

Brickyard Plantation  
Architectural Review Board  
Guidelines & Standards  
January 1 2019

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# **Brickyard Plantation**

## **Single Family Design Guidelines**

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# Architectural Design Process

## I. INTRODUCTION

### A. RESIDENTIAL COMMUNITY

Brickyard Plantation is a planned unit development, which includes common property and amenities owned by the Brickyard Plantation homeowners and managed by the Brickyard Property Owners Association (BYPOA).

### B. CREATION OF ARCHITECTURAL REVIEW BOARD

A Declaration of Covenants and Restrictions for Brickyard Plantation has been recorded in the office of the Clerk of Court for Charleston County, South Carolina in Plat book M199, Page 708. The Covenants and Restrictions sets forth requirements that all plans and specifications related to any type of construction must be approved in writing by any person or firm the successor may designate. The Brickyard Property Owners Association (BYPOA), as the successor, has designated The Brickyard Plantation Architectural Review Board (designated hereafter as the ARB) for purposes of establishment of procedures, guidelines and reasonable fees, as are necessary to achieve its purposes and objectives.

### C. PURPOSES OF THE ARCHITECTURAL REVIEW BOARD

The purposes of the Brickyard Plantation ARB are as follows:

1. *To preserve the natural beauty of Brickyard Plantation and it's setting.*
2. *To continue Brickyard Plantation as a pleasant and desirable environment.*
3. *To establish and maintain a harmonious design for the community.*
4. *To promote and protect the values of properties within Brickyard Plantation.*

## **D. ARCHITECTURAL REVIEW BOARD JURISDICTION**

In order to accomplish its purposes, the ARB is vested with the appropriate powers to review, control and approve/disapprove any proposed residential building, wall, fence or structure to be erected, placed or altered within the Brickyard Plantation.

1. Proposed building plans, specifications, exterior color or finish, plot plan showing proposed location are required to be furnished to the ARB as part of the review process. All landscaping changes or additions, including removal of trees (trees over 6" in diameter measured 2' above ground) must receive prior approval by the ARB. All ARB actions are provided to residents in writing and written ARB approval is required before any addition to an existing building or structure, or any exterior renovation, alteration or change thereto is initiated.
2. Refusal or approval of plans, location or specifications may be based upon any grounds, including purely aesthetic considerations, which the ARB in its sole and absolute discretion shall deem sufficient.
3. The ARB shall have the authority to grant exceptions, from any requirements set forth in the Guidelines on a case-by-case basis. The granting of any such exception will not impair or otherwise affect the right of the ARB to continue to require strict compliance with the requirements cited above, nor will it set a standing precedence.
4. The ARB has no authority to grant exceptions to specific items called out in the Declaration of Covenants and Restrictions for Brickyard Plantation.

## **E. OBJECTIVES FOR BRICKYARD PLANTATION**

The architectural and design approval process is directed toward attaining the following objectives.

1. Preventing excessive or unsightly grading, indiscriminate earth moving or clearing of property, removal of trees and vegetation, which would cause disruption of natural, water courses or scar natural landforms.
2. Ensuring that the location and configuration of structures are visually harmonious with the terrain and vegetation of the property and with surrounding properties and structures.
3. Ensuring that the architectural design of structures and their materials and colors are visually harmonious with Brickyard Plantation's overall appearance, natural landforms and beauty, or any governmental or public authority, if any, for the areas in which the structures are proposed to be located.
4. Ensuring that any development, structure, building or landscaping complies with the provisions of these Guidelines and the Declaration of Covenants and Restrictions.
5. Promoting building design and construction techniques that respond to energy consumption, water conservation and environmental quality consideration such as heat loss, air emissions and runoff water quality.

## **F. ARCHITECTURAL DESIGN CONCEPT**

It is the intent of the architectural review process and these guidelines to encourage the building of exceptional individual architectural structures that when viewed together produce a harmonious overall community environment. Therefore each building should be treated, not as an individual creation or architectural entity within itself, but rather as a carefully planned addition to the total development.

1. It is important that the architectural solutions consider the immediate surroundings and natural setting of each site. The planned concept necessitates that dwellings be unobtrusive in both form and color in order to complement the natural setting.
2. At the present time, no particular period, style, influence or historical approach is specifically required at Brickyard Plantation. The ARB does encourage design that is harmonious with our natural and historical setting. Most importantly, homes should strongly convey a sense of permanence and endurance; vacation like design and construction should be avoided. Elements that are encouraged are the use of exterior materials that are indigenous to this area and exterior colors that are subdued or muted (as opposed to bold and stark). Styles that are strongly discouraged are Mediterranean, Asian, Bauhaus or International, and designs with low or flat pitched roofs.
3. Homeowners are required to obtain "ARB APPROVAL" signs for any exterior work that takes more than two (2) consecutive days. These signs, which can be obtained from the Property Manager at her/his office in the Amenity Center, are to be clearly posted in the front yard of the subject property. A fee will be charged for any unreturned sign.

