

## SECTION III

### OTHER GUIDELINES FOR EXISTING RESIDENCES

The primary purpose of the Sea Pines Plantation's restrictive covenants is to regulate the creation **and maintenance** of a community which is aesthetically pleasing and functionally convenient for all residents and visitors. Applicable covenants charge the Architectural Review Board 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 Sea Pines.

#### 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.

Certain exterior colors which may have been approved for a given house five, ten or more years ago -- such as dark reddish browns for siding may no longer be considered acceptable colors by the Board. Further, you should not simply assume that the siding or trim colors existing on another house within Sea Pines Plantation 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 buildings should blend with the surrounding environment and not contrast with it. Thus, earth-tone colors are deemed most appropriate. 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. In such cases, high contrasts between the two colors should be avoided. White, or very light colors will not be permitted -- except for limited trim work on unique architectural situations -- because they contrast with the natural setting. The use of three (or more) exterior colors are a difficult design task to accomplish correctly and will be studied carefully by the ARB.

A display of "pre-approved" colors is maintained in the ARB offices in order to simplify your color selection.

To obtain ARB approval to re-stain or repaint any part of the exterior of your home, please submit a written request, utilizing the form shown in the Appendix,

to the ARB offices at least five (5) 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. A photograph of the home to show locations and proportions of colors is also highly recommended.

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 must submit a request for ARB approval. A request form is shown in the Appendix or available at the ARB Office.
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 but must submit a request for ARB approval, so long as you utilize fungus-resistant shingles with a minimum weight of 300 pounds per square, as is required for all new Sea Pines 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 request ARB approval for such work at least five (5) working days prior to the intended commencement of roof work. Your request should utilize the form shown in the Appendix. Unless you intend to use asphalt/fiberglass shingles of the GAF Timberline or Elk Prestique series, a sample of the roofing material to be used must be submitted with your request. No application fee is required.
4. When any roof addition or extension of an existing roof is made, the existing roof must be re-shingled to the nearest valley, or roof break, so as to insure continuity of color.

**NOTE:** A Building Permit must be obtained from the Town of Hilton Head Island for any re-roofing job.

### **C. TREE REMOVAL OR PRUNING**

Pruning is permitted on any tree in Sea Pines by the landowner on his or her property provided that pruning is done according to guidelines of the International Society of Arboriculture on trees more than six inches in diameter measured three feet above existing grade. Removal of more than 30 percent (30%) of the leaf surface at one time will be considered tree removal, and will be treated as such. Removing the top of any tree more than 6 inches in diameter will be considered unauthorized removal of a tree and will carry all the penalties allowed by the guidelines and covenants.

Along golf course lots, oceanfront lots and other lots deemed significant for aesthetic tree preservation by the ARB (at their sole discretion), tree removals for any reason whatsoever - including new home construction - may require mitigation with large trees of significant size (30 feet and greater in height) for the aesthetic purposes of maintaining a tree lined buffer in keeping with Sea Pines developed character in these sensitive areas.

However, the extensively wooded setting of our Plantation -- with its tall, stately pines, beautiful oaks and many other tree species -- is a situation which our community strives to preserve. Under the Restrictive Covenants of Sea Pines Plantation, **NO TREE MEASURING 6" OR MORE IN DIAMETER -- MEASURED AT BREAST HEIGHT (FOUR FEET ABOVE EXISTING GRADE) -- MAY BE REMOVED FOR ANY REASON WITHOUT PRIOR WRITTEN APPROVAL** by the Architectural Review Board.

Therefore, you **should not remove any tree (6" or larger diameter) regardless of species, condition or location**, unless you first obtained the required **written** approval by the ARB. Failure to obtain such approval will subject the offending property owner to the prescribed damages and mitigation of new trees to replace those removed without permission. The Board cannot and will not accept any after-the-fact excuse or explanation that a tree was diseased or dead, etc. The Board's (independent consultant) representative must inspect and verify the basis for removing **all** trees meeting the above criteria in Sea Pines.

You may request approval for tree removal from the ARB office simply by calling (843) 671-5533, Monday through Friday, 9:00 A.M. - 5:00 P.M. at least three working days in advance of any contemplated tree removal work. There is a nominal fee to cover costs charged by the independent consultant.

