roofs with slopes of at least 5/12, but not greater than 12/12 wide are recommended. Shed roofs, when designed in a sensitive manner, are acceptable. Overhangs thirty inches (30") or more are encouraged. Overhangs provide rain and sun protection for the home, allowing windows to be open during rainfalls and visually help the house to rest on the ground. Roof forms should be articulated with changes in plane, gable ends or other elements that present an interesting roof form. These basic elements should not be restricted to just the front façade of the house. All sides must be considered in a similar fashion as homes are viewed from many vantage point.

Roof materials must have texture and depth. Acceptable roofing materials include wood shakes, wood shingles, fiberglass shingles, slate, flat ceramic or concrete tiles and standing seam and 5V crimp metal of a non-gloss finish. In case of fiberglass shingles, these shall be a "shake" type of a minimum weight per square of three hundred pounds (300 lbs.) and be mildew/fungus-resistant with at least a thirty (30) year warranty. Other roofing materials shall be held to a similar standard of quality.

All roof accessories, such as vent stacks and roof vents shall be located away from the front elevation and painted to match the roof color. All flashing is to be copper or pre-finished aluminum except in the case of a metal roof where the flashing will be the same as the primary roof material.

If any roof section slopes so as to promote rainwater runoff to adjacent residential properties, the ARB may require that roof-edge rain gutters and downspouts be added to all such sides to divert the water to suitable drainage paths.

(g) Windows

Areas of major fenestration should be oriented to afford privacy while taking advantage of special views such as water bodies or marsh. Windows should be carefully proportioned and located to enhance both the exterior appearance and interior light quality and views. Glazed windows and doors are required to be designed as divided light rather than large areas of glazing. It is recommended that houses have glazed openings limited to thirty five percent (35%) of the exterior wall area.

The use of vinyl-clad and aluminum-clad windows and door frames is increasingly popular in the design/construction of new homes and in alterations or additions to existing buildings, principally because of their superior weathering and maintenance characteristics. The ARB concurs with the use of these vinyl-

clad building materials, but only on a basis which does not conflict with existing guidelines for exterior colors.

Window glass shall be plain or bronze or gray, but not colored, although small decorative stained glass windows appropriate to the house design may be acceptable. Glass or glass with coatings or films shall not reflect over fifty percent (50%) of ambient external light. Mirror-type glass is not appropriate. The use of glass block is considered inappropriate.

The number of different window configurations (sizes and shapes) should be held to a minimum; typically two (2) or three (3) on any single elevation of the house. Additionally, for other more contemporary house designs, the semi-circle type window shall be limited to one (1) or more identical matching on any elevation.

(h) Shutters

The use of exterior window shutters is permitted only where their use is both traditionally and architecturally correct, rather than when their use simply represents trim adornment. On single windows, the shutters must be placed on both sides and be sized/shaped so that they are functionally operative and could be closed as storm shutters. In the case of smaller single windows, one operative shutter may be allowed. The shutters need to totally cover the window involved in order to be acceptable by the ARB. For abutting double and triple windows, the use of a shutter on each end of the window series is unacceptable unless they are fold-backs since such obviously could serve no function even if hinged and operative. When existing homes with shutters need to be repainted, they will be subject to the **current** ARB Guidelines.

(i) Chimneys

The ARB believes that the traditional use and richer appearance of a brick stone, or stucco chimney greatly enhances the aesthetic appearance and market value of a Bull Point home. Wood-sided chimneys are not allowed. Chimneys must extend 6' above ridge line and extend down to finish grade.

Additionally, chimneys on an exterior wall should be extended to grade level for appearance sake, rather than terminating at the first floor elevation.

Exposed metal flues are not permitted. Prefabricated chimney flue caps must be screened with a masonry or other non-combustible material shroud, and must be painted in an acceptable color.

(j) Service Yard

The Covenants require that every house have a service enclosure for trash receptacles, utility meters, HVAC equipment, gas storage tanks, wells, lawn care equipment and any materials or equipment to be stored outside. The service yard may not be used as a garage or for boat storage and may not be roofed or covered.

The floor of all service yards shall be paved with concrete. The service enclosures are to be screened from view from roads and adjacent properties by an adequate visual barrier (fence) on all sides appropriate to the equipment being screened. Fencing material is to be consistent with color and materials

used on the house. The fence should be designed to enhance the flow of air to/from the HVAC compressor(s), but lattice or chain link fencing is not allowed. Service yard gates must also be visually secure, and preferably should face to the side or rear rather than to the front street. If the gate opening is on the front side, spring-type hinges (or other automatic gate closure device) should be used.

The Federal (and Town) Flood Ordinances require that HVAC compressors within the service yard be installed above the minimum flood elevation of nine feet (9'). The use of mature "vertical" landscape plants on all sides of such fences is also recommended to soften their appearance.

Service yards should be placed on the side of a house, not the front (or any street side) or rear and should utilize the house or garage wall as one side of the enclosure and should be directly accessible internally through a kitchen or utility room door and externally from a driveway. The service yard may be located wholly or partly outside of the building setback lines specified. In no event, however, should the service yard project more than six feet (6') beyond the roof edge.

(k) Filling, Grading and Drainage

No filling of any wetland or marsh area or existing off-site drainage ditches is allowed. Fill may be placed to allow concrete slab floor construction at the required floor elevation. However, such fill shall not exceed two feet (2') in depth (above original grade) and shall not be sloped but filled within block or a masonry wall and shall not be placed closer than five feet (5') to any property boundary. No fill shall be placed anywhere on the lot at an elevation greater than two feet (2') above existing grade.

It is the responsibility of the owner, his contractor and his landscape professional to insure that run off is handled properly. Final grading of the lot shall avoid standing water by sloping toward available drainage, such as a lagoon, culvert, drainage ditch or swale along the road, and the grading shall not create standing water areas or run-off to adjacent properties, wetlands or marshes. The surface of the driveway connecting the property with the access street shall be sloped or contoured to allow proper drainage. A grading and/or drainage plan is required (Applications Requirements pg 50). Bull Point will not assume any liability for the function of drainage on an individual property.

(l) First Floor Elevation

The significant elevation of finished first floors in order to meet flood law restrictions often results in very large front entry stairways, sometimes with one or more landings. These stairways thus become major architectural elements requiring special and careful design solutions by the architect involved. The ARB prefers to see a much greater use of masonry and wood in the construction of such stairways and landings, particularly for the front entry, and urges all architects to place more attention and creativity to these architectural elements.

18. LANDSCAPING

In order to maintain the natural beauty of Bull Point, use of natural indigenous plants and the use of existing plant cover is encouraged by the ARB. Landscaping, on a limited basis, is required to enhance the beauty of the property and to screen unsightly areas,

such as service yards and parking. The use of existing tree structure in landscaping plans must be submitted with the Preliminary and/or Final Application to the ARB for approval. A Final Landscape Plan, if not submitted at the time of building plans approval, must be submitted within six (6) months after building permit is issued and completed within ninety (90) days after occupancy permit is issued.

(a) Landscape Design Considerations and Guidelines

The finished landscape should complement the residence and provide continuity between the residence and surrounding vegetation. Landscaping may be used to soften or frame views of the house to provide privacy or screen unsightly areas and to add to certain elevations of the house.

Earth mounds or berms can add interest to a finished landscape; however, they should be designed to blend in naturally with the existing topography of the site and should contain gentle slopes. Narrow ridges and small earth mounds rising abruptly out of a flat landscape are out of character with the Island topography and normally will not be approved as part of the Landscape Plan.

Care should be taken to preserve natural understory growth along the lot lines in an effort to provide a natural buffer from adjacent residences and the street.

An effective transition from an elevated first floor elevation to existing grade is essential. Although much of this transition depends upon the architectural design of the house and the creative use of terraces, exterior decks, raised planting areas, earthen berms, or the use of fill to minimize the apparent height of foundation walls, the most successful transitions... those that "look right". are the ones that use plant material effectively. This usually means the use of at least small areas of lawn together with plant material of different sizes and textures located in natural groupings (as opposed to a row of uniformly spaced plants of the same size marching in single file along the foundation wall) also known as "landscaping blending". This transitional condition to the first floor finished elevation also means that plant material should be of an adequate size and quality to minimize the foundation appearance upon installation.

Screen vegetation should be used where appropriate to provide visual buffers and a degree of separation from adjacent lots. Each owner should be sensitive to the long-term effects of adequate landscaping of individual lots on neighboring properties.

Careful transition should be made from the more formal or "manicured" landscaped areas of the plan to those areas where natural existing vegetation has been preserved or even reinforced with additional plantings of indigenous material. The most effective landscape treatment caused the lot lines to "disappear". By contrast, the least successful treatments are those that stop abruptly in a long, straight line at the edge of the lot.

The ARB shall encourage the use of natural existing vegetation as buffers from adjoining house and from the roadway and marsh views. Landscape requirements of the Beaufort County River Overlay District Ordinance must be complied with.

Care should be used in the selection of plants for size, tolerance of salt-air environment and resistance to drought and wildlife. On this point, plants that are

highly favored by white-tail deer will be discouraged from use. Because of the rapid drying rate of the sandy soil, irrigation systems are encouraged. All elements of irrigation systems must fall within the property lines of the lot. Before the landscape design has been completed, try to view the house as others will see it... from the neighbor's lots. Will the appearance from these vantage points be that of a house which has been carefully integrated into the natural environment? If not, what can be done to improve the situation? The best result will not only make our community an even more beautiful and physically rewarding place to live, but also a community in which property values remain high.

Article 10.6 of the Covenants provides for establishment of a berm or other structure using Best Management Practices in the event the owner of a lot desires to alter the natural vegetation within seventy-five feet (75') of the Critical Line. Landscape design must incorporate their requirement.

(b) Landscape Plan

The landscape plan shall be professionally prepared by a landscape architect or nursery designer, with an 1/8" = 1'0" or 1/4" = 1'0" scale on a separate copy or overlay of the site plan showing the location, bounds, and sizes for all plant materials, including existing trees from the tree survey with sizes and species indicated mulches, planting beds, berms, non-living ground covers, other miscellaneous landscape materials and irrigation.

For all plant materials, including trees, shrubs and ground covers, graphically depict each in a scale representation equal to a mature plant and label each type using the botanical name for genus, species, and variety. Provide a separate listing on the Landscape Plan, or an attached sheet, that associates plant symbol with specified plant size, in height, spread and container size, botanical name, common name and quantity to be used.

The landscape plan must show the areas to be covered by grass lawns, patios, and other structures versus the areas to be left in a natural state. The ARB reserves the right to disapprove any type of grass it feels is unsuitable for planting in a certain location. In addition, property owners are responsible for landscaping and maintenance of landscaping from property lines to the roadway.

19. TREE REMOVAL, REPLACEMENT AND CARE

Careful preservation of existing trees on all sides of a planned new house is one of the most important considerations to the ARB. Where such trees are lacking, or are improperly removed during the construction process, the impression created is that someone with little sensitivity has "clear-cut" his lot to set his house apart from its natural environment instead of giving the appearance that the house "belongs" where it is. The shadows from trees as the sun moves through the day also helps to soften the lines of the building and diminish its scale so that it is not a harsh intrusion into the landscape.

The Covenants provide that no trees measuring six inches (6") or more in diameter, as measured at six feet (6') above existing grade), may be removed without the written approval of the ARB. In selecting the "footprint" (geometric boundary) of a new house, or of an addition to an existing home, and the placement of the proposed structure on a given lot, property owners and their architect are strongly urged to make such decisions to minimize the need for removal of large trees (i.e. of greater than 6-inch caliper). The

Board is particularly interested in and placing a priority on the preservation of "specimen" trees, namely, oak trees and other slow-growing hardwood species and very large, full-headed pine trees, and will give special credit and consideration to property owners and architects who make special efforts to design their new houses or additions, driveways, and other amenities around such specimen trees. The ARB has indicated its willingness to approve minor setback variances if a proposed house cannot otherwise be redesigned or repositioned to save a specimen live oak tree, magnolia or dogwood.

An application for a Bull Point Building Permit (Form 2) must include a Tree and Topographical Survey by a Registered Land Surveyor, and a Site Plan showing the footprint of all proposed construction (house, driveway, etc.) superimposed on the Tree and Topographical Survey. Should any oak or other specimen tree fall within the building envelope approved by the ARB, then the ARB, in its discretion, may require mitigating replacement by way of oaks or other trees of at least three inch (3") caliper. Up to ten (10) new trees for each specimen tree removed may be required by the ARB, but in no instance shall the applicant be required to spend more than \$8,000.00 or plant more than ten (10) new replacement trees per lot. (Note: This limitation does not apply to replacement of trees removed advertently or inadvertently without ARB authorization). Any trees removed inadvertently will be subject to fines imposed by the ARB. The replacement trees preferred shall be hardwoods and flowering trees may be considered by the ARB. Depending upon the number of trees removed, the landscaping planned by the owner, the requirement of replacement trees may be waived or, in the ARB discretion, plant materials and shrubbery may be substituted where visually appropriate.

All specimen oak and other trees shown on the Tree and Topographical Survey that are within twenty inches (20") of building envelope or ten feet (10') from driveway shall be carefully protected from damage during construction. Batter boards or another type of barrier will be erected and maintained around each tree so designed by the ARB in order to restrict traffic away from the drip line zone. The excavation and installation of underground utilities will be performed in such a manner as to avoid damaging the root system of specimen trees. An ARB member is required to be on site when utility companies dig their trenches to provide service. If care is not taken by the property owner to insure the preservation of the specimen trees, the root systems may be damaged in the trenching process. The ARB representatives will assure that the route taken to provide this service does not endanger the root systems and therefore is mandatory. If, in the judgment of the ARB, a specimen tree is damaged or destroyed due to carelessness or avoidable activities on the part of the owner or builder, the ARB may require the owner or builder to purchase and install suitable replacement trees and/or may be subject to fines imposed by the ARB.