## **G. DISCLAIMER**

No approval of plans, location or specifications by the ARB and no publication of architectural standards or guidelines shall be construed as representing or implying that such plans, specification or standards will, if followed, result in a properly designed or constructed residence.

## **II. THE REVIEW PROCESS – NEW CONSTRUCTION**

The following guidelines outlined here are intended to be helpful; each is essential to sustain and maintain the beauty and the essence of Brickyard Plantation. Each step in the approval process and the guidelines protects your investment and helps to guarantee the continuing livability of your home.

### **A. STEPS IN THE APPROVAL PROCESS**

1. REVIEW DESIGN COVENANTS: Review the protective covenants and guidelines for familiarization.
2. RETAIN PROFESSIONAL DESIGN CONSULTANTS: Selection of design professionals is important to the process and homeowners for all development in Brickyard Plantation. Have all of your consultants read and acquaint themselves with the design covenants and restrictions.
3. OBTAIN A SURVEY: Employ a surveyor to obtain a complete survey as required for the preliminary review. This step is necessary in the site planning process to preserve the unique features of your home site. The survey must provide the following information:
  - a) *All existing roads, utilities and other improvements by Brickyard Plantation*
  - b) *Property lines with dimensions and bearings*
  - c) *Existing contours at 1' contour intervals indicating contour elevation above sea level*
  - d) *Existing tree location of all trees 6" or over in caliper measured 2' above ground level*
  - e) *Show all other site features such as drainage structures, etc.*
  - f) *North arrow, minimum scale, shall be 1" = 20 feet*
  - g) *Title with name of legal owners, and name, address, phone and license number of surveyor*

### **B. PRELIMINARY REVIEW**

Submit 2 copies of the developed design to the ARB for preliminary review. These plans will reflect the "schematic" stage of development in an architect's design. Although it must fulfill all the submittal requirements before

consideration by the Board, this important step in the review allows revision and responses to the ARB requests without final working drawing revisions. The design may be presented in a variety of formats but must adhere to the following requirements.

1. ARB fees are to be paid at the time of the preliminary review, which is a nonrefundable fee for the total review process.
  
2. Building Material Samples required:

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- a) *Sample of the proposed siding material*
  - b) *Sample of roof material and color*
  - c) *Sample of exterior paint or stain color (paint chip)*
  - d) *Sample of exterior trim paint or stain color (paint chip)*
  - e) *Sample of door color if different from trim color*
2. Survey: Must be made by a registered South Carolina surveyor at a minimum scale of 1" = 20'.
3. Proposal Drawings.
- a) *Site plan at 1" = 10'*
    - (1) North arrow
    - (2) Property lines with dimensions and bearing
    - (3) Existing and proposed contours
    - (4) Location of all trees over 6" in caliper 2' height from grade.  
Trees to be removed shall be noted ("removed")
    - (5) Dwelling to be indicated as foundation plan with entry area and stairs delineated and roof and deck lines shown as dashed lines
    - (6) First floor elevation (FFE) indicated
    - (7) Setback limits shown
    - (8) Building accurately located from property line
    - (9) Drives and walks shown
    - (10) Principal views indicated
    - (11) Adjacent structure located

- b) *Floor Plans at minimum 1/4" = 1'0"*
- (1) These should include each floor, mezzanine and ground level plan.
  - (2) Room use labeled
  - (3) All walls shown
  - (4) All windows and doors with swings shown
  - (5) All overhangs of floors or roofs above shown as dashed lines
  - (6) Dimension overall limits of plans
  - (7) Ground Level Plan to indicate foundations, enclosure, driveway location (if applicable), stairway, garbage and HVAC enclosures
- c) *House Elevations at 1/4" = 1'0". One for each major exposure*
- (1) Show how building relates to grade level
  - (2) Indicate foundation skirting or screening (type and location).
  - (3) Indicate overall height from grade to ridge of roof.
  - (4) Indicate exterior building materials
  - (5) Note: Before submission, the corners of 'the house should be staked on the lot in the proposed location. Trees to be removed should be flagged with surveyor's tape.

## C. FINAL REVIEW

Submit 2 copies of construction documents, drawings and specifications for review. This final review is mainly concerned with checking the construction documents for Brickyard Plantation covenants requirements, and verification that the preliminary design has been followed. Conformance to all applicable Municipal, State and County codes is the responsibility of the Owner. After final approval, the ARB will issue a letter of approval.