The ARB will consider removal of any tree 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. Dead, diseased or damaged trees that in the opinion of the tree inspector cannot be treated or saved may be approved for removal by the ARB. Requests for tree removal in open space must be made to CSA and secondly to the ARB.

The Board views negatively any requests for tree removal wherein the sole basis for such request(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. In the history of our Plantation, such occurrences have been very rare.

**THE TRIMMING OR REMOVAL OF TREES, OF ANY SIZE OR SPECIES, GROWING WITHIN OCEANFRONT PUBLIC TRUST PROPERTY OR WITHIN THE PLANTATION'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 Sea Pines Community Services Maintenance (671-6487).

The ARB has adopted a policy to replace any tree removed regardless of the reason. Once our arborist has approved the removal of the tree or trees, you will be asked to replace it with a tree of any species 8' to 10' tall tree (when planted) for each tree removed. If tree replacement is not required on your property you may elect to donate to the tree fund. This fund will be used to purchase and plant trees on CSA open space. **(Revised 11/2005)**

#### **D. RESURFACING OR RESHAPING DRIVEWAYS**

Though hard-surfaced (paved) driveways are normally required with new residential construction, many older Sea Pines homes have unformed and unpaved (i.e., pine straw, bark or gravel) driveways. The addition of gravel to or the conversion of such driveways to a hard-surfaced (asphalt, concrete, brick, etc.) configuration constitutes new "construction," and will, therefore, require prior Board approval and a Sea Pines ARB Building Permit. Formal application for such construction will be made as described earlier for other residential additions.

Seal coating, patching or overlay resurfacing of an existing asphalt driveway does not require ARB approval so long as the configuration, size, color and location of the existing driveway are not changed. Likewise, the replacement/removal of an existing asphalt or concrete 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 ARB permit application 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 (e.g., addition or change of windows or doors) is involved. Note, however, that: (1) a building permit for such work may need to be obtained from the Town of Hilton Head Island and posted at the job site, (2) no unapproved builder's sign may be posted at the site, and (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 a site.

#### **F. LANDSCAPE MAINTENANCE AND MODIFICATION**

Every property owner is responsible for preventing the development of any unclean, unsightly, or unkempt condition of buildings or yards which will reduce the beauty of the neighborhood as a whole or the specific area. 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 will 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, a landscape plan must be submitted to the ARB for approval prior to undertaking such work. Guidelines for landscape design and for associated irrigation systems similar to those for new residences (see Section I.E.) 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 Architectural Review Board.

Any changes to exterior lighting must be approved by the ARB.

## **G. BASKETBALL BACKBOARDS**

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 noticeability 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 paved 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 to 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 Glidden Medium Green (same color as all Sea Pines mailboxes) or dark brown.

If a backboard is no longer in use or is unsightly, it should be removed.

## **H. PLAY YARDS AND PLAYHOUSES**

A number of the Plantation's restrictive covenants bear on the issue of allowing play yards, "jungle gyms," sand boxes, play houses, etc. on a residential lot. Some of these are as follows:

1. "No trailer, tent, barn, tree house or other similar outbuilding or structure will be placed on any lot at any time . . . "
2. "There will not be maintained any . . . device or thing of any sort 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 resident 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 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 and, where applicable, adjoining golf course fairways.
4. Likewise, a trampoline, a gym set (with swings, slides, etc.), 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, adjacent homes and golf courses.
5. A final cautionary note is in order for play facilities on lots adjoining golf courses. All golfers, amateur and professional alike, occasionally miss hit their shots out of bounds onto abutting residential properties. Please do not place a play unit in a location where errant golf shots could injure children at play. Thick, tall shrubs and/or fencing (requiring ARB construction approval) should be used, where appropriate, to minimize this danger.

#### **I. WINDOW COVERINGS**

The exterior surfaces of window shades, curtains and blinds must be subdued in color and compatible with the exterior hues of the residence.

#### **J. HURRICANE SHUTTERS**

Plans and specifications must be submitted for approval prior to the installation of hurricane shutters/panels. Colors for the panels should blend with the house color.

Please remember that the shutters may not be installed over the windows until a "**hurricane watch**" is announced and must be removed **within five days after the Island returns to normal.**