In exercising its discretion respecting these tree replacement guidelines, the ARB shall take into consideration, among other things, the number and species of trees removed, any hardship to the property owner, the remaining foliage, trees, shrubbery and other plant species as may exist on a lot and or as may be proposed to be added by the owner as a part of the landscape plan, the size, shape and topography of the lot, the size, species and value of proposed replacement trees, the neighborhood characteristics including its general topography, foliage, natural tree canopy, and other relevant factors.

20. INVOLVEMENT OF/WITH OTHER AGENCIES

The successful design and construction of a new residence requires that the property owner, his architect and his builder interact with a number of governmental agencies and commercial entities, in addition to the Bull Point ARB, including the following:

(a) Beaufort County

Under the Beaufort County River Overlay Ordinance, each property owner at Bull Point must have their home site approved by County planners in addition to the ARB at Bull Point. The criteria required are Tree Identification plats and topography. Any specimen trees removed over a certain diameter has to be County approved and a copy of the approved plan (including any required mitigation) must be provided to the ARB.

(b) Ocean Coastal and Resource Management

The DHEC/OCRM or successor has jurisdiction over some elements of the building process in Bull Point. The owner and his architect are solely responsible for compliance with OCRM rules and regulations. These chiefly have to do with lots that border salt marsh and certain lagoons which are considered as "critical areas" by the OCRM as well as regulation of structures near the waterfront. Setback lines established by the OCRM take precedence over the ARB setback requirements except when ARB requirements are greater than OCRM requirements.

(c) Department of Health and Environmental Control

There is no private or municipal sanitary sewer system available in Northern Beaufort County or at Bull Point. Bull Point has been approved by the Department of Health and Environmental Control for the use of individual septic tank systems as a means of septic disposal for the subdivision. In order to assure the protection of the water quality of the surrounding marshes at Bull Point, the Covenants require the use of individual septic Aerobic Treatment Units (ATU's) and low-pressure drip irrigation system on each lot in the Development. The ATU system provides a treatment process that converts the incoming sewage into clear, odorless, organically stable water. To further enhance the treatment process, Bull Point will utilize a sub-service irrigation system for safe and effective sewage disposal.

The use of the drip system eliminates the installation of drain fields required by standard septic systems, thereby reducing damage to tree and vegetation structure and preventing ground water run-off. The subsurface irrigation system can be used as a means of irrigation.

(d) South Carolina Electric & Gas

This cooperative distributes electric power to all users at Bull Point and arrangements for electric service must be made directly with them. All main utility lines are underground and service to all residential homes must be underground. An ARB representative is required to be on-site when the SCE&G engineer identifies the route to be used. The builder or property owner failing to notify the ARB shall be subject to fine.

(e) Local Cable Company

External television antennas are not permitted in Bull Point. A local private company may provide cable TV service to all lots in Bull Point. Arrangements for cable hookup, if desired, should be made directly with this service company. Satellite dishes exceeding twenty-four inches (24") must be approved by the

ARB. An ARB representative is required to be on-site when trenches are cut as indicated above.

(f) U.S. Post Office

The Property Owners Association (POA) will provide and install the standard mailbox and house number sign required for each Bull Point home. The fee for the mailbox and installation is three hundred and 00/100 Dollars (\$300.00) and will be billed by Bull Point POA. **This fee is subject to change.**

(g) Property Owners Associations

Each owner shall be a member of the Bull Point Property Owners Association, Inc., a South Carolina non-profit corporation. The recorded Covenants provides all of the terms and conditions pertaining to the operation and responsibilities of the Property owner's Association. The POA also maintains Bull Point's streets, walking trails, bike paths and common properties, and is responsible for storm drains and drainage control outside of residential lot property lines.

21. INSPECTIONS

The ARB Administrator, members of the Board and/or other ARB inspectors or representatives must and will conduct a series of on-site inspections prior to construction, while construction is in progress, and when construction is indicated by the owner or builder to be complete, as follows:

(a) Stake-out and Tree Banding Inspection

Permit applicants must complete construction stakeout (as described below) a minimum of seven (7) days in advance of the scheduled ARB meeting at which permit application review is desired. Failure to complete the stake-out with in the required lead time will result in deferral of the ARB consideration of a building permit application.

An ARB representative and ARB Administrator must visit a prospective job site to verify proposed structure positioning, setbacks, and necessary tree removal before the Administrator may present a Conceptual, Preliminary or Final Permit Application to the Board for review and approval.

For all construction where the removal of any trees are contemplated, the permit applicant is responsible for placing a red tape band on all trees, irrespective of site location or condition, that are designated for removal. Trees proposed for removal must be carefully identified and documented on the required tree and topographical survey by placing an (X) on each tree. No other trees should be marked or banded after the ARB building permit is issued. If trees are banded as a result of a tree identification markings, then a contrasting color ribbon is to be used for trees that are contemplated for removal. It is the responsibility of the Contractor to insure that NO trees are removed which have not been approved by the ARB.

In doing the stakeout for new buildings, it is essential that all property corners be staked and labeled, and that all property lines be shown by strings between corners. This is the only way the ARB inspector can verify the perpendicular setback of building corners or sides from the nearest property line. The

“footprint” of each separate building planned, including above-grade decks, should be shown with stakes on each building corner and with strings marking the entire perimeter. The boundary of driveways and walkways should be marked by short blue or yellow flags set on approximately four-foot centers to assist in verifying needed tree removal.

Though the stakeouts for additions to existing homes can be a bit simpler, the ARB inspector must nevertheless be able to quickly and accurately verify setback conditions and tree removal needs during his site visitation. For swimming pools, the perimeter of the pool deck must be staked and strung.

(b) As-Built Survey

An “As-Built” Survey by a registered surveyor is required to indicate the proper placement of the building on the site. This survey must be completed after the foundation is in place, prior to the commencement of framing and shall be delivered to the ARB within five (5) days before the commencement of framing.

(c) In-Process Compliance Inspections

Throughout the construction period, job sites will be inspected frequently by ARB inspectors and ARB members to determine continuing compliance with ARB regulations and guidelines, special permit conditions, if any, and with the ARB approved construction plans. Special attention will be given to noting site cleanliness and orderliness. It is important to note that the ARB Administrator has the authority to issue a verbal “Stop Work” order to the builder for any issue of non-compliance noted during in-process inspections. If building construction is interrupted for two weeks or more, for any reason, the site must be left in neat and tidy condition. This interruption does not in any way extend the building permit.

(d) Final Inspection No. 1 (Clean-up and Compliance)

This inspection will be scheduled when the owner and/or builder notifies the ARB office that:

- (i) construction is completed pursuant to the ARB-approved plans
- (ii) a standard house number sign has been installed in accordance with the Bull Point ARB
- (iii) all waste containers, portable toilets and temporary utility poles have been removed
- (iv) the job site is clean
- (v) any damage to right-of-way, common areas, and adjacent properties has been completely repaired
- (vi) all signs and permits have been removed.
- (vii) adjacent lots and street fronts must be restored to original condition.

If the ARB inspector finds all of the above to be correct and if no exterior design or color changes are noted, and landscaping installed as approved, this final inspection shall be considered approved. Then, after the builder has provided a copy of the First Floor Elevation Certificate and a copy of the Certificate of Occupancy to the ARB, a refund of the Clean-up and Compliance Escrow Deposit will be made.

(e) Final Inspection No. 2 (Landscaping)

The ARB in its sole judgment will determine at this Final Inspection of the landscape installation if the landscape plan design intent has been met. This holds particularly true for landscaping that is used for screening purposes. When the ARB inspector verifies that the landscaping has been appropriately and reasonably completed, the Landscape Escrow Deposit will be refunded (less penalty deductions if any) and the project is deemed complete.

Failure of any ARB inspector to detect or object to an unauthorized design change or other non-compliance matter during the construction process does not relieve the owner and/or builder of any obligation to correct the non-compliance. Inspections by the ARB inspector shall be for the benefit of the ARB and under no circumstances of any nature does the ARB warrant the quality of the design and/or construction of any residence.

SECTION II

EXTERNAL AMENITIES

The guidelines in Section I govern the design and construction of a “basic” residence in Bull Point. A home may, however, be built, subject to ARB approval, with any or more “optional extras” such as a swimming pool, flag pole, gazebo, boat dock, etc. Any of these amenities may be built as part of, and concurrent with, construction of a new house, or may be added later to existing homes. In the latter case, a separate building permit application for the proposed addition alone must be made to the ARB. If the amenity construction is to coincide with the construction of a new primary residence, all such amenities may be encompassed within the same permit application covering the principal structure. In either situation, the guidelines presented in the following pages should be accommodated in the application.

A. SWIMMING POOLS AND SPAS

Swimming pools, spas, hot tubs, and associated decking, fencing, benches, etc., must comply with the setback and other requirements established by the ARB. The preferred location for swimming pools and spas is at the rear or side of single-family homes. Only rarely will the ARB favorably consider or approve a pool located in the front (street side) of a house.

1. SETBACK REQUIREMENTS

For all lots, swimming pools and pool decks may be elevated (i.e. above ground) as long as the boundary of such pool and its deck is not closer than ten feet (10') from a side property line and ten feet (10') from the rear property line. The boundary of “in-ground” pools and pool decks may be placed no closer than ten feet (10') from side and rear property lines. The OCRM critical line requirements and the Covenants may require more stringent setbacks from the rear property lines contiguous to the OCRM critical line.

To qualify as an “in-ground” pool, the surface of the pool deck can be no more than twenty four inches (24”) above the lowest natural grade elevation at any property line from which the deck edge setback is less than ten feet (10'). The reference grade elevation will be that existing prior to start of construction and will be measured at a point on the property line(s) where a line through the approximate center of the pool perpendicularly intersects that property line. Further, the grade from the property line to the pool deck must be such that a swale for pool deck run-off water can be established in the setback area. “In-ground” pools must have a setback of ten feet (10') from the rear property line. The OCRM setback from one rear property line may be more stringent and must be adhered to when applicable.

An “above-ground” pool will only be considered when designed as a continuous and integral part of the residence. The appropriate maximum elevation above ground will be the elevation that a home has as its first floor level beginning. These “above-ground” pools must have their deck designed to be a continuation of the first floor or no more than twelve inches (12”) below the first floor. No “above-ground” pools will be considered when detached or separated from the residence.

2. OTHER REQUIREMENTS

- (a) The ARB may permit “in-ground” swimming pools, spas, and hot tubs to be enclosed by “safety” fencing a maximum of four feet (4') high above the top of the pool wall or surrounding deck. The design of the fence should discourage entry by small children and animals. The design should complement the residence or be a living fence design, and must be approved by the ARB. Landscaping must be provided to soften the impact of an enclosure around the pool.
- (b) When back washing pool or spa filters, or when lowering the water level of pools due to excess rain fill, the effluent and/or discharge must be discharged on the residential lot and may not be discharged to adjacent streets, lagoons, marsh area, open areas, or neighboring properties. Under no circumstances shall discharge from the pool discharge into the marsh area. The ARB shall have the right, at its discretion, to require extraordinary protection to prevent contamination of wetlands and/or the marsh area.
- (c) All pool fixed equipment (pumps, filters, heaters, auto-chlorinators, etc.) must be placed within a wood constructed fenced service yard or beneath an elevated deck enclosed by other fencing. Location of pump motors should be chosen to minimize noise disturbances to neighboring residents. Tools, hoses, chemicals, etc., used for pool or spa maintenance should likewise be stored in a screened service yard.
- (d) “Pre-packed” hot tub systems are considered new structures and may not be installed on or in any deck or other exterior portion of the residence without an ARB permit.
- (e) Permit applications for construction of a pool or spa or for installation of a pre-packaged hot tub should include:
 - i. A scaled site plan (1/8 inch – 1 foot) showing the shape and location of the pool, decking, fencing (if any), and pool equipment enclosure... all shown with respect to the principal residential structure and property lines.
 - ii. Elevation details of the pool equipment fence enclosure and, if applicable, of safety/privacy fencing around the pool or spa area. Include stain color samples for the fencing or indicate “to match existing house”.
 - iii. A sample of the water-level tile to be used and a description of the decking material and coloration thereof.
 - iv. Elevation details (including materials and colors) of any structure raised above and adjoining the main pool deck, e.g. waterfall, planter, artistic splash plate, etc.
 - v. For all pool installations, a landscape plan also must be submitted with the application.

B. FENCES

Fences are generally discouraged but, where planned, must be approved by the ARB. In general, permitted fences are usually limited to those which enclose utility areas and swimming pools.

A principal consideration of the ARB in the approval process is the need to ensure that no fence will interfere with a neighbor's view over marsh, water, or open land. Accordingly, rigorous

restrictions on “solid” fences, such as board-on-board or masonry, may not apply to more “open” fences, such as post-and-rail or electric wire deer fences usually installed near property lines.

Perimeter fences enclosing all or much of a property are considered inappropriate in Bull Point and will not be approved. The use of earthen berms with tall plant materials is encouraged, where practical, instead of privacy fences and walls. If fences are planned, the Board encourages the use of fences in areas that are most remote and for practical purposes and are not visible from the street.

Fences will not be permitted along any marsh, lake, or lagoon areas under any circumstances.

1. FENCE SETBACKS

The minimum distance from property lines for which the ARB will consider fence applications are:

(a) Streets:

Normally, the distance the home is from the street will be the minimum distance required to construct a fence. The ARB may adjust (increase or decrease) this setback where the street pavement is very close to, or distant from, the property lines.

(b) Side property lines:

Normally, a ten foot (10') minimum fence setback, except in the following situations:

Where an easement (for drainage, walkway, or utility purposes) exists, the minimum setback may be greater, based on a case-by-case evaluation by the ARB. If the Board allows placement of a fence within an easement area, it will be with the understanding that future use of, or access to, the easement could require relocation of the approved fence by the owner and at the owner's expense.

(c) Property abutting marshes, open space:

In order to protect views, fences are seldom approved in these situations and only with the following considerations:

- i. Fences parallel to side property lines require specific ARB evaluation based on type of lot and location.
- ii. On those lots abutting open marshes or lagoons, no fence should extend more than fifty percent (50%) of the distance from the rear of the principal building structure to the rear lot line.
- iii. On property abutting “open space” (other than lagoon or marsh), a minimum three foot (3') setback from the line involved is required
- iv. Fences Parallel to front or rear property lines: Usually privacy fences, these should extend no more than the width of a residence, but in many cases will not be considered at all depending on the need and ultimate location.