The final review must contain the following:

1. *Final Drawings and Site Plan*

*a) Revised as required by preliminary review:*

- (1) Show water service
- (2) Show sewer service
- (3) Location, dimension and materials for walks and drives
- (4) Limits of construction activity (no grading, construction, traffic or storage of materials will be permitted beyond these limits)
- (5) Exterior light location and type
- (6) Location of HVAC unit and trash enclosure with screening location for each
- (7) Utilities meter locations
- (8) Building Foot Print on Site

2. *Landscape Planting Plan*

- a) *Preferred scale is 1" = 10'*
- b) *Variety, size, location and number of all plant material*
- c) *Type and limits of sodded or seeded grass areas*
- d) *Plant list with quantity, botanical name, common name, and size*

3. *Floor Plans at 1/4" = 1'0"*

- a) *Minimum scale is 1/4" = 1'0"*
- b) *Dimensioned foundation plan*
- c) *Wall, window and door openings dimensioned*

4. *Roof Plan*

- a) *Minimum scale is 1/8" = 1'0"*
- b) *Indicate all roof slopes and materials*

5. *Indicate gutters and downspouts*

6. *House Elevations*

- a) *Minimum scale is 1/4" = 1'0"*
- b) *Revise as required by preliminary review*
- c) *Indicate location of color changes.*
- d) *Show gutters and downspouts.*
- e) *Show trim locations and sizes.*

7. Sections

- a) *Typical wall from grade to ridge at minimum scale 3/4" = 1'0"*
- b) *Typical decks and railings*
- c) *Typical screened porches*
- d) *Full building section at 1/4" = 1'0" (through building showing exterior stair)*
- e) *Typical fence, screening and skirting details*

8. Structural Plans at 1/4" = 1'0"

- a) *Required if structure is not shown on architectural plans.*

9. Optional Drawings

- a) *Schedules, finish, doors, windows, lintels*
- b) *Electrical plans*
- c) *HVAC plans*
- d) *Plumbing plans*
- e) *Additional details*

10. For more detail on restrictions and recommendations, see the pertinent sections in these Guidelines.

11. Before construction can begin final building permits must be obtained as required by local and South Carolina State laws.

**D. ADDITIONS AND ALTERATIONS TO HOUSES UNDER CONSTRUCTION**

It is anticipated that homeowners may wish to make exterior improvements or modifications to their home or property during construction. No modifications of any exterior changes under construction may be undertaken without prior review, and written approval of the ARB. A request for review of the proposed improvements or modifications by the Board must contain:

1. ARB Application, which are available from the BYPOA Property Manager.
2. Letter of intent with description and purpose of modifications/changes.
3. Site (plat) plan of existing house indicating changes to building or site improvement layouts (if applicable).
4. Revised architectural drawings to fully describe all changes.
5. Material and color samples of changed materials or colors.

### **III. SITE PLANNING**

#### **A. SITE EVALUATION**

The site location of a dwelling is a critical and important design decision. The site plan concept developed for each homeowner should reflect functional needs, but also be sensitive to the sites unique characteristics and inherent design opportunities.

Properly positioning your home on its lot requires that you understand all of its unique features including views and breezes. Recommendations for you to consider in evaluating your lot are as follow:

1. Note the best natural or manmade views and amenities from your lot.
2. Attempt to preserve the existing major trees and other natural habitats, such as low shrubs, especially along wetlands.
3. Note any drainage swales or ditches that need unimpeded flow.
4. Orient your home to allow prevailing summer breezes to flow through your home.
5. Consider the sun orientation in order to provide adequate shade during the summer and sun in the winter, as well as desirable light in living areas.
6. Locate your driveway to meander around trees and other natural features if feasible.
7. Avoid building on lower areas of your lot where humidity will be higher and breezes lower.
8. Note the location of the utility corridor in front of your lot.
9. Note any special restrictions on your lot such as easements.
10. Consideration of neighbor's views of marshlands and waterways should be taken into consideration prior to submitting for changes to structures and major landscaping on the property.

## B. BUILDING SETBACKS

Building setbacks are specified for each tract. Unless otherwise specified by the ARB, tracts #4, 5, and 6 lots have required minimum setbacks from property lines of 30' front, 30' rear and 25' side (with minimum of 10' on one side) and shall adhere to Town of Mt. Pleasant ordinances. See *Section IV Design Standards and Criteria, paragraph B, sub paragraph 15 Minimum Square Footage for Tract identification*. Also note section 7.11 in C&R for more details

## C. SITE CLEARING

Once the location of your house on the lot is established, limits of construction should be determined. The house footprint should not exceed 30% of the total lot acreage. Total impervious building and sight improvements should not exceed 35% of the lot acreage. This area is to include all decks, patios, driveways, sidewalks, and the dwelling itself. The Town of Mt. Pleasant Code of Ordinance for the house footprint and the total impervious building and site improvements must be followed.