2. FENCE HEIGHT

In no event will a fence height greater than four feet (4') above finished grade be considered. Extensive fencing, such as around swimming pools, should generally be

restricted to four feet (4') high. The maximum of six feet (6') will be considered by the ARB only for special cases.

3. FENCE MATERIAL AND COLORS

Preferred materials of construction include wood board or masonry, whose style and color are selected to match or complement the principal house structure siding. Chain link and other wire mesh fencing is not allowed. All fencing material and design must be approved by the ARB.

C. DEEPWATER AND TIDAL DOCKS

Bull Point, in conjunction with the South Carolina Office of Coastal Resources Management (OCRM), has identified the maximum number of private and community docks that might ultimately be built at Bull Point. A Master Dock Plan has been adopted by Bull Point and has been conceptually approved by OCRM. The docks identified in this Master Plan limits the number of docks to those properties where water access is practical and where the visual impact of docks along the shoreline is minimized. A dock is not permitted by Bull Point unless it is part of the Bull Point Master Dock Plan.

Docks that are part of the conceptual Master Dock Plan are still subject to OCRM and ARB permitting. Covered walkways, docks, pier heads and boatlifts are not permitted within Bull Point.

1. Shared Dock

Neighboring lot owners are encouraged to share a dock. In this case property owners choose to agree on a mutual dock access, easement, defining the legal term for deeding the easement, construction payment, and usage and maintenance responsibility acceptable to both parties. Both property owners shall sign construction plans, and permit applications pertaining to the shared dock.

2. Walkways

To preclude the adverse effects of shading marsh vegetation, walkways which are built over vegetated marsh and leads to the dock or pier, should be no more than 4 feet (4') in width and not elevated more than 3 feet (3') above mean high tide (OCRM Rules & Regulation). Access to the walkway from the property is to be designed to follow the natural contours of the land as closely as possible in order to limit the visual impact from adjoining lots.

3. Floats

Floats within Bull Point may not exceed 300 square feet. Either OCRM or the ARB may require smaller floats on restricted waterways and small marsh creeks.

4. Pier heads

Pier heads will not exceed 120 square feet in area for a single owner dock or 160 square feet for a shared dock. Covered pier heads are not allowed within Bull Point.

5. Ramps

Timber is a preferred construction material for ramps However, metal may also be used.

6. Rails

Railings for walkways, pier heads and ramps should be designed to limit the number of horizontal and vertical members in order to minimize the visual impact.

7. Pilings
Piling must be constructed of approved treated timber.
8. Bulkheads
Construction of bulkheads is not permitted unless evidence of severe erosion poses an immediate threat to property loss which would encroach into the building envelope. (OCRM Rules & Regulations)
9. Boat lifts
It is the intention of the ARB to minimize the visual impact of boats in storage above the marsh grass, therefore:
 - (a) floats mounted with small wenches are preferred rather than the cradle lifts on small marsh creeks,
 - (b) cradle and float boatlifts will be considered on a case-by-case basis and will be reviewed in relation to the size of the creek and the effect of the lift on the vista from neighboring lots. Lifts will be subject to the following conditions:
 - i. the lift can only be occupied by a boat when the owner is residence, dry storage must be provided by the owner not in residence.
 - ii. the lift should be designed so that the cradle of the lift does not rise above the decking of the pier head.
 - iii. a boat in the lift must have a tailored cover over it which blends into the surroundings.

10. Lighting

Lighting for walkways, pier heads, and floats are of a particular concern. Lighting on shore has vegetation and structures to buffer stray illumination but on the creeks and marshes no such buffer exists.

Every effort must be made to insure that all light be directed downward and not visible to neighbors and others on the creeks and marshes. Stray lighting also has a negative effect on wild life.

All potential fixtures or a catalogue cut sheet must be presented for approval by the ARB if it is not the currently approved and recommended fixture before a dock permit will be issued.

The ARB can provide examples of lighting fixtures that will be approved.

Docks already built must provide the above before lighting is installed.

Light fixtures should not be higher than 8' and low voltage walkway lights should not be higher than handrail height.

D. DOCK DESIGN REVIEW AND APPROVAL

The ARB requires the review of dock, seawall, and bulkhead permit applications (Form 6) ten (10) days prior to submission of these structures or docks for approval by the South Carolina OCRM or any other governmental agencies responsible for monitoring this type of construction. The ARB will withhold its consideration of any application for this type of structure until after the OCRM permit has been issued. However, the ARB recommends review of the requested permit prior to submission to OCRM so that they may make suggestions and/or comments. In addition to the requirements of OCRM, the ARB has requirements based on aesthetic, view, use of

waterway, and consideration for adjoining property owners which are more stringent than the approvals processed for OCRM.

All lot owners who construct an ARB-permitted dock, seawall, or bulkhead must maintain these structures in good repair and keep them safe, clean, and orderly in appearance at all times and further, must agree to paint or otherwise treat with preservatives all wood or metal located above the high water mark, exclusive of pilings, and to maintain such paint or preservative in an attractive manner. No gazebos or covered pier heads will be permitted as part of any dock. Boat hoists will be allowed on a case-by-case basis.

All Dock Permit applications must be submitted to the ARB ten (10) days in advance and be accompanied by the appropriate application fee (pviii) with the following:

1. A site plan drawn to scale (1/8"=1') by a licensed surveyor on a copy of the recorded plat illustrating the structure and its relationship to adjoining lots.
2. On-site staking indicating the dock corridor and the outer limits of the entire proposed structure. Stakes must be visible from the shoreline.
3. Complete plans, drawn to scale and written specifications. Elevations of proposed structure (i.e. rails on walkway, ramp, pier head; any boatlift devices; spacing and size of pilings and bracing; framing details; handling of electrical and water lines).
4. A catalogue cut sheet of lighting fixture (or actual fixture).

NO construction or staging of building materials may occur prior to Bull Point ARB approving of plans and issuing a Bull Point Construction Permit.

E. DOCK CONSTRUCTION PERMIT

All plans must go through the ARB review process and conform to applicable submittal requirements. An approved copy of the OCRM permit is to be supplied to the ARB before a Bull Point Dock Construction Permit (Form 7) can be issued.

Submit a Bull Point Dock Construction Permit Application (Form 6) with refundable compliance deposits (Form 15) along with the following:

- 1) a copy of ARB approved final plans;
- 2) a copy of the OCRM construction permit;
- 3) a signed ARB Approval Agreement letter;

Contractor's attendance at a pre-construction site visit with the ARB Administrator is required.

F. DRIVEWAY ENTRANCES GATES

Driveway entrance gates normally will not be permitted. However, such gates may be approved by the ARB on a case-by-case basis for decorative purposes only. If a gate is so approved, it must remain in a full open position at all times, and may be required to be permanently affixed in the open position. No driveway gate equipped with automatic or remote actuation controls or with any power actuation mechanism (i.e. hydraulic or pneumatic cylinders, or electric drive) will be approved.

G. TV AND RADIO ANTENNAS

A satellite TV dish in excess of twenty four inches (24") in diameter or type of television antenna installed on the exterior portion of any residential lot requires the approval of the ARB. A property owner may submit an application with fee for these types of devices (using a special form available from the ARB office) which includes justification for the need/size and placement thereof and describes how the unit will be screened from view by residents and visitors.

Additionally, no radio or television signals, or any other form of electromagnetic radiation shall be permitted to originate from any residential property which may unreasonably interfere with the reception of television or radio signals upon any other such property.

H. MAILBOXES AND SIGNS

The Bull Point Property Owners Association will, for a fee of \$300.00 (**subject to change**), provide and install a standard rural route type of mailbox with post, color "Charleston Green" and "Beige" for a residential property. This mailbox will be located adjacent to the front street, normally near the driveway entrance and installed in compliance with U.S. Postal Department regulations. The street postal number is shown, with decal numbers, on the door of the mailbox, and the resident's name is shown on a metal placard on top of the mailbox. No other color or type of mailbox is allowed in Bull Point.

In addition, in order to comply with the County's regulations related to emergency response (911) services, each residential property must have a small sign bearing the house number placed in the front yard so as to be easily visible from the street. A standard wooden sign of this type ("Charleston Green" with white engraved numerals) **must be provided by the POA**. This house number sign could save someone's life by speeding location of a residence by paramedic response units. No construction work of any type being done under a Bull Point Building Permit will be considered complete unless this sign is in evidence during the ARB Final Inspection of the permitted construction.

I. WATER WELLS AND WATER SOURCE HEAT PUMPS

The Bull Point ARB allows the use of individual water wells but Water Source Heat Pumps are not allowed. No open well systems are allowed.

Additional requirements included for water wells:

1. Application must be made to the ARB and an ARB permit issued, prior to any drilling.
2. The holes to be bored for the proposed wells are to be drilled only by a South Carolina licensed well driller.
4. The application must include:
 - (i) A site plan showing the locations of the proposed boreholes and of the related above-ground heat pump equipment.
 - (ii) Proof of the well driller's certification (copy of State license).
 - (iii) Information on the nature and type of injection facility and well, including drawings of surface and subsurface construction details.
5. Strict adherence to "Well Standards and Regulations", South Carolina R.61-71 effective June, 1985.
6. Location of the proposed boreholes must be accurately marked (staked) on the job site prior to rigging or start of drilling.

7. All below-grade pipes shall be fusion welded polybutylene.
8. The boreholes may be finished below grade. However, the wellhead I.D. plate must be accessible for visual inspections.

J. FLAGPOLES AND STATUARY ELEMENTS

Statuary elements are normally permitted only in the rear of the residential lot and within established building property line setback guidelines. Bright or glittering objects shall be completely screened by landscaping from view outside the lot. All plumbing and electrical fixtures associated with statuary elements also shall be adequately screened.

One flag or banner pole is usually permitted per residential dwelling and only in the rear of the lot and not within twenty feet (20') of the property line, with a maximum height of twenty five feet (25') above natural grade.

K. EXTERIOR LIGHTING

Exterior lighting should be limited and light cast should be immediately to the home. This will minimize the disorientation of nesting wildlife and maintain a pleasant night time environment for neighbors. Illumination for safety on walkways, driveway and entryway areas within 50 feet of the house may be low intensity indirect light with a maximum fixture height of 24" inches. No driveway shall give the appearance of having runway lights. Flood, down and up lighting from trees and structures should not be used.

A limited number of recessed lights, discreetly placed under the soffit area of the house may be used for the purpose of safety, but not used on a continuous basis. These light fixtures must have a large deep hood to control the path of light and the fixture must be aimed down to prevent light spilling onto adjacent lots, open areas or streets. They must be located on the soffit only.

The ARB requires that a catalogue cut sheet be submitted on all light fixtures proposed for use on the exterior of a house or as part of the landscape development. All exterior lighting is subject to additional requirements under the Covenants.

L. DECKS, PATIOS AND TERRACES

The design of decks, patios and terraces must be coordinated with the design of the residence. These spaces add a great deal to the outdoor "livability" of a home and can provide a high degree of privacy when bordered by dense natural vegetation and/or appropriate landscaping.

Grade-level patios and decks (i.e. those which are no higher than twenty four inches (24") above **average** existing **pre-construction** grade (including any railings) at the nearest property line, are considered "horizontal structures". Elevated decks and terraces (i.e. those for which any part of the structure is more than twenty four inches (24") above **average** existing **pre-construction** grade, must be treated as "vertical structures" and are therefore subject to the same setback distances as for house walls.

All open spaces beneath an elevated deck must be closed with materials that conform to the structure of the dwelling. A home finished in brick or wood would be required to be finished using the same type of materials. "Open air" paneling between the outermost vertical posts or piers, and such vertical surfaces are to be screened by landscape plantings. This is to include all area beneath the porches and/or decks to the ground

All exposed vertical elements of a wooden deck or terrace, including benches, railing, and below-deck outside structure must be stained/painted to match the house siding. If left unpainted, bare pressure-treated wood usually used in such structural units weathers to a color that is unattractive, obtrusive and incompatible with the house coloration. Stains and paints that can be used on new pressure-treated wood are commercially available locally, so delay to allow "aging" of the wood is unnecessary.

All open spaces beneath an elevated deck must be finished in an architectural manner and style that lends to the appearance of the over-all structure. The mere use of lattice will not be permitted. However, when lattice used (3/4" only) in conjunction with wood louvers, brick and stucco shall be given consideration. All masonry walls must be finished. No block or plain masonry will be approved.

M. GAZEBOS AND CABANAS

The Covenants allow for the construction of one single-family dwelling, one small one-story accessory building or a guest house, on a residential lot plus one detached or attached garage. Garages may have a finished bonus room or apartment above. Other accessory building such as gazebos and/or column (pool house) maybe be denied by the ARB. It is recommended therefore, that if a property already has, or will have, a detached garage/carport or guest suite, the ARB staff should be consulted prior to preparing design drawings to determine whether a prohibitive constraint will exist.

SECTION III

OTHER GUIDELINES FOR EXISTING RESIDENCES

The primary purpose of the Bull Point Covenants is to regulate the creation and maintenance of a community, which is aesthetically pleasing and functionally convenient for all residence and visitors. Applicable Covenants charge the ARB with the responsibility for monitoring the maintenance of single family residences and associated grounds. This section provides further information and guidelines for use by the owners of existing homes in Bull Point.

A. EXTERIOR REPAINTING OR RE-STAINING

The exterior surfaces of homes must be properly maintained. Badly mildewed and/or faded exterior surfaces must be washed and re-stained / repainted as necessary. When you find it necessary to re-stain or repaint all or part of the exterior of your house or an auxiliary structure, before you undertake such work, you must first request and obtain written approval from the ARB, even if you intend to utilize exactly the same color(s) now existing on your house.

No one should simply assume that the siding or trim colors existing on another house within Bull Point were approved by the ARB for that house or may be automatically used, without prior ARB approval, for your own house.

The exterior colors of building should blend with the surrounding environment and not contrast with it. Two-tone color schemes (i.e., where siding and trim colors are to be different) should use both colors of the same hue to provide apparent shadow lines or sun/shade/shadow relationships.

To obtain ARB approval to re-stain or repaint any part of the exterior of your home, please submit a written request, utilizing the Change Request Form shown (Form 13) to the ARB at least ten (10) working days prior to the contemplated start of work. Actual color samples (on wood, or stucco, as appropriate) must be submitted, for each separate color to be used, along with your request unless an ARB "pre-approved" color is to be used. These samples are important to both the property owner and the Board in evaluating the true finished appearance of the house since small "color chips" often vary greatly from actual applications.

No application fee is required to obtain the ARB approval for re-staining / repainting.

B. ROOF REPAIR OR REPLACEMENT

Roofs and rain gutters or diverters must be kept clean of debris.

If you need to replace missing roof shingles or otherwise repair a portion of the roof of your residence, you must do so with shingles of exactly the same color and materials as existing. Replacement wood shake shingles will obviously be lighter than existing ones until weathering occurs, and such is deemed acceptable. Approval by the ARB for minor roof repairs is not required.

When you wish to replace the roofing of your house or a detached building:

1. If the existing roofing is wood shake/shingle, and you intend to replace it with the same type of wood shake, you may do so without ARB approval.

2. If your existing roofing utilizes asphalt/fiberglass shingles of either “Weathered Wood” or “Slate Blend” colors, you may likewise utilize the same materials and same color without ARB approval, so long as you utilize fungus-resistant shingles with a minimum weight of 300 pounds per square inch? and a thirty (30) year warranty, as is required for all new Bull Point residences.
3. If you want to replace existing asphalt/fiberglass shingle roofing of any color other than “Weathered Wood” or “Slate Blend”, or if you want to change the color or materials in your new roofing, you must submit a Change Request Form (Form 13) for ARB approval at least ten (10) working days prior to the intended commencement of roof work. No application fee is required.

NOTE: A Beaufort County Building Permit must be obtained for any re-roofing job, whether or not ARB approval is required.

C. TREE REMOVAL OR PRUNING

The pruning of dead or diseased tree limbs or of large limbs which overhang a residential structure may be undertaken at the property owner’s discretion, without approval by the ARB.

However, the extensively wooded setting of Bull Point, with its tall stately pines, beautiful oaks, and many other tree species, is a situation, which our community strives to preserve. Under the Bull Point Covenants, NO TREE MEASURING SIX INCHES (6”) OR MORE IN DIAMETER, MEASURED AT SIX FEET (6’) ABOVE EXISTING GRADE MAY BE REMOVED FOR ANY REASON WITHOUT PRIOR WRITTEN APPROVAL by the ARB and Beaufort County.

Therefore, you **should not remove any tree six inches (6”) or larger in diameter regardless of species, condition or location**, unless you have first obtained the required **written** approval by the ARB and Beaufort County. The ARB cannot and will not accept any after-the fact excuse or explanation that a tree was diseased or dead, etc. The ARB Administrator must inspect and verify the basis for removing all trees in Bull Point.

You may request approval for tree removal from the ARB office simply by calling (843) 379-9940, Monday through Friday, 9:00 AM – 5:00 PM at least seven (7) working days in advance of any contemplated tree removal work. There is no application fee charged for a tree removal request.

The ARB will consider removal of trees, depending on species, size and location, whose trunk is touching, or nearly touching, a roof eave, or whose root system is causing observable structural damage, e.g., to driveways, fences or building walls. However, the Board views negatively any requests for tree removal wherein the sole basis for such requests(s) is to allow more sunlight to swimming pool or landscape areas and/or to minimize leaves or pine straw blowing into a pool or driveway. Additionally, the Board will deny approval for tree removal when such request is based solely on a property owner’s concern that a storm or hurricane might cause a large tree to fall onto a residential structure. **THE TRIMMING OR REMOVAL OF TREES, OF ANY SIZE OR SPECIES, WITHIN BULL POINT’S “OPEN SPACE” AREAS BY RESIDENTIAL PROPERTY OWNERS (OR THEIR AGENTS) IS STRICTLY FORBIDDEN.** If any such trees appear to need pruning or removal, property owners should refer such matters to the ARB office at (843) 379-9940.

D. RESURFACING OR RESHAPING DRIVEWAYS

Many driveways at Bull Point are left in a natural state. To add a gravel/asphalt or plantation mix finish or to reshape an existing driveway using some type of finish (asphalt, brick, gravel crush 'n run, plantation mix) will require Board approval and a Bull Point Building Permit Agreement (Form 1).

Seal coating, patching or overlay resurfacing of an existing asphalt driveway does not require ARB approval so long as the configuration, size and location of the existing driveway is not changed. Likewise, the replacement / removal of an existing asphalt driveway with the same material type and color may be undertaken without ARB approval or permit, again, so long as there is no change in shape, size or location. If any change is to be made in the configuration or position of a replacement driveway, such action is deemed new construction, and an Application for Building Permit (Form 1) must be submitted for Board approval.

E. INTERIOR REMODELING

No ARB approval or permit is required for any interior remodeling of a structural, mechanical or electrical nature, so long as no exterior alteration (i.e. addition or change of windows or doors) is involved. Note, however, that:

1. A Beaufort County Building Permit for such work must be obtained from Beaufort County and posted at the job site.
2. No unapproved builder's sign may be posted at the site.
3. The exterior premises must be maintained in a neat and clean condition, with building materials neatly stacked and all trash and debris placed only in a waste dumpster on site.

F. LANDSCAPE MAINTENANCE AND MODIFICATION

Every property owner is responsible for preventing the development of any unclean, unsightly, or unkempt conditions of buildings or yards, which shall reduce the beauty of the neighborhood as a whole or the specific areas. In landscaped areas, bed and lawn areas must be maintained. In natural areas, weed growth must be controlled. Bedded areas, which have been previously mulched with pine straw, bark, etc., must be kept weed-free and clear of debris. Mulch should be applied periodically to maintain a neat, clean appearance. Dead plants must be replaced. Natural areas in the landscape are acceptable; however, tree limbs, palm fronds and other unsightly vegetation must be removed. After ARB approval, dead and/or diseased trees must be removed and stumps removed to at least ground level. Driveways and walkways shall be kept clean of debris. Lawn areas must be mowed regularly and maintained at a height of between one and three inches.

If a major change or upgrading of landscaping is contemplated, particularly in areas visible from adjacent streets, lots, lakes, marshes or common areas a landscape plan must be submitted to the ARB for approval prior to undertaking work. Guidelines for landscape design and for associated irrigation systems similar to those for new residences should be followed in preparing the Landscape Plan.

Any proposed structural changes or additions to existing landscaping such as fences, decks, fountains, lighting, retaining walls, driveways, walks, landscape structures or statuaries represent new construction that must be approved by the ARB.

G. BASKETBALL BACKBOARDS.

The Board believes that basketball backboards are undesirable from an aesthetic standpoint. However, the Board recognizes that the athletic and recreational needs of youth must be

fulfilled; so the erection/installation of a single backboard on a residential property is allowable, without need for an ARB permit, if the following guidelines are utilized to reduce the notice ability of the backboard.

1. Whenever possible, the backboard should be placed at the rear of the residence, out of view from the public roadway. If the backboard must be placed in front of the residence, e.g., adjacent to the driveway or parking area, the ARB requests that the front surface of the backboard be set perpendicular to the public roadway.
2. Backboards made of transparent plexiglass or with muted neutral color (e.g., gray or tan) are preferred over white ones, particularly those with fluorescent red or orange stripe accents. If you already have or will purchase a white backboard, the ARB urges you to mute (repaint) the front surface, and paint the back side with a dark brown or dark green color.
3. The wooden or metal post which supports the backboard should be painted "Charleston Green", same color as all Bull Point mailboxes or dark brown.

H. PLAY YARDS AND PLAYHOUSES

No trailer, canopy, shed, barn, or tree house or other similar outbuildings or structure shall be placed on any lot at any time. All playhouse and play yards and gym equipment shall be subject to ARB approval and must be submitted prior to any construction. Individual design and site locations will be factors in any ARB approval.

There shall not be maintained any device or thing of any sorts whose normal activity or existence is in any way dangerous, unsightly or of a nature as may diminish the enjoyment of other property in the neighborhood.

Despite these "limitations", the Board recognizes the desirability and benefit of at-home outdoor play facilities for young children and visiting grandchildren. Therefore, the ARB does allow, without formal application or permit, the placement and use of play facilities on a residential lot so long as such strictly adhere to the guidelines below:

1. No tents of any type at any time will be allowed.
2. Tree houses, tree stairs or platforms or any other structure in or on a tree are strictly prohibited.
3. One attractive playhouse, preferably commercially manufactured, may be placed in the rear yard of a residence, so long as it is not visible (or is landscape screened) from public roadways, neighboring houses. The above is allowed but subject to ARB approval in the designated location.
4. Likewise, a gym set (with swings, slide, etc.) and preferably with a stained/varnished wooden structure (rather than bare or painted metal) may be placed in the rear yard, again with the requirement that the play unit not be visible, or be landscape screened, from streets and adjacent homes.

I. WINDOW COVERINGS

The exterior surface of window shades, curtains, blinds, and shutters must be subdued in color and compatible with the exterior hues of the residence. Shutters must be functional and must completely cover the window opening.

SECTION IV

DEMOLITION OF EXISTING STRUCTURES

Though rare, an existing structure may be severely damaged or destroyed by fire, storm action or other causes. However, in such event, the damaged structure must be demolished and removed from the property in a timely and orderly manner, which shall be non-offensive to neighboring property owners and according to a plan approved by Beaufort County and the ARB. A Demolition Permit Application (Form 8) be submitted to the ARB within sixty (60) days of the occurrence of the damage, and no clearing or demolition work shall begin before a Demolition Permit has been issued by the ARB. This requirement exists whether the demolition work is a prelude to repairing/rebuilding the damaged structure or is to completely raze the structure prior to resale of the property as an undeveloped lot.

Additionally, a property owner desiring to remove an existing undamaged structure precedent to either constructing an entirely new structure or selling the property as an undeveloped lot must likewise obtain a Demolition Permit from the ARB prior to commencement of any demolition/removal work on the existing structure either of an interior or exterior nature.

A Demolition Permit (Form 8) issued by the ARB will normally be valid for only thirty (30) days from date of issuance, unless an extension of time is formally requested and approved by the Board in advance. The purpose of the 30-day limitation is to minimize the time period during which neighboring residents will be disturbed or inconvenienced by the noise, dust and vehicular traffic associated with the demolition work. Therefore, requests for extending this period will necessitate very explicit justification.

Additional rules and guidelines for demolition include, but are not necessarily limited to, the following:

1. Owner or contractor must submit a copy of the Beaufort County approval for demolition with the application to the ARB.
2. Prior to beginning demolition, all potentially affected utilities (i.e. water, sewer, electric, telephone, cable TV) shall be notified by the contractor to permit flagging or clearing of lines by the utility companies involved. Failure to do so could result in the advertent disruption of power, water, etc., to neighboring properties due to damage of utility lines by uninformed demolition workers.
3. No trees, of any size or species, shall be removed during the demolition process without specific written approval by the ARB. Also, extreme care must be taken to avoid damage to remaining trees and under story.
4. Demolition work must be total and complete within a specified time period; and no part of a demolished structure, including fountains, driveways, etc., may be left unless so indicated on a plan approved by the ARB.
5. All debris must be placed in waste dump boxes or removed prior to the end of each workday.
6. The site must be restored to a near-natural state with approximate natural grade. All depressions and excavated areas are to be filled and graded to avoid pooling of rainwater. Also, all bare earth areas are to be covered with pine straw to preclude blowing dust, unless new construction will commence immediately after demolition.

Other specific guidelines or constraints may be imposed as conditions of the Demolition Permit issued by Beaufort County or the ARB.

SECTION V

SPECIAL RULES FOR BUILDERS

The ARB expects the builder/general contractor associated with each approved project to complete the construction work in a timely, continuous, orderly and neat manner so as to minimize visual and acoustic disturbances to nearby residents. A builder will be held responsible not only for his own employees, but also for the actions of all his subcontractors and suppliers as well. In all cases, however, the property owner will ultimately be held accountable by the ARB for the actions of his/her builder.

After all submittal requirements are met and approved, the ARB will issue a final plan approval. The builder must make sure that copies of all the approved plans are available at the construction site.

The builder must request an on-site meeting with the ARB Administrator at (843) 379-9940 to review the Mobilization Plan and to determine the location of the following:

1. all necessary barrier fencing
2. portable toilet and trash container
3. construction material, staging, and storage area
4. stake-out of the outer boundaries of the ATU septic field and well location
5. all necessary tunneling of utilities to avoid damage to roots of significant trees
6. all mulching and fencing for tree protection along construction access areas
7. culverts when necessary

The following rules and regulations are designed to enhance Bull Point's overall appearance to residents and visitors. These regulations are to be used as guidelines and are not intended to restrict, penalize or impede construction firms who adhere to these regulations while performing their duties in Bull Point. Repeated violation of these regulations could result in the suspension of the Building Permit for that residence until corrective action has been taken by the builder. Additionally, a builder who repeatedly violates either the letter or "spirit" of these guidelines may be required to post a larger construction deposit, or in the extreme, be prohibited from working in Bull Point.

1. No work, including lot clearing, may be started until both a Bull Point Building Permit and a Beaufort County Building Permit have been issued and posted by the builder at the job site.
2. Construction work, both exterior and interior must be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday only. Workers and their vehicles should not arrive before 6:45 a.m. and should depart from the job site before 6:45 p.m., without exception. No work will be permitted on Sundays, or the following designated holidays: Thanksgiving Day, Christmas Day, New Year's Day, and July 4th. *Designated holidays that fall on Saturday will be celebrated on Friday, while holidays that fall on Sunday will be celebrated on Monday.*
3. The builder must construct a temporary driveway entrance of compacted earth, gravel, and other reinforcement material connecting the lot to the road, graded so as not to interfere with drainage along the road, in order to minimize any damage to the road shoulders or the edges of the roadway and to minimize the amount of mud tracked back onto the roadway. Additional protection may be required in certain circumstances.