## **D. SITE GRADING**

1. Drainage considerations for individual sites play an important part in the overall ecological balance. Accordingly, site grading shall be kept to a minimum and alteration of existing drainage systems is to be avoided.
2. Water runoff should be directed to existing natural swales or other natural drainage areas or to storm drainage facilities. There shall be no direct channeling of runoff into natural or manmade water bodies, marshes or conservation area.
3. Any necessary grading is to maintain a natural gradual appearance. Grading shall not encroach upon the drip lines of trees to be preserved unless tree preservation techniques are utilized.
4. Retaining walls may be used to reduce areas, which need grading, or to preserve vegetation. The design and placement of such walls must reflect the architecture of the house and be well integrated into the site. Runoff during and after construction must not cause damage to adjacent properties. If it is determined that erosion or surface runoff is a problem then additional erosion control will be required during the construction period as dictated by inspectors.

## **IV. DESIGN STANDARDS AND CRITERIA FOR EXISTING HOMES**

### **A. ADDITIONS / ALTERATIONS**

No modifications of any existing construction may be undertaken on any of the properties without prior review, and written approval of the ARB. A request for review: of the proposed improvements or modifications by the ARB must contain:

1. Site (plat) plan of existing house indicating proposed location of improvements to scale. You could possibly obtain a plan by visiting [ccgisapps.charlestoncounty.org/public\\_search](http://ccgisapps.charlestoncounty.org/public_search)
2. Letter of intent with description and purpose of improvements
3. Material and color sample (preferably to match existing materials)
4. Color photographs of the areas of the house / property that will be affected
5. Elevations of existing structure and proposed changes. The ARB Application is available from the BYPOA Property Manager and will require completion by the homeowner and approval by the ARB. You may also download this form from the Brickyard web site under documents.

### **B. SPECIFIED STANDARDS AND CRITERIA**

In order for the ARB to carry out its objectives as stated, certain design criteria shall be met. The following list has been compiled to guide the owner and the architect in appropriate design of the dwelling:

1. Antennas/Satellite Dishes

- a) Antennas/Dishes are permitted for receiving local television; direct broadcast satellite and radio services. Antennas/Dishes cannot be more than 1 meter in diameter or diagonal measurement. Over the Air Reception Devices Rule provides guidelines for authorized equipment. Go to [www.fcc.gov/media/overairreceptiondevicesrule](http://www.fcc.gov/media/overairreceptiondevicesrule) to see the latest update.

2. Chimneys

- a) Fireplace chimneys of brick, stucco, and siding to match house siding are encouraged. Exposed metal flues are not permitted.

### 3. Colors and Color Schemes

- a) Exterior color samples are required to be furnished to the ARB for approval. Wood tone, blended and earth tone colors are recommended, as are historical colors.

### 4. Repainting Existing Houses

- a) If you are planning to repaint your house using the existing siding and trim colors and all of the paint(s) are of the same texture as before the repainting, you will not be required to submit an ARB Application. However, any exterior painting that does involve changing the color of the siding or trim and/or involves changing the texture of the siding or trim, the property owner must make an ARB Application and wait for ARB Approval, prior to painting.

(1) A request for review of painting by the Board must contain:

- (a) Completed ARB application form
- (b) A color photograph of your house as it looks today
- (c) Color photographs showing the two adjacent neighboring houses, including but not limited to homes across the street.
- (d) Paint chip samples of all paints to be used (will not be returned)
- (e) If you are adding a new trim color, but some of your trim will remain the original color, submit a colored picture of your house showing all areas where the new color will be applied.
- (f) Adjacent houses will be varied in their color schemes; e.g. two yellow-sided houses in a row are undesirable. Similarly a number of houses in a grouping on both sides of a street should not be dominated by any one basic siding color.
- (g) If you are planning to use more than two colors of paint on the exterior, you should submit a picture of your house showing the specific areas that each paint will be applied. Mark the back of each paint chip as to whether it's the body or siding paint or trim paint. Also mark the back of each paint chip as to what texture type will be used. Paint chips will be the standard paper handouts obtained in a paint store or actual paint samples on some relatively thin stock for ARB filing. Paint samples printed from a computer will not be accepted.

(h) Please note that paint chip samples will not be returned, so please obtain extras for your own use. Also pictures will not normally be returned, unless special arrangements are made at the time of application. In all cases pictures will not be returned until after the job is completed.

5. Brick

- a) Brick use is encouraged at Brickyard Plantation.

6. House Styles

- a) The ARB will not approve a house design that has already been built within sight of the proposed lot.

7. Decks/Porches/Patios

a) Decks, porches and patios are encouraged to be designed to achieve optimum enjoyment from your home. When designing locations of the decks, porches, or patios, please keep in mind your own privacy as well as that of your neighbors. Use caution not to encroach into violation of setback requirements. Consider scenic views from neighboring properties

b) Ensure that the location and configuration of structures are visually harmonious with the terrain, with the surrounding vegetation of the residential lot and with the surrounding residential lots and structures. Additionally, structures should not unnecessarily block scenic views from existing structures or dominate any general development or natural landscape.

c) Ensure that the architectural design of structures and their materials and colors are visually harmonious with the Property's overall appearance, history and cultural heritage, with surrounding development, with natural land forms and native vegetation, and with development plans, officially approved by the owner, or governmental or public authority, if any, for the areas in which the structures are proposed or located.

d) After application to and written approval by the ARB, you may construct attached storage compartments, screened-in rear porches and rear sunrooms as an integral part of the principal residence, if and only if such construction improvement is consistent with the design of the principal residence and with the standards of construction prevailing in the Subdivision.

## 8. Driveways

- a) Driveways must be surfaced with concrete, brick, pavers or asphalt. Other surfaces are not permitted. Driveways must provide adequate drainage and shall not drain onto adjacent properties except into drainage systems, i.e. culverts and swales.

## 9. Foundations

- a) Raised slab construction will be allowed in Tracts 3, 7, 8, and 9. However, finished floor elevation must be a minimum 19" above finished grade or street level. Foundations in Tracts 4, 5, 6 will be required to be on a crawl space at a height to meet Town Ordinances and Flood Insurance requirements.

## 10. Foundation Skirting

- a) Brick lattice is recommended. Concrete masonry (concrete block) walls and foundations must have an approved siding or finish. Exposed concrete block is not permitted. Lattice screening shall be constructed with at least 1" X 2" wood material and must be painted to compliment the home's exterior. Unfinished wood lattice, vinyl and prefabricated lattices are discouraged.

## 11. Garages

- a) Garages are recommended to be located at the sides or rear of the house, if at all possible. Carports (attached or detached) and detached garages are not permitted. All sides of parking under raised houses must be enclosed to the maximum extent permitted by the Town of Mount Pleasant.

## 12. Lighting

- a) Lighting should be provided for safe approach to the dwelling. Lighting should be designed and installed to enhance the architectural and landscape features of the residence and light levels kept to a minimum so as not to infringe on neighbor's property.

## 13. Mailboxes

- a) Mailbox/Post designs shall be uniform within the neighborhood as originally installed or be approved by the ARB.

14. Siding Materials

- a) Natural materials are encouraged. Pressboard, metal, vinyl and T111 plywood siding materials are not permitted. Brick, stone, fiber cement (HardiePlank), stucco (conventional and EIFS) and wood siding materials are recommended. When using substantial materials such as brick for siding on the front elevation of a house, the two adjacent sides (at a minimum) must also match the front elevation.

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15. Minimum Square Footage as per the Covenants and Restrictions  
section 7.43

- a) The living space of the main structure on any lot shall not be less than the following minimums. The ARB reserves the right to increase minimum square footage in Tracts 4, 5 and 6.

<b>Lots</b>	<b>Neighborhood</b>	<b>Min Sqft of Living Space</b>
Tract 3 lots:	Magnolia Grove	1,400
Tract 4 lots:	Boone Grove	2,200
Tract 5 lots:	(Lot No 130 & 131136 McLeans Orchard & Brickyard (Lot No. 3150 & 120130) McLeans Orchard & Brickyard	2,400 2,800
	(Lot No. 51119) Brickyard	3,000
Tract 6 lots	Daniels Pointe	2,400
Tract 7 lots	The Landing & Hamptons	1,400
Tract 8 lots	The Preserve & Retreat	1,700
Tract 9 lots	The Preserve & Retreat	1,700
Tract 10 & 11 lots:	The Colonnade	1,700

Houses of less than the stated minimum living space may be approved by the ARB if in the opinion of the ARB that the design and construction of such house would be in keeping with the adjoining properties and the lowering of the minimum living space requirement for such lot would not depreciate the value of adjoining properties.

16. Awnings

- a) Exterior awnings are prohibited on the fronts and sides of houses. Metal and vinyl awnings are not permitted. Canvas awnings may be approved only for rear yard patios and decks. Retractable awnings are preferred.
- b) Approved awnings must meet the following criteria: plain design without decorative features, such as scallops, fringes, lettering etc. Muted colors, which are compatible with the color scheme of the house, should be used,
- c) They should be consistent with the visual scale of the house to which attached. Pipe frames or structural supports for canvas awnings (or similar material) should be painted to match the trim or dominate color of the house.