4. No trees or under story may be removed unless indicated for removal on the ARB-approved Final Site plan. No “clear cutting” is allowed outside of the approved building footprint and driveways.
5. A portable toilet must be placed on a job site, for use by all workers on that project, prior to the start of any work. The only exception to this requirement is in the case of building additions or alterations where full-time access to working interior toilets is granted, and is available to all workers, by the owner of the existing residence being modified. The required “portable toilet” is defined as an upright, enclosed unit which must be placed outdoors (i.e. outside of any building footprint) on the job site, as far back on the lot as possible (but not less than twenty five feet (25') from the street) with the door facing away from the street and adjoining houses. The use of camping-style portable toilets is strictly prohibited within Bull Point. All portable toilets must be emptied, cleaned and chemically treated regularly (not less than once per week) to prevent offensive odors or appearances.
6. Construction shall be in strict accordance with the drawings, site plans, materials and color submitted to and approved by the ARB. **NO EXTERIOR CHANGES MAY BE MADE WITHOUT PRIOR WRITTEN APPROVAL FROM THE ARB.** This includes exterior materials or colors, or doors and windows (number, location, style or size).
7. All motor vehicles, including those belonging to the builder, his subcontractors or suppliers, and workers’ vehicles, must be parked off-street and only on the project property. Where conditions do not allow such to occur, the builder must arrange in advance for an alternative jointly with the ARB, Bull Point Security and neighboring property owners. The builder and property owner are responsible for seeing that all construction workers and suppliers obey all traffic and security regulations of Bull Point.
8. Maintenance of a clean and orderly building site is imperative throughout the term of the project. The builder must provide at least one suitably sized trash receptacle at the job site prior to starting any work. Trash shall be placed directly into these containers, and at the end of each day, the builder shall assure that any loose litter/trash is placed in the containers. The containers must be emptied as often as necessary to assure that trash does not spill or blowout. All trash, debris and litter shall be removed from Bull Point. No dumping of any kind is allowed within Bull Point.
9. All vehicles used to haul trash, fill dirt, debris, building materials, etc. must be equipped with a net or cover to contain loose material and configured/loaded so as to prevent any spilling. If any spillage does occur within Bull Point, the builder shall promptly remove it.
10. All construction materials must be kept within the property lines, maintaining a clear street right-of-way. Burning of trash and unused building materials is not allowed.
11. Failure of the builder to properly maintain site and adjacent roadway cleanliness may, after notice from the ARB, result in assessment of established penalties and/or clean-up being done by others designated by the ARB with the cost of such deducted from escrow funds deposited by the builder.
12. The builder is responsible for providing water and electric service at the job site prior to starting any work that requires their use. Obtaining water or electricity from neighboring properties is prohibited. Temporary utilities should be installed in a neat manner. The temporary power pole must be installed plumb and will not be utilized for the placement of signs or permits. An ARB representative is required to be on site when utility trenches are to be dug. Any extra cost incurred to save a specimen tree from damage is the expense of the owner/builder.

13. Loud extraneous noises are not permissible. Thus, no loud playing radios or musical devices or loud, profane language will be tolerated. All workers, including subcontractor and supplier personnel, shall be informed by the builder about this requirement.
14. Final grading shall include drainage swales, berms, culverts or other appropriate provisions whenever the construction adversely affects the drainage of the natural watershed or causes runoff to adjacent properties.
15. Any damage done to roadways, walkways, or to adjacent properties during the course of a project, and no matter whether caused by the builder's employees or equipment or by those of subcontractors or suppliers, must be repaired by the builder prior to construction completion.
16. A building or building addition may not be occupied by any persons, even on a temporary basis, until after the builder or owner has obtained a Certificate of Occupancy from the Beaufort County Building Department and has delivered a photocopy thereof to the ARB. For new houses, a photocopy of the First Floor Elevation Certificate provided to the County must also be provided to the ARB by the builder.
17. Silt fencing is required where any drainage runoff can adversely affect the waterways, lagoons or marshes. The silt fencing is to be placed between the construction and the sensitive areas. Additional silt fencing is to be used in culvert areas and driveways where fill dirt or other materials are used and lastly, silt fencing is to be placed around specimen trees to prevent damage from workers and vehicles. Silt fencing shall also be installed along property lines.

It is very important that prior to the beginning of construction, but after a Bull Point Building Permit is issued, that the builder/owner place silt fencing as follows:

- A. around the border of dirt being removed or where fill is contemplated,
 - B. where dirt removal or fill can run into marshes and/or lagoon/lakes and/or wetlands,
 - C. property lines where other home sites can be affected,
 - D. around all specimen trees that lie within the building site (within twenty (20') feet) and near any driveways or turnarounds that could be affected by equipment or materials.
18. Builders are required to purchase construction passes for all subcontractors according to present policy from the Security Office at Bull Point.
 19. The builder is not allowed to use or trespass upon neighboring lots at Bull Point or the common property areas, except for the property between the public road pavement and the residential property boundary. Prior to start of construction, silt fencing shall be erected (and maintained) by the builder along the full length of both side property lines to prevent inadvertent trespass on neighboring properties.
 20. Storage trailers or other temporary structures may not be placed upon the lot during construction except with the written consent of the ARB. The Board's consent will be based upon the applicant's proof of the need for the structure and the acceptability of its configuration. Authorized temporary structures shall at no time be used for living quarters, and they shall be removed prior to occupancy of the building.
 21. No fishing or hunting by construction workers is permitted within Bull Point. All construction workers and their equipment are to remain on the project site or on public roadways at all times when they are within Bull Point. No animals or pets of construction workers or of any persons associated with the job shall be allowed within Bull Point.
 22. Sign Policies:

- A. Only one sign each may be erected at the construction job site by the builder/general contractor and by the architect, if different. Subcontractor, pool contractor and landscape contractor signs are not allowed.
- B. No signs may be placed at the job location until after both building permits (one by Beaufort County and one by the ARB) are issued. Then, both such permits are to be posted simultaneous with and in close proximity to the placement of the builder's sign.
- C. The single allowable builder's (and architect's) sign is to be located only at and facing the front street of the house being constructed or altered.
- D. All signs and building permits posted at the job site must be removed prior to the earliest of: (1) building occupancy by any persons, even temporarily; (2) exterior completion including landscaping; or (3) final inspection by an ARB representative. In no event may a builder's (or architect's) sign remain after one year from the date of the Building Permit.
- E. All signs, including dimensions, material, colors and finishes, must conform to the exact uniform standards, illustrated in graphic detail of Form 18.

SECTION VI

PENALTIES FOR NON-COMPLIANCE

Prior to the issuance of a Bull Point Building Permit (Form 1), whether for a new residence or for additions to an existing one, the owner and/or builder must submit two escrow deposits to the ARB, in the amounts indicated the Bull Point Escrow Deposits schedule (Form 15) for the following purposes.

A. COMPLIANCE AND CLEAN-UP DEPOSIT:

This security deposit, usually made by the builder, is intended to motivate and ensure that construction is implemented in strict accordance with:

1. ARB-approved construction plans,
2. Bull Point Covenants and Restrictions and ARB Guidelines
3. Any special conditions of the Bull Point Building Permit; and that the construction site is maintained in a neat, clean, and relatively quiet manner so as to minimize disturbance or nuisance to neighboring property owners.

Failure to comply with the above-stated conditions can and will result in significant financial penalties being imposed by the ARB, and which will be withheld (deducted) from refund of the subject escrow deposit.

B. LANDSCAPING DEPOSIT

As indicated in Section 1. K. Elements of Application. 13. Landscape Plan (Page 7) of the Guidelines, no new residential construction or grade-level addition will be considered complete unless and until:

1. A landscape plan has been submitted (normally not later than six (6) months after Building Permit issuance for a new residence) for ARB approval, and
2. The approved landscape plan has been fully implemented within ninety (90) days after receipt of Certificate of Occupancy from the Beaufort County Building Department. Unless the builder will be assigned responsibility for submittal of the landscape plan and the actual landscaping work, the ARB recommends that the owner submit the Landscape Compliance Deposit to the ARB, since the builder normally departs the project after the Beaufort County issuance of the Certificate of Occupancy. This security deposit is intended to encourage and ensure both the timely submittal of the requisite landscape plan and the completed landscaping. Again, failure to fulfill these requirements can and will result in ARB-assessed financial penalties being withheld (deducted) from this escrow deposit.

To further remind the builder and owner of their respective responsibilities and exposure to the ARB non-compliance penalties, prior to the issuance of any Building Permit, both the owner and the builder must sign a Bull Point Building Permit Agreement (Form 3) which includes the following language:

“The owner and/or builder hereby acknowledge that the funds will further be deposited in a federally insured institution. The owner and/or builder further acknowledge and agree that such funds shall be retained by the ARB pending satisfactory completion of the project in accordance with construction drawings approved by the Board and with other

ARB rules or conditions noted herein. The owner and/or builder further acknowledge that the Board shall have the right to assess penalties against the owner and/or builder for failure to complete the project on a timely basis, or failure to construct the project in accordance with the approved construction drawings, or failure to comply with other rules or conditions noted herein. Such penalties, which may be established and periodically modified by the ARB at its sole discretion, from time to time, shall be deducted from the funds deposited by the owner and/or builder, but without further accounting to the parties involved. Outside legal expenses or surveying costs from funds deposited by the owner and/or builder will not in any way relieve those parties of further liability for non-compliance.”

Specific non-compliance penalties currently enforced by the ARB are shown in the Bull Point Building Permit Agreement (Form 3) which the owner and builder also must sign prior to issuance of the Bull Point Building Permit.

SECTION VII

APPEALS

If an owner, builder or neighboring property owner feels that any decision or order made by the ARB regarding a permit application or initiated project is unfair or inconsistent with past practices of the Covenants or that the ARB Guidelines have failed to consider all relevant facts and information, then that party (or parties) may formally request that the matter be reviewed again. Such appeal must be made in strict accordance with the ARB Guidelines as defined in this section, or else such request will be automatically denied.

Any of the following parties are eligible to become an “Appellant” in the ARB appeal process:

1. A Bull Point property owner whose building permit application has been disapproved by the Board.
2. A property owner whose permit application has been approved with special conditions that the owner feels are unreasonable or unacceptable.
3. A neighboring property owner who objects to the ARB issuance of a building permit for an adjacent or nearby property.
4. A property owner who has been fined by the ARB or who has been ordered to cease work and/or restore a pre-existing situation, including exterior repainting, re-roofing or construction, that was altered without ARB approval.
5. A builder or contractor who has been given a restrictive order or penalized by the ARB for violation of Bull Point rules or Builder Permit conditions.

The appeal of any ruling by the ARB must (and can only) be commenced by an appellant’s filing of a written Petition for Re-Hearing, using a letter or any document form for so doing. Further, this Petition for Re-Hearing shall be filed with (i.e., delivered to) the ARB Administrator within ten (10) days of the decision or order to be appealed. The written appeal shall state the appellant’s name, mailing address, telephone number(s), how they are materially and adversely affected by the decision, and the particular portions of the ARB ruling to which they take exception. If the Appellant adopts the position that the ARB decision is contrary to any ARB rule, regulation, guideline or policy, the appellant shall state with specificity the particular rules, regulation, guideline or policy violated and in what regard the decision so violates that rule, regulation, guideline or policy. The ARB reserves the right to dismiss any appeal request, which does not conform to all of the foregoing requirements of the Petition for Re-Hearing.

The Chairperson of the ARB shall set the matter for hearing at a regular or special meeting of the ARB to be held within thirty (30) days of receipt of the appeal. The Appellant and any other witness or affected parties deemed relevant by the Chairperson shall be given sufficient time, at the discretion of the Chairperson, to present their positions at the hearing. Minutes shall be taken by the Assistant Administrator who shall prepare the minutes of the hearing separately from the minutes of the balance of the ARB meeting.

The appellant and other affected parties shall be notified in writing, by U.S. Certified Mail, of the decision reached by the ARB at the hearing, within five (5) days of the decision. Thereafter, the appellant or any other party to the hearing process may, if desired, further appeal such decision to Bull Point LLC (“the LLC”).

Any party to the foregoing ARB hearing who desires to appeal the decision of the ARB must do so in writing to the LLC by certified mail, return receipt requested, within four (4) days of the receipt of the decision of the ARB appeal hearing. If the basis of this appeal is the same as that set forth in the original Petition for Re-Hearing, no further information is required other than attaching a copy of the

decision of the hearing by the ARB. If the basis for appeal to the LLC is based upon different or additional grounds, such reasons shall be set forth in sufficient detail to inform the LLC of the appeal basis, and shall specifically set forth the particular rule, regulation, guideline or policy. The LLC reserves the right to dismiss any appeal which does not confirm to the requirements of the written request for re-hearing by the LLC.

Upon receipt of this appeal notice from the aggrieved party, the LLC shall appoint a hearing examiner ("Examiner"), to act on behalf of the LLC. The Board (or examiner) shall take all pertinent and relevant testimony. Persons making statement and addressing the examiner shall do so in a polite, respectful and calm manner. No undignified, emotional, rude or insulting behavior or comments will be tolerated, and the examiner reserves the right to limit the amount of time for any party to address the examiner. The examiner reserves the right to expel any and all persons violating these rules. If a hearing examiner is appointed, such examiner shall hear the matter with five (5) business days after receipt of the written appeal by the LLC and shall submit his/her report to the LLC within five (5) days of hearing the matter.

The examiner may accept and adopt the report in full or in part, or may make its own findings, but shall do so at the next regularly or specially scheduled LLC meeting. The decision of the examiner shall be transmitted to the parties by certified mail within five (5) business days following the LLC Board meeting. The basis for an appeal decision by the LLC shall be the same as for a Circuit City hearing on an Administrative Remedies Act appeal, to wit, is there any evidence sustaining the findings of the ARB.

All appeal decisions by the ARB or the LLC shall state the reasons for the decision. If the decision is based, in whole or in part, upon aesthetic grounds, the decision shall so state.