17. Pools, Outside Spas, Saunas
- a) The design submissions of; pools, spas, saunas, decks and pool fences shall be drawn to scale on a site layout drawing, survey or plat and include height, width, depth and elevation for all modifications.
  - b) Fence design and dimensions shall be included on the site layout and the design will follow all fence guidelines with or without pool.
  - c) Any and all support equipment will be designated on site layout.
  - d) Materials, colors, or any other details of additions or modifications shall be included with the application.
18. Recreational Equipment
- a) No type of recreational equipment shall be outside the shadow of the house when viewed from the front (street) view of the dwelling (for example: stationary post basketball goals, swing sets, trampolines, skateboard ramps).
  - b) Equipment should be located with discretion and must be approved by the ARB.
19. Roof Materials
- a) Architectural fiberglass shingles, wood, slate, metal, and certain composite roofing materials are acceptable.
  - b) Tile and unpainted galvanized metal are not permitted.
  - c) Colors shall compliment the dwelling colors and landscape.
20. Roof Pitch
- a) All main house roof pitches must fall between 5/12 and 16/12 depending on building concept.
  - b) Porch roofs should match main house roof slope if possible but should not be less than 3/12 slope.
  - c) Standing seam metal roof pitches should follow the manufacturer's guidelines but not less than a 2/12 slope.
21. Service, Utility and Storage Areas
- a) Service, utility, equipment and storage areas must be screened from view and screening material approved by ARB.
  - b) Wall and window air conditioning units projecting through walls are not permitted.

c) Waterline back flow preventers and above ground propane tanks shall be screened.

22. Solar Energy

- a) Solar devices shall be compatible with the site and integrated into the architecture, visual scale of the home, design and color of the roof. This includes panels, frames and all connecting materials.
- b) Panels shall be permanently attached to the home, positioned and at angles to assure they cannot be viewed from the front of the residence with or without barriers or have a negative impact to the neighborhood.

23. Tennis Courts - Private tennis courts are not permitted at individual Brickyard Plantation residences.
24. Windows - Quality and finish/colors of windows are a dominant element of the architecture. Windows must be compatible with the architecture of the home in quality and appearance.
25. Gazebos and Arbors - Gazebos and arbors shall blend naturally into the setting, be located with discretion, should be unobtrusive, closely match design scheme of home, and not be located within the specified setbacks.
26. Trash Receptacles - Trash receptacles shall be near the house to the side or rear. Planting, berms or an approved screening element shall screen the receptacles.
27. Sunrooms / Enclosed Porches (alterations to existing houses)
  - a) The glass enclosure of an existing screen porch shall be used for only recreation use.
  - b) The existing porch roof may have skylight windows installed.
  - c) Window and door design and materials shall be compatible with the principal residence.
  - d) The use of filler panels that are components of a manufactured wall system are permitted. The exterior of the filler panels shall be covered with siding or brick materials and colors matching the principal residence.
  - e) All trim materials (window and door, siding corners, horizontal band boards, and roof overhangs) used shall match the design, material and color of the principal residence.
  - f) Foundation skirting shall match the design, material and color of the principal residence.
  - g) Flat or extreme low-sloped roofs are prohibited. Roof materials and trim shall match the design, and color of the principal residence.

28. Exterior Decorative Objects

- a) ARB approval is required for all exterior decorative objects placed within public view, whether natural or manmade, which were not part of the original approved construction submittal. Examples include, but are not limited to; bird houses, bird baths, driftwood, weathervanes, sculptures, fountains, free standing poles of all types, house identification numbers, and items attached to approved structures. These will be evaluated in terms of their appropriateness, quantity, size, location, compatibility with architectural and environmental design qualities and visual impact on the neighborhood.
- b) Painted street curb house identification numbers are not permitted.

29. Fences

- a) Rear Yards Only: Fences must start off the house rear corners, or a lesser width, and run towards the back of the property on a line parallel with the sides of the house.
- b) Rights of Way: The ARB will not approve fences in Rights of Way.
- c) Surface Drainage Easements: These areas including swales, ditches, etc. and shall not be used for fencing, because they will catch debris, which will act like a dam against water drainage. Any existing fencing in a drainage easement that is found to be interfering with drainage (even if it is only during the heaviest rains) is subject to removal without any remuneration to the property owner.
- d) Obstruction of View: Applicants should note that in accordance with the Covenants & Restrictions for Brickyard Plantation, Section 7.4, the ARB can not approve fences that obstruct the view of any marsh, stream, or other body of water, when viewed from inside any adjacent lot
- e) Adjacent Fencing (In Backyards Only): Where it's acceptable to have a fence line immediately adjacent to a property line, it is not desirable to have two neighboring fence runs inches apart. In these circumstances, it is desirable to have the second party building a fence to terminate their fence runs perpendicular to the existing fence.
- f) Height of Fencing: On a case-by-case basis, the ARB approves 3 foot, 4 foot, and depending on circumstances, some 5 foot fences.

- g) Style of Fencing: The ARB approves many styles of fencing on a case-by-case basis. However, the ARB does not approve Privacy or Stockade type fences that are solid, with no visual / ventilation gaps. Fence height will be approved on a case-by-case basis for patio screening, which may be up to 6 feet in height. Approvable yard fence types include: picket, brick lattice, metal, vinyl, painted wood, unpainted treated wood. Prohibited fence types include, but not limited to, chain link, welded wire, or split rail.
- h) Fencing Materials & Colors: Fences should be a natural wood color or painted white. Metal or other non-wooden fences should be flat white, flat black, or have some other subdued coloring. ARB will determine the acceptability of fence finishes on a case-by-case basis.
- i) Picket Spacing: There can be many variations in spacing pickets. Depending on fence style, etc., the normally acceptable minimum picket spacing is 1/3 the width of the picket. Metal "wrought iron" fences have a wider spacing, which meets the intent of open spaced fencing. All fencing regardless of style shall have 1/3 free space to facilitate the movement of air.
- j) Fence facing: The finished facing side of the fence should face away from the property. The supporting posts should be on the inside (property owner's side) of the fencing.
- k) Fencing Applications shall include the following:
  - (1) A copy of the property plat with the proposed fencing lines drawn in. The length, in feet, of each fencing line shall be indicated on the plat.
  - (2) A picture of the fencing that is proposed with its maximum height indicated.
  - (3) Locations and sizes of gates.
  - (4) A sample of the finish color of the fencing or a word description if using natural materials.

### 30. Charging Stations

- a) "Electric vehicle charging stations" located outside of a residence shall be submitted to the ARB for review.
- b) "Electric vehicle charging stations" shall be designed in compliance with the Mt. Pleasant Building Standards Code and delivers electricity from a source outside an electric vehicle into one or more electric vehicles. An electric vehicle charging station may include several charge points simultaneously connecting several electric vehicles to the station and any related equipment needed to facilitate charging plug-in electric vehicles.

- c) An electric vehicle charging station shall meet applicable health and safety standards and requirements imposed by state and local authorities, and all other applicable zoning, land use, or other ordinances, or land use permits.
- d) Homeowner charging stations shall not be visible from the street.

## **II. LANDSCAPE**

### **A. EMERGENCY TREE REMOVAL**

1. Due to a sudden act of nature a homeowner is authorized to remove or cut down a dangerously damaged tree to prevent possible personal injury or property damage prior to submitting and obtaining an ARB approval. The key words here are “sudden act of nature” and “dangerously damaged”.
2. The homeowner is required to photograph the tree in its dangerous state prior to removing it, then submitting that photo along with the tree removal application ASAP for ARB review.
3. No tree removal application fee is required for an Emergency tree removal.

### **B. VIEW OF DEVELOPMENT**

1. Proper landscaping is one of the most important factors in the beautification of a home and it's setting. As a minimum landscape requirement, the front yard shall be grassed or sodded in the lawn area of the approved landscaping plan. Landscaping shall be installed no longer than 90 days after construction completion.
2. It is strongly recommended that each homeowner do their part in providing a beautiful and natural setting through proper landscape. Proper landscaping promotes economic property value as well as aesthetic value to the owner and their neighbor. The BYPOA will take a very firm approach in seeing that proper and adequate landscape is facilitated.

## **C. PLANTING APPROACH**

1. The planting plan itself should sufficiently screen utility areas; break up the foundation of the building, buffer driveways and parking areas adjacent to property lines. Plants for screening should be of sufficient size and spacing to ensure an adequate buffer within two years. Foundation plantings, likewise, should be able to screen crawl spaces under house or decks.
2. Plant materials should compliment native species and be compatible with existing environmental and ecological conditions. The cutting of the forest understory may be done to open up views to marsh and lakes, but should be kept to a minimum leaving vegetation for buffering, privacy and landscape definition. The cutting of the forest canopy is prohibited, except for removal of dead branches, vines and straggly material for maintenance. In cases where an understory is not present, then the addition of small flowering trees, grouped in clusters, should be considered in the landscape plan.

## **D. LANDSCAPING DEFINED**

1. Landscaping is defined as the process of making a yard or piece of land more attractive by contouring the existing design by mounding, terracing, adding ornamental features (arbors, gazebos) and planting trees and shrubs. A landscaping plan can include: tree location mapping, retaining walls, water features, the handling of drainage issues, hardscaping, and ornamental structures.
2. Definitions of Ornamental Structures for Backyards Only:
  - a) Arch or Arbor a 3 dimensional, freestanding structure, a welcoming feature elevating an ordinary threshold into a significant passageway. An arbor needs to relate to the landscape. It should not be left in the middle of an empty space but connected to a fence or hedge or placed to support a vine.
    - (1) Note: When an application is submitted to install an arch or arbor, the homeowner shall include the type of vine that the arch will support. The structure should blend with the natural surroundings.

- b) Gazebo a 3 dimensional, roofed structure that offers an open view of the surroundings, typically used for relaxation or entertainment. It should blend with the natural surroundings.
- c) Pergola a 3 dimensional, outdoor structure consisting of columns that support a roofing grid of beams and rafters. It can be free standing or attached to a house. It should blend with the natural surroundings unless attached to the house, and then it should blend with the house.
- d) Trellis a portable framework of light wooden or metal bars meant to support vines (ex. Wisteria) or ornamental plants (ex. climbing roses). A trellis can be latticework, obelisk, pyramidal, or arched in design.