All decisions of the LLC Board of Directors shall be final, and no further appeal opportunity shall be provided.

No construction work on any permit shall be continued during the pendency of an appeal, and any permit issued by the ARB shall be automatically suspended during the appeal.

When any party to an appeal is to receive any items by certified mail and such mail is refused or not picked up, the U.S. Postal Service notice shall be sufficient as of the date of the first attempted delivery.

The ARB and/or Bull Point LLC shall have the authority to require the posting of a bond by an Appellant to cover all direct cost of such Boards, including those of any hearing examiner, arising from the appeal, on such basis is equitable and fair.

TABLE "A"
APPLICATION REQUIREMENTS

APPLICATION ELEMENT	TYPE OF APPLICATION		
	CONCEPTUAL	PRELIMINARY	FINAL
Application Form	√	√	√
Application Review Fees		√	√
Variance Request Form	If Applicable	If Applicable	If Applicable
Photo schematic rendering and/or Building Plan	√**	√	√
Tree Identification and Topographical Survey	√	√	√
Site Plan	√	√	√*
Stake-out and tree banding			√*
Grading & Drainage plan		√	√
Foundation Plan		√	√
Floor Plan & Elevation Drawings		√	√
Building Sections			√
Construction Detail drawings			√
Landscape Plan			
Color/Material Samples			
Footprint of adjacent property		√	√*
Mobilization Plan			√

- √ = Mandatory Submittal Requirement
- * = Footprint of adjacent property only when home is constructed on that property
- ** = Conceptual design applications – we recommend that owner or architect present the design concept

TABLE "B"
BUILDING SETBACKS

All Phases

	ALL HOMESITES AS PLATTED		
	Phase I	Phase II	Phase III
FRONT (facing street)	150'	75'	150'
SIDES	20' each side	10' each side	20' each side
REAR	50' from marsh and tidal creek critical line 50' from lake front or rear property line	50' from marsh and tidal creek critical line 50' from lake front or rear property line	50' from marsh and tidal creek critical line 50' from lake front or rear property line

SECTION VIII

BULL POINT SCHEDULE OF FORMS

All of the forms, policies, and fee/deposit schedules within following appendices are those in effect as of the publication date of this document. Each such presentation may be periodically revised at the discretion of the Board and without prior formal notice. Applicants for a Bull Point Building Permit should check with the ARB staff, prior to submittal of a Permit Application, to determine whether the following forms and schedules remain in effect or have been revised.

Form 1	Orientation Meeting	Page 52
Form 2	Building Permit Application	Page 53
Form 3	Building Permit Agreement	Page 55
Form 4	Swimming Pool Permit Application	Page 57
Form 5	Swimming Pool Permit Agreement	Page 59
Form 6	Dock Construction Permit Application	Page 61
Form 7	Dock Construction Agreement	Page 62
Form 8	Demolition Permit Application	Page 64
Form 9	Demolition Permit Agreement	Page 65
Form 10	Variance Request Form	Page 67
Form 11	Change Request Form	Page 68
Form 12	Request for Exterior Repainting	Page 69
Form 13	Request for Re-roofing	Page 70
Form 14	Bull Point Application Fees	Page 71
Form 15	Bull Point Escrow Deposits	Page 72
Form 16	Schedule of Penalties	Page 73
Form 17	Adjacent Property Owner Notification	Page 75
Form 18	Bull Point Sign Criteria	Page 76
Form 19	Bull Point Foundation Criteria	Page

FORM 2

BULL POINT RESIDENTIAL BUILDING PERMIT APPLICATION

TO: Bull Point Architectural Review Board
 114 Barnaby Bluff
 Seabrook, South Carolina 29940
 (843) 379-9940

Date: _____

Legal Address: _____

Owner: _____

APPLICATION FOR: NEW CONSTRUCTION EXT. ALTERATION OTHER
 PLEASE CHECK ONE: CONCEPTUAL PRELIMINARY FINAL
 (Please note: final applications are due 2 weeks prior to meeting date)

REQUIRED FOR APPROVAL	CONCEPTUAL	PRELIMINARY	FINAL
Application Form	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Application Fees		<input type="checkbox"/>	<input type="checkbox"/>
Variance Request Form	If applicable	If applicable	If applicable
Photo, schematic or rendering and/or building plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tree & Topographic Survey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Site plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stake out and tree banding			<input type="checkbox"/>
Grading & drainage plan		<input type="checkbox"/>	<input type="checkbox"/>
Foundation plan		<input type="checkbox"/>	<input type="checkbox"/>
Floor plan & elevations drawings		<input type="checkbox"/>	<input type="checkbox"/>
Construction detail drawing			<input type="checkbox"/>
Landscape Plan			<input type="checkbox"/>
Exterior colors & materials samples			<input type="checkbox"/>
Footprint of adjacent property		<input type="checkbox"/>	<input type="checkbox"/>
Mobilization Plan (inc. ATU and well location)			<input type="checkbox"/>

OWNER: _____ PHONE NUMBER: _____

ADDRESS: _____

ARCHITECT OR DESIGNER: _____ PHONE NUMBER: _____

ADDRESS: _____

BUILDER: _____ PHONE NUMBER: _____

ADDRESS: _____

APPLICATION FEE MUST ACCOMPANY PRELIMINARY OR FINAL APPLICATION

FEE RECEIVED \$ _____ DATE _____

Submitted by: (Signature) _____ No. of Drawings Submitted _____

ENCLOSED DWELLING AREA (square footage)

First Floor _____ + _____ = _____
 (Heated) (Screened Porch)

Second Floor _____ + _____ = _____
 (Heated) (Screened Porch)

Total Dwelling Area = _____

ELEVATIONS

First Floor Elevations
 above MSL _____ Ft.

Existing Elev. at Center of Bldg. footprint
 above MSL _____ Ft.

Maximum Roof Height
 above first floor _____ Ft.

Note: The term “enclosed dwelling area” means the total enclosed in a dwelling and indicates areas of screened porches if the roof of such porches forms an integral part of the roof line of the main dwelling or if they are on the ground floor of a two-story dwelling. Areas of garages, boat sheds, patios, terraces, decks, open porches and shed type porches even though attached to the dwelling are specifically excluded.

EXTERIOR MATERIALS AND COLORS

Be specific, show manufacturer, or brand name and number. A color board (**8.5” x 11” maximum on white hard board**) is required. “CHIPS” of all key colors and materials should appear on the board.

Material	Color	Description / Manufacturer Brand and Number
Siding (Wood) _____	_____	_____
Siding (Masonry) _____	_____	_____
Siding (other) _____	_____	_____
Roofing _____	_____	_____
Handrails _____	_____	_____
Fascia, Trim _____	_____	_____
Pickets _____	_____	_____
Shutters _____	_____	_____
Front Door _____	_____	_____
Exterior Doors _____	_____	_____
Garage Doors _____	_____	_____
Windows _____	_____	_____
Chimney _____	_____	_____
Gutters _____	_____	_____
Band Board _____	_____	_____
Drive: Paving _____	_____	_____
Walks: Paving _____	_____	_____
Other (Fences, etc.) _____	_____	_____
Exterior lighting _____	_____	_____
Remarks _____	_____	_____

FORM 3

BULL POINT BUILDING PERMIT AGREEMENT

To: Bull Point Architectural Review Board
114 Barnaby Bluff
Seabrook, South Carolina 29940
(843) 379-9940

Date: _____
Legal Address: _____
Construction of: Single Family Residence
Owner: _____

Approval for construction is granted, per certain recorded covenants, agreements and amendments, subject to the acceptance by the owner and the builder of the following conditions:

1. The construction will be in accordance with the construction drawings, site location, materials and colors submitted to and approved by the ARB. NO CHANGES MAY BE MADE WITHOUT PRIOR WRITTEN APPROVAL FROM ARB.
2. No work, including lot clearing, may be started until both a Bull Point Building Permit and a Beaufort County Building Permit have been issued and posted at the job site.
3. Escrow deposits (see Page 72, FORM 15) must be received by the ARB before the Bull Point Building Permit will be issued. The owner and/or builder hereby acknowledge that the funds so deposited will further be deposited in a federally insured institution. The owner and builder further acknowledge and agree that such funds shall be retained by ARB pending satisfactory completion of the project in accordance with construction drawings approved by the Board and with other ARB rules or conditions noted herein. The owner and builder further acknowledge that the Board shall have the right to assess penalties against the owner and/or builder for failure to complete the project on a timely basis, or failure to construct the project in accordance with the approved construction drawings, or failure to comply with other rules or conditions herein. Such penalties which are identified on Page 73, FORM 16 hereto, shall be deducted from the funds deposited by the owner and/or builder and retained by ARB upon notice to the owner and/or builder, but without further accounting to the parties involved. Outside legal expenses or surveying costs incurred by ARB in attempting to resolve any matter of non-compliance shall likewise be deducted from funds deposited by the owner and/or builder. Retention by ARB of such penalties, legal fees or surveying costs from funds deposited by the owner and/or builder will not in any way relieve those parties of further liability for non-compliance.
4. A building or building addition being constructed under this Agreement may not be occupied by any persons, even on a temporary basis, until after the owner or builder has obtained a Certificate of Occupancy from the Beaufort County

Building Department and has delivered a photocopy thereof to the Administrator of the ARB.

5. The owner is to submit an acceptable landscape plan to the ARB within six (6) months of the date of the Building Permit issued under this Agreement; and is to have that landscape

completed within ninety (90) days after a Certificate of Occupancy has been issued by the Beaufort County Building Department.

- 6. Other special conditions of this Agreement and the Building Permit include the following:

(to be added per Board approval decision)

- 7. This Agreement expires one (1) year after the Bull Point Building Permit has been issued to the builder. Extensions of the one-year period for project completion will only be with prior written approval by the ARB.

Approved Exterior Colors and Materials

Escrow Deposits

Roofing:
Wood Siding:
Stucco / Brick:
Front Door:
Garage Doors:
Shutters:
Fascia:
Band Board:
Other Trim:

Clean-up & Compliance
\$

Landscape Completion
\$

This Agreement must be signed by the property owner (or the owner’s agent) and by the builder, and returned to the Administrator of the ARB with the above indicated escrow deposits to obtain a Bull Point Plantation Building Permit.

The owner hereby acknowledges that if some portion of the submission is in violation of the Covenants due to inadvertent oversight by the ARB, such shall not prevent the ARB from seeking enforcement of the Covenants.

The builder (general contractor) hereby acknowledges that he/she is familiar with the requirements of the ARB Guidelines and Procedures document, dated _____ and agrees to abide by such requirements.

The parties hereto do hereby acknowledging and accept the foregoing conditions pursuant to the issuance of a Bull Point Plantation Building Permit.

Administrator of BP ARB Property Owner Builder

Received: Escrow Amount \$ _____ Date _____ By _____

Received Escrow Amount \$ _____ Date _____ By _____

FORM 4

BULL POINT SWIMMING POOL APPLICATION

TO: Bull Point Architectural Review Board
 114 Barnaby Bluff
 Seabrook, South Carolina 29940
 (843) 379-9940

Date: _____
 Legal Address: _____
 Owner: _____

PLEASE CHECK ONE: PRELIMINARY FINAL

REQUIRED FOR APPROVAL	PRELIMINARY	FINAL
Tree & Topographic Survey	<input type="checkbox"/>	<input type="checkbox"/>
Schematic, drawing or plan		
Site plan	<input type="checkbox"/>	<input type="checkbox"/>
Mobilization Plan		<input type="checkbox"/>
ATU approval & location		<input type="checkbox"/>
Water well location		<input type="checkbox"/>
Tree banding		<input type="checkbox"/>
Grading & drainage plan	<input type="checkbox"/>	<input type="checkbox"/>
Foundation plan	<input type="checkbox"/>	<input type="checkbox"/>
Deck elevations	<input type="checkbox"/>	<input type="checkbox"/>
Exterior colors & materials (lighting)		<input type="checkbox"/>
Construction detail drawing		<input type="checkbox"/>
Landscape plan		<input type="checkbox"/>
Footprint of adjacent property		<input type="checkbox"/>
Property line setback		<input type="checkbox"/>

OWNER: _____ PHONE NUMBER: _____

ADDRESS: _____

ARCHITECT OR DESIGNER: _____ PHONE NUMBER: _____

ADDRESS: _____

BUILDER: _____ PHONE NUMBER: _____

ADDRESS: _____

APPLICATION FEE MUST ACCOMPANY PRELIMINARY OR FINAL APPLICATION

FEE RECEIVED \$ _____ DATE _____

Submitted by: (Signature) _____ No. of Drawings Submitted _____

EXTERIOR MATERIALS AND COLORS

Be specific, show manufacturer, or brand name and number. A color board (8.5” x 11” maximum on white hard board) is required. “CHIPS” of all key colors and materials should appear on the board.

Material	Color	Description / Manufacturer Brand and Number
Siding (Wood)		
Siding (Masonry)		
Siding (other)		
Roofing		
Fascia, Trim		
Exterior Doors		
Gates		
Windows		
Fences		
Decking		
Walks: Paving		
Other (Fences, etc.)		

Pool – Setback from property lines _____ ft.

Pool Deck Elevations above surveyed grade at nearest property line _____ ft.