## **E. WHEN TO SUBMIT AN APPLICATION FOR LANDSCAPING**

- 1. An application should be submitted when:
  - a) The ground will be contoured, i.e., new beds will be part of the design, soil will be added or grading will be done.
  - b) Trees will be added in the front or side yard.
  - c) Hardscape will be installed.
  - d) Raised planters, arbors, gazebos, or any other ornamental structures, excluding portable trellises will be installed.
- 2. An application does not have to be submitted when:
  - a) Planting grass, ornamental plants or shrubbery.
  - b) A homeowner is using a portable trellis in the backyard to support an ornamental vine or plant and no other structure or landscaping is being done.

### **III. CONSTRUCTION**

#### **A. CONSTRUCTION GUIDELINES**

In the interests of maintaining safety as well as an appealing image for the Brickyard Plantation residents and visitors, the construction process shall be regulated. After final approval and obtaining all necessary permits, the contractor/homeowner shall submit the construction application and current ARB deposit. The application for this purpose may be obtained from the BYPOA Property Manager. The deposit is to ensure compliance with the approved plans, for any necessary site maintenance and correction of any damage to streets, road shoulders and common areas.

#### **B. CONSTRUCTION REGULATIONS**

Inspection while construction is in process will be conducted regularly by the ARB inspector to, ensure conformance with the approved drawings and specifications. Any changes to be made during construction shall receive approval by the ARB prior to the change. Major changes may constitute resubmission for final approval. Final inspection will be made after the contractor has completed construction, including all site work and landscaping, cleaned site of debris, removed contractor signage and any temporary utilities, and notified the ARB inspector in advance of finished date. The deposit will be returned in full if all requirements are fulfilled. If clean up and/or amendments to the construction site need to be made by the BYPOA, their cost will be deducted from the deposit. It should be noted that the BYPOA or its agents assume no responsibility while inspecting construction progress for compliance with approved plans or Municipal ordinances and building codes. The owner assumes full liability for failure of construction to comply with approved construction documents.

#### **C. CONTRACTOR REGULATIONS**

Contractors are responsible for the actions of their employees while in the Brickyard Plantation. Workers are allowed access to and from the job site only and are not allowed to use other facilities or ride around the Plantation property unnecessarily. Harassment of residents and visitors is strictly forbidden. All employees shall wear shoes and shirts when away from the job site. Access will be allowed only between 7:00 a.m. and 7:00 p.m., with no construction work on Sundays and Federal holidays. The contractor shall provide toilet facilities for the workers on the job site in a discreet location, if access is possible. Contractors shall be licensed in the State of South Carolina and the Town of Mount Pleasant. Contractors shall at all times maintain a clean and safe work area.

Any contractor found to be in obvious nonconformance of these regulations will be denied access and work will be suspended.

#### **D. SITE REGULATIONS**

For site protection, the following standards shall be observed:

1. Approved plans will be valid for one year after ARB approval, including all construction and landscaping. Extensions can be granted by the ARB due to adverse weather conditions or other justifiable reasons.
2. No trees over 6" in caliper measured 2' above ground shall be cleared within the site building setback lines without approval by the ARB. All existing vegetation shall be maintained in its natural state: 1) between property lines and building setback lines, 2) within 30 feet of lake edge, and 3) all areas not occupied by building and/or paving unless approved otherwise on the site plan. The Architecture Review Board will review with the property owner on the placement of the structure on the lot for aesthetic concerns; overall streetscape concerns, as well as the preservation of existing vegetation and topography.
3. All reasonable means and methods shall be taken during and after construction to protect and preserve all existing vegetation.
4. Boards, other material, or signs shall not be nailed to trees during construction.
5. Sediment and erosion control provisions shall be employed during construction as deemed necessary, and as required by Municipal ordinances.
6. All existing planting, fixtures, fencing and landscaping damaged during construction or after by vehicles, fire or other cause on or off site, including streets, shoulders and common areas shall be repaired or replaced by the owner. Owner will be responsible for their contractor's, subcontractors and material suppliers actions during construction.
7. Any clearing, grading or building on site without approval by ARB will result in immediate suspension of work.
8. During construction, all trash, debris, and waste shall be contained daily and not be exposed to public view. Burning of debris is not permitted. The BYPOA reserves the right to clean the site as needed due to noncompliance, and the Owner will be back charged the cost of such work.
9. All contractors shall be required to carry liability insurance. Owner should seek proof of contractors insurance.
10. Land clearing and grading contractors or subcontractors shall be licensed by the State of South Carolina and the Town of Mt. Pleasant