Remarks _____

FORM 5

BULL POINT SWIMMING POOL BUILDING PERMIT AGREEMENT

To: Bull Point Architectural Review Board
114 Barnaby Bluff
Seabrook, South Carolina 29940
(843) 379-9940

Date: _____
Legal Address: _____
Construction of: Swimming Pool
Owner: _____

Approval for construction is granted, per certain recorded covenants, agreements, and amendments, subject to the acceptance by the owner and the pool contractor of the following conditions:

2. The construction will be in accordance with the construction drawings, site location, materials and colors submitted to and approved by the ARB. NO CHANGES MAY BE MADE WITHOUT PRIOR WRITTEN APPROVAL FROM BPARB.
3. No work, including lot clearing, may be started until both a Bull Point Swimming Pool Building Permit and a Beaufort County Building Permit have been issued and posted at the job site. No trees larger than six inches (6") in diameter may be removed unless appropriately marked on the approved site plan.
4. Escrow deposits (Form 15) must be received by the ARB before the Bull Point Swimming Pool Building Permit will be issued. The owner and/or pool contractor hereby acknowledge that the funds so deposited will further be deposited in an interest-bearing account with a federally insured institution, with all interest therefrom accruing to the benefit of the ARB. The owner and pool contractor further acknowledge and agree that such funds shall be retained by ARB pending satisfactory completion of the project in accordance with construction drawings approved by the Board and with other ARB rules or conditions noted herein. The owner and pool contractor further acknowledge that the Board shall have the right to assess penalties against the owner and/or pool contractor for failure to complete the project on a timely basis, or failure to construct the project in accordance with the approved construction drawings, or failure to comply with other rules or conditions herein. Such penalties, which are identified in Form 16, shall be deducted from the funds deposited by the owner and/or pool contractor and retained by ARB upon notice to the owner and/or pool contractor, but without further accounting to the parties involved. Outside legal expenses or surveying, costs incurred by ARB in attempting to resolve any matter of non-compliance shall likewise be deducted from funds deposited by the owner and/or pool contractor. Retention by ARB of such penalties, legal fees or surveying costs from funds deposited by the owner and/or pool contractor will not in any way relieve those parties of further liability for non-compliance.
5. No signs may be posted at the job site.
6. Neither escrow deposit (Compliance/Clean-up or Landscape) will be returned to the owner and/or pool contractor until all pool equipment has been appropriately screened, irrespective of which party holds responsibility for such screening.

7. The owner is to have the landscaping completed pursuant to the ARB-approved plan within thirty (30) days after pool has been filled with water.
8. Other special conditions of this Agreement and the Swimming Pool Permit include the following:
(to be added per Board approval decision)
9. This Agreement expires six (6) months after the Swimming Pool Building Permit has been issued to the builder. Extensions of the six (6) month period for project completion will only be with prior written approval by the ARB.

This Agreement must be signed by the property owner (or the owner's agent) and by the builder, and returned to the Administrator of the ARB with the above-indicated escrow deposits to obtain a Bull Point Swimming Pool Building Permit.

The owner hereby acknowledges that if some portion of the submission is in violation of the Covenants due to inadvertent oversight by the ARB, such shall not prevent the ARB from seeking enforcement of the Covenants.

The parties hereto do hereby acknowledging and accept the foregoing conditions pursuant to the issuance of a Bull Point Swimming Pool Building Permit.

_____	_____	_____
Administrator of BPARB	Property Owner	Pool Contractor

Received: Escrow Amount \$ _____ Date _____ By _____

Received Escrow Amount \$ _____ Date _____ By _____

FORM 6

BULL POINT DOCK CONSTRUCTION PERMIT APPLICATION

TO: Bull Point Architectural Review Board
 114 Barnaby Bluff
 Seabrook, South Carolina 29940
 (843) 379-9940

Date: _____
 Legal Address: _____
 Construction of: Private Dock
 Owner: _____

- APPLICATION FOR: TIDAL DOCK SHARED DOCK CRABBING/VIEWING DOCK
 PIERHEAD FLOAT / RAMP BULKHEAD
 BOATLIFT WALKWAY

NEED FOR APPROVAL	CONCEPTUAL	FINAL
Tree & Topographic Survey	<input type="checkbox"/>	<input type="checkbox"/>
Site plan drawn to scale	<input type="checkbox"/>	<input type="checkbox"/>
Complete set of plans/specifications	<input type="checkbox"/>	<input type="checkbox"/>
Material specifications list	<input type="checkbox"/>	<input type="checkbox"/>
Lighting and location (submit cut sheet)	<input type="checkbox"/>	<input type="checkbox"/>
On-site stake out	<input type="checkbox"/>	<input type="checkbox"/>
OCRM Permit Number	<input type="checkbox"/>	<input type="checkbox"/>
Mobilization Plan	<input type="checkbox"/>	<input type="checkbox"/>

OWNER: _____ PHONE NUMBER: _____

ADDRESS: _____

ARCHITECT OR DESIGNER: _____ PHONE NUMBER: _____

ADDRESS: _____

BUILDER: _____ PHONE NUMBER: _____

ADDRESS: _____

APPLICATION FEE MUST ACCOMPANY FINAL APPLICATION

FEES RECEIVED \$ _____ DATE _____

Submitted by: (Signature) _____ No. of Drawings Submitted _____

FORM 7

BULL POINT DOCK CONSTRUCTION AGREEMENT

To: Bull Point Architectural Review Board Date: _____
114 Barnaby Bluff
Seabrook, South Carolina 29940 Legal Address: _____
Construction of: Private Dock
Owner: _____

Final approval for construction of a dock is granted, per certain recorded covenants, agreements and amendments, subject to the acceptance by the Owner and the Builder of the following conditions:

10. The construction will be in accordance with the construction drawings, site location, materials and colors submitted to and approved by the ARB. NO CHANGES MAY BE MADE WITHOUT PRIOR WRITTEN APPROVAL FROM THE ARB.
11. No work, including lot clearing, may be started until both a Bull Point Dock Construction Permit and a Beaufort County Building Permit have been issued and posted at the job site.
12. Escrow deposits (Form 15) must be received by the ARB before the Bull Point Dock Construction Permit will be issued. The owner and/or builder hereby acknowledge that the funds so deposited will further be deposited in a federally insured institution. The owner and builder further acknowledge and agree that such funds shall be retained by ARB pending satisfactory completion of the project in accordance with construction drawings approved by the Board and with other ARB rules or conditions noted herein. The owner and builder further acknowledge that the Board shall have the right to assess penalties against the owner and/or builder for failure to complete the project on a timely basis, or failure to construct the project in accordance with the approved construction drawings, or failure to comply with other rules or conditions herein. Such penalties, which are identified in Form 16, shall be deducted from the funds deposited by the owner and/or builder and retained by ARB upon notice to the owner and/or builder, but without further accounting to the parties involved. Outside legal expenses or surveying, costs incurred by ARB in attempting to resolve any matter of non-compliance shall likewise be deducted from funds deposited by the owner and/or builder. Retention by ARB of such penalties, legal fees or surveying costs from funds deposited by the owner and/or builder will not in any way relieve those parties of further liability for non-compliance.
13. Other special conditions of this Agreement and the Building Permit include the following:
(to be added per Board approval decision)
14. This Agreement expires six (6) months after the Bull Point Dock Construction Permit has been issued to the builder. Extensions of the six (6) month period for project completion will only be with prior written approval by the ARB.

Approved Materials

Size/Dimensions

Pilings:

Float:

Walkway:

Pierhead:

Ramp:

Rails:

Boat Lift (Type/Height):

Other:

This Agreement must be signed by the property owner (or the owner's agent) and by the builder, and returned to the Administrator of the ARB with the above-indicated escrow deposits to obtain a Bull Point Dock Construction Permit.

The owner hereby acknowledges that if some portion of the submission is in violation of the Covenants due to inadvertent oversight by the ARB, such shall not prevent the ARB from seeking enforcement of the Covenants.

The builder (general contractor) hereby acknowledges that he/she is familiar with the requirements of the OCRM, ARB Guidelines and Procedures document, dated _____ and agrees to abide by such requirements.

The parties hereto do hereby acknowledging and accept the foregoing conditions pursuant to the issuance of a Bull Point Dock Construction Permit.

Administrator

Property Owner

Dock Builder

Received: Escrow Amount \$ _____ Date _____ By _____

Received Escrow Amount \$ _____ Date _____ By _____

FORM 8

BULL POINT DEMOLITION PERMIT APPLICATION

TO: Bull Point Architectural Review Board
 114 Barnaby Bluff
 Seabrook, South Carolina 29940
 (843) 379-9940

Date: _____
 Legal Address: _____
 Construction of: Private Dock
 Owner: _____

APPLICATION FOR: DEMOLITION OF EXISTING STRUCTURE

PLEASE CHECK ONE: PRELIMINARY FINAL

NEED FOR APPROVAL	PRELIMINARY	FINAL
<i>Original</i> Tree & Topographic Survey	<input type="checkbox"/>	<input type="checkbox"/>
<i>Original</i> Site plan drawn to scale	<input type="checkbox"/>	<input type="checkbox"/>
<i>Original</i> Landscape Plan	<input type="checkbox"/>	<input type="checkbox"/>
Pictures of proposed structure	<input type="checkbox"/>	<input type="checkbox"/>
Mobilization Plan		<input type="checkbox"/>
Tree banding of impacted trees		
OCRM Permit (if applicable)		

OWNER: _____ PHONE NUMBER: _____
 ADDRESS: _____

ARCHITECT OR DESIGNER: _____ PHONE NUMBER: _____
 ADDRESS: _____

BUILDER: _____ PHONE NUMBER: _____
 ADDRESS: _____

APPLICATION FEE MUST ACCOMPANY FINAL APPLICATION

FEES RECEIVED \$ _____ DATE _____

Submitted by: (Signature) _____ No. of Drawings Submitted _____

FORM 9

BULL POINT DEMOLITION PERMIT AGREEMENT

To: Bull Point Architectural Review Board
114 Barnaby Bluff
Seabrook, South Carolina 29940
(843) 379-9940

Date: _____
Legal Address: _____
Demolition of Existing Structure
Owner: _____

Approval for demolition is granted, per certain recorded covenants, agreements, and amendments, subject to the acceptance by the owner and the contractor of the following conditions:

15. The demolition will be in accordance with the conditions and limitations outlined and approved by Beaufort County and the Bull Point ARB. NO CHANGES MAY BE MADE WITHOUT PRIOR WRITTEN APPROVAL FROM THE ARB.
16. No work, including clearing, may be started until both a Bull Point Demolition Permit and a Beaufort County Demolition Permit have been issued and posted at the job site. No trees larger than six inches (6") in diameter may be removed unless appropriately marked on the approved site plan.
17. Escrow deposits (see Page 2) must be received by the ARB before the Demolition Permit will be issued. The owner and/or contractor hereby acknowledge that the funds so deposited will further be deposited in an interest-bearing account with a federally insured institution, with all interest therefrom accruing to the benefit of the ARB. The owner and contractor further acknowledge and agree that such funds shall be retained by ARB pending satisfactory completion of the project in accordance with conditions and limitations approved by the Board and with other ARB rules or conditions noted herein. The owner and contractor further acknowledge that the Board shall have the right to assess penalties against the owner and/or contractor for failure to complete the project on a timely basis or failure to comply with other rules or conditions herein. Such penalties, which are identified in Form 16 hereto, shall be deducted from the funds deposited by the owner and/or contractor and retained by ARB upon notice to the owner and/or contractor, but without further accounting to the parties involved. Outside legal expenses or surveying, costs incurred by ARB in attempting to resolve any matter of non-compliance shall likewise be deducted from funds deposited by the owner and/or contractor. Retention by ARB of such penalties, legal fees or surveying costs from funds deposited by the owner and/or contractor will not in any way relieve those parties of further liability for non-compliance.
18. No signs may be posted at the job site.
19. The escrow deposit (Compliance/Clean-up) will not be returned to the owner and/or contractor until all demolition, labor and equipment has been appropriately removed from Bull Point.

- 20. The owner is to have the demolition completed pursuant to the ARB-approved plan within thirty (30) days. Extension request must be submitted to the ARB in writing.
- 21. Other special conditions of this Agreement and the Demolition Permit include the following:
(to be added per Board approval decision)
- 22. This Agreement expires six (6) months after the Demolition Permit has been issued to the builder. Extensions of the six (6) month period for project completion will only be with prior written approval by the ARB.

This Agreement must be signed by the property owner (or the owner's agent) and by the contractor, and returned to the Administrator of the ARB with the above-indicated escrow deposits to obtain a Demolition Permit.

The contractor hereby acknowledges that he/she is familiar with the requirements of the ARB Guidelines and agrees to abide by such requirements.

The parties hereto do hereby acknowledging and accept the foregoing conditions pursuant to the issuance of a Demolition Permit.

_____	_____	_____
_____ Administrator of BPARB	_____ Property Owner	_____ Demolition Contractor

Received:	Escrow Amount	\$ _____	Date _____	By _____
Received	Escrow Amount	\$ _____	Date _____	By _____

FORM 10

VARIANCE REQUEST FORM

To: Bull Point Architectural Review Board
114 Barnaby Bluff
Seabrook, South Carolina 29940
(843) 379-9940

Date: _____
Legal Address: _____
Owner: _____

Approval of the below described variance(s) to the Guidelines is requested for the building permit application to which this request is attached. (*Instructions: Applicant should check each variance requested, state the Guidelines, and describe the variance sought.*)

_____ Setback: Front _____ vs. _____
Rear _____ vs. _____
Right Side _____ vs. _____
Left Side _____ vs. _____
_____ First Floor Elevation _____ vs. 9' AMSL
_____ Height Above First Floor _____ vs. 38'
_____ Buildable Area Use _____ % vs. _____
_____ Glass _____ % on _____ side
_____ Stucco _____ % on _____ side
_____ Other Variance(s) _____

The undersigned has presented a justification on the back side of this form for each variance requested

OWNER: _____ PHONE NUMBER: _____
ADDRESS: _____

ARCHITECT OR DESIGNER: _____ PHONE NUMBER: _____
ADDRESS: _____

BUILDER: _____ PHONE NUMBER: _____
ADDRESS: _____

FORM 11

BULL POINT CHANGE ORDER

To: Bull Point Architectural Review Board
114 Barnaby Bluff
Seabrook, South Carolina 29940
(843) 379-9940

Date: _____

Legal Address: _____

Owner: _____

Project Change Request No. _____

(This form is due to ARB one week prior to meeting date)

Brief Description of Change(s) from ARB-approved Plans:

(Attached revised or marked-up plans for siting or exterior design changes; attach samples for color changes)

(Use other side of form if more space needed)

OWNER: _____ PHONE NUMBER: _____

ADDRESS: _____

ARCHITECT OR DESIGNER: _____ PHONE NUMBER: _____

ADDRESS: _____

BUILDER: _____ PHONE NUMBER: _____

ADDRESS: _____

FORM 12

REQUEST FOR EXTERIOR REPAINTING

To: Bull Point Architectural Review Board
114 Barnaby Bluff
Seabrook, South Carolina 29940
(843) 379-9940

Date: _____
Legal Address: _____
Owner: _____

The undersigned property owner (or owner's representative) requests ARB approval to repaint the exterior of the residential structure at the above legal address.

EXISTING COLOR:

Wood Siding _____
Trim Color(s) _____

Stucco/Masonry _____
Front Entry Door _____

PROPOSED COLORS:

Wood Siding (*Check one and complete*)
_____ ARB Standard Color Manufacturer _____
Color Name/No. _____
_____ Other Color* Manufacturer _____
Color Name/No. _____
Trim (*Check one and complete*)
_____ ARB Standard Color Manufacturer _____
Color Name/No. _____
_____ Other Color* Manufacturer _____
Color Name/No. _____
Stucco/Masonry (*Check one and complete*)
_____ ARB Standard Color Manufacturer _____
Color Name/No. _____
_____ Other Color* Manufacturer _____
Front Entry Door Color _____

I have attached a sample (4" x 6" or larger) of all proposed colors where indicated by an asterisk (*) above.

FORM 13

REQUEST FOR REROOFING

To: Bull Point Architectural Review Board
114 Barnaby Bluff
Seabrook, South Carolina 29940
843-846-1699

Date: _____
Legal Address: _____
Owner: _____

The undersigned property owner (or owner's representative) hereby requests ARB approval to re-roof the residential structure at the above legal address.

EXISTING ROOFING: *(Check one and complete)*

_____ Wood Shake/Shingles	Color _____
_____ Asphalt/Fiberglass Shingles	Color _____
_____ GAF Timberline or Elk Prestique	Color _____
_____ Other	Color _____
	Wt. Per square _____ lbs.

ROOFING CONTRACTOR:

Name: _____

Phone: _____

I have attached a sample (6" x 6" or larger) of the intended roofing material where indicated by an asterisk (*) above.

Submitted by: (Signature) _____

FORM 14

BULL POINT APPLICATION FEES

The following current schedule of fees is applicable to all residential building permit applications submitted to the Bull Point Architectural Review Board. The appropriate fees must be received prior to ARB review of plans.

NEW SINGLE FAMILY RESIDENCE (includes all amenities in initial application)

\$400.00 per dwelling (regardless of size)

ADDITIONS OR MAJOR ALTERATIONS

\$250.00

OTHER ADDITIONS OR SUPPLEMENTAL APPLICATIONS

Garage or Carport	\$150.00
Pools or Spa	\$150.00
Gazebo or Boat House	\$150.00
Satellite TV Dish	\$150.00
Wells for Water Source Heat Pumps	\$100.00
Decks or Porches	\$100.00
Fences, Walls, or Service Yard	\$ 50.00
Demolition of existing structure(s)	\$ 25.00
Docks or Bulkheads	\$100.00

Note: Minor exterior alterations (not changing the footprint, i.e. windows, doors, skylights)... fee to be determined by the Administrator at time of submission.

FORM 15

BULL POINT ESCROW DEPOSITS

The following escrow (security) deposits must be received by the ARB prior to issuance of a Bull Point Building Permit. Deposits will be refunded in full to the builder and/or owner, as applicable, after Final Inspection and Approval by the Bull Point ARB representative assuming no non-Compliance penalties have been assessed against the project and are to be deducted from the deposit before refund is made.

NEW SINGLE FAMILY RESIDENCE (includes all amenities in initial application)

Clean-up	\$4,000.00
Compliance / Landscape	\$4,000.00

ADDITIONS OR MAJOR ALTERATIONS

Clean-up and Compliance	\$2,000.00
Landscape	\$1,000.00
Dock	\$2,000.00

POOLS AND GARAGES/CARPORTS

Clean-up and Compliance	\$1,000.00
Landscape	\$ 500.00

MINOR ALTERATIONS OR OTHER ADDITIONS (including beach walkways, decks, fences, etc.)

Clean-up and Compliance	\$ 500.00
Landscape (if applicable)	\$ 500.00 *

* may be reduced or waived by Administrator

DEMOLITION OF EXISTING STRUCTURE(S)

Clean-up and Compliance	\$4,000.00
-------------------------	------------

FORM 16

SCHEDULE OF PENALTIES

To: Bull Point Architectural Review Board Date: _____
 114 Barnaby Bluff
 Seabrook, South Carolina 29940 Legal Address: _____
 (843) 379-9940 Owner: _____

As indicated in Paragraph 3 of the Building Permit Agreement, of which this is a part, the following schedule of penalties for the indicated compliance or rules violations will apply to the above captioned project:

1. Clearing of site (removal of any tree) or start of construction before BPARB Building Permit issuance.
 Loss of initial application fee; must submit duplicate application fee as penalty prior to building permit issuance. BPARB may also require demolition, re-siting, or re-building at Owner's or Contractor's expense.
2. Unauthorized tree removal or damage (greater than 6" diameter)

Pine or Palmetto	Up to:	\$ 500.00 per tree
Oak (any variety)	Up to:	\$2,000.00 per tree
Other hardwoods	Up to:	\$1,000.00 per tree
3. Failure to post BPARB Building Permits.
 \$25.00 a day **after two (2) working days telephone notice**
4. Violation of any sign rule
 \$25.00 a day **after two (2) working days telephone notice**
5. No portable toilet and trash container at job site
 \$100.00 a day **after two (2) working days telephone notice**
6. Failure to deposit trash in container or trash overflow
 \$100.00 a day **after two (2) working days telephone notice**
7. Failure to submit As-Built Survey after pouring the footings and prior to start of any framing
All construction will be halted until Survey is delivered to BPARB and approved. Up to total Compliance Deposit may be charge.
8. Failure to initiate continuous construction within six (6) months of transmittal of the approved BPARB Building Permit to the applicant.
 Revocation of BPARB approval and Building Permit
9. Failure to complete project within one (1) year after transmittal of the approved BPARB Building Permit or after the expiration of approved written extensions granted by the BPARB.
 10% of the total compliance deposit each month (excluding parts of a month) up to the total deposit.

10. Non-compliance with approved construction plans, including a siting variance greater than one foot, or any Major exterior change without prior BPARB approval.
Up to total compliance deposit. Must also submit corrected architectural "As-built" drawings. BPARB may also require demolition, re-siting or rebuilding at Owner's or Contractor's expense.
11. Minor deviation from approved construction plans
First Violation: Must submit corrected architectural "As-built" drawings
Second and subsequent violations: \$100 fine and corrected architectural "As-built" drawings
12. Use of exterior colors which have not been approved by BPARB
Up to total compliance deposit unless repainted or re-stained to acceptable colors
13. Failure to submit Landscape Plan within specified time period
\$50 minimum penalty up to total Landscape deposit
14. Failure to complete landscaping per BPARB approved Landscape Plan within ninety (90) days after receipt of Certificate of Occupancy from Beaufort County
10% of the total Landscape deposit each month (excluding parts of a month) up to the total deposit
15. Building occupancy prior to issuance of Beaufort County's Certificate of Occupancy or before furnishing a copy of such Certificate of Occupancy to the BPARB
Up to total compliance deposit
16. Any "on-site" burning
\$150 per occurrence
17. Failure to install silt fencing to prevent runoff into sensitive areas such as marshes, lakes, wetlands, etc. and around specimen trees (i.e. live oaks, magnolias, laurel oaks) of 30" or more in diameter.
\$250.00
18. Failure of owner/builder to notify the ARB of any utility company that begins trenching on the site without an ARB representative present.
\$1,000 up to total Landscape Deposit

Administrator	Property Owner	Contractor
Date: _____	Date: _____	Date: _____

FORM 17

ADJACENT PROPERTY OWNER NOTIFICATION

To:

Date: _____

Legal Address: _____

Construction of: _____

Owner: _____

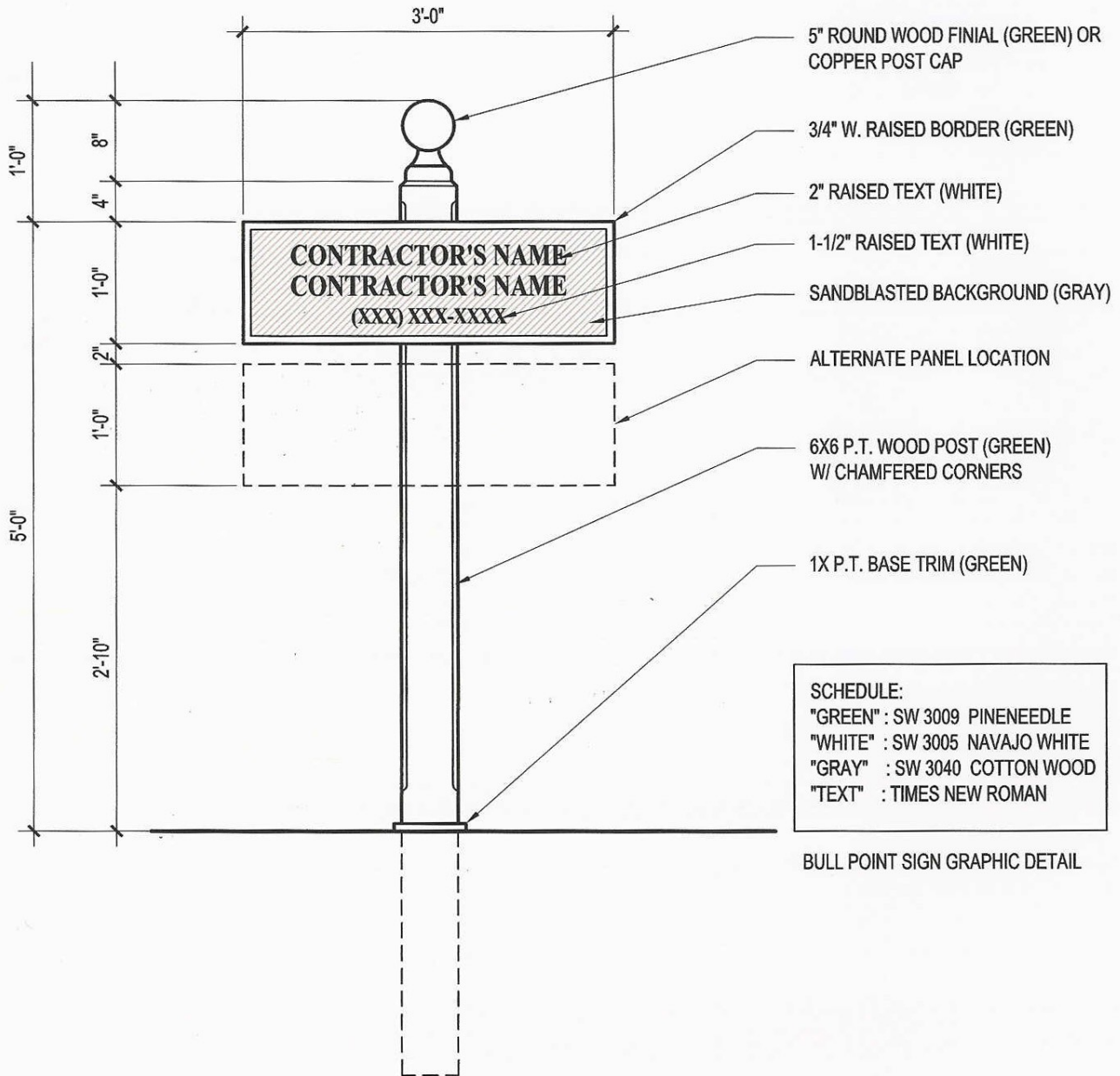
The Architectural Review Board has recently received the above cited Building Permit Application. Pursuant to the Board's policy to withhold application review pending notification of adjacent and nearby property owner's of planned construction, you are invited to examine the building plans for this project at the ARB offices located in the Bull Point Clubhouse at 114 Barnaby Bluff in Seabrook, South Carolina. If you desire, you may submit written comments regarding these plans to the ARB within ten (10) days of the posted mailing date of this certified letter. The Board will initiate its review of the subject application following the close of this 10-day period so your prompt review and comment, if desired, will be necessary.

The ARB Office is open Monday – Thursday, 8:30 AM – 4:30 PM for your unscheduled visitation. You may call the ARB staff in advance, if you prefer, at (843) 379-9940. Additionally, I welcome you to call me if you have any questions.

Bull Point Architectural Review Board Administrator

FORM 18

SIGN CRITERIA



SCHEDULE:	
"GREEN"	: SW 3009 PINENEEDLE
"WHITE"	: SW 3005 NAVAJO WHITE
"GRAY"	: SW 3040 COTTON WOOD
"TEXT"	: TIMES NEW ROMAN

BULL POINT SIGN GRAPHIC DETAIL

BULL POINT SIGN CRITERIA:

ALL SIGNS, INCLUDING ALL DIMENSIONS, MATERIALS, COLORS AND FINISHES, MUST CONFORM TO THE EXACT UNIFORM STANDARDS SET FORTH IN THIS CRITERIA AND ILLUSTRATED IN THE GRAPHIC DETAIL ABOVE.

THE SIGN MAY BE FABRICATED AND INSTALLED BY AN INDEPENDANT SIGN FABRICATOR OR MAY BE PURCHASED THROUGH THE DEVELOPER.

ONE ARCHITECT AND ONE CONTRACTOR MAY HAVE A SIGN AT EACH CONSTRUCTION SITE. AN ARCHITECT AND A CONTRACTOR MAY COMBINE THEIR SIGNS ONTO ONE POLE AS ILLUSTRATED IN THE GRAPHIC DETAIL ABOVE.

ALL TEXT MUST BE SANDBLASTED ONTO THE SIGN FACE AS INDICATED IN THE GRAPHIC DETAIL ABOVE.

TELEPHONE NUMBERS ARE PERMITTED ON THE SIGN FACE, HOWEVER ADDRESSES, LOGOS AND SLOGANS ARE PROHIBITED.