

**Design Standards  
And  
Construction Guidelines**

**November 2016**

*This document supersedes the Gift Plantation Design Standards and Construction Guidelines dated August 2015*

# The Community of Gift Plantation

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November 1, 2016

Dear Property Owner:

The Architectural Review Board (ARB) wants to make your new construction, remodeling or improvements to your existing property a smooth and pleasant experience. The ARB shares a deep appreciation for the quality of the development at Gift Plantation and we anticipate these guidelines will help clarify and speed up approval for your plans.

Please take the time to thoroughly read these guidelines and share them with your architect and contractor. We encourage input from everyone during every stage of the review process. We look forward to working with you and assure that your new home or remodeling project will be a welcome addition to Gift Plantation.

As a reminder, any local, State, and/or Federal permits that may be required for work in Gift Plantation, are the sole responsibility of the property owner.

Sincerely,

HOA Board of Directors &  
The Architectural Review Board

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## **Function and Purpose of the Architectural Review Board (ARB)**

The ARB has been established to ensure that development occurs in accordance with the Gift Plantation Design Standards and Covenants. These standards have been established to assist all property owners in the planning and construction of their new homes and/or any exterior improvements and/or maintenance to existing homes. The standards are intended to protect the existing property owners and to provide a uniform review process for approval by the Architectural Review Board. We naturally expect these standards to be revised from time to time as requested by the Gift Plantation Homeowners Association Members and/or Board of Directors.

The Architectural Review Board (ARB) is comprised of not less than three (3) volunteer members who are appointed by the HOA Board of Directors.

This booklet contents standards and performance levels established by the HOA Board of Directors. Creativity is encouraged within the bounds of appropriateness. These standards are intended to establish environmental compatibility that will protect and preserve the natural character of Gift Plantation.

Homes proposed for Gift Plantation will be reviewed for compliance with Community Standards. The standards provide the direction needed to reduce the visual and physical impact of building in the Community. Homes built in accordance with the Community Standards should harmonize with the natural character of the Community as well as preserve your privacy and that of your neighbor.

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## Application Process

### Introduction

There are two general types of situations that require submission to the ARB. 1) New construction and 2) Improvements to existing property and residences. The type of application filed governs the overall process and amount of required documentation supporting submissions.

New construction and more complex remodeling will generally be handled by the entire ARB under the processes listed below. However, for more routine maintenance and upkeep the ARB may delegate review and approval to one or more Board members and provide expedited electronic or verbal approval at the discretion of the ARB Chair.

The ARB generally meets once a month on the first Tuesday of the month. All requests should be completed and delivered or mailed to the HOA address to the attention of the ARB. To maintain continuity and adherence to regulations stipulated in the Covenants and Restrictions, all final permits obtained from government agencies shall be submitted to the ARB. The ARB will prepare a written letter or otherwise notify the requester outlining the conditions for approval or denial within fourteen (14) days from the date the request was received unless a written extension is filed by the ARB to the HOA Board and homeowner with good cause as to the need for an extension. In the event the ARB does not comply with the timeframe; the request is automatically approved.

In the event of an emergency requiring immediate ARB consideration the homeowner should contact an ARB member to help expedite the process.

ARB decision may be appealed. See Appeal rights on page 18.

### Roll Back Provision

If in the opinion of the ARB, the information supplied is misleading or if the approved plan is not properly executed either purposely or by mistake, the ARB may require the homeowner to take remedial action to restore the area back to the original condition or a condition satisfactory to both the homeowner and the ARB.

## Permits and Regulatory Agencies

### Federal Regulations

The Federal Emergency Management Agency (FEMA) provides flood insurance rate maps which aid insurance agencies in determining flood insurance rates. Structures built in FEMA regulated areas must comply with the minimum building above sea level as described in the guidelines.

The U.S. Army Corps of Engineers approves all waterway, lake, marsh, and freshwater wetland areas of construction. This includes dock construction.

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## **State Regulations**

The Office of Ocean and Coastal Resource Management (OCRM) regulates all marsh and water construction, salt water wetland, and marsh alterations. The OCRM has developed regulations for building in critical areas of the state's coastal zone. Any OCRM requirements should be thoroughly reviewed before any design is undertaken.

## **Local Regulations**

Building permits are issued and inspections are carried out by the Charleston County Building Inspections Department. In some instances, the covenants in effect at Gift Plantation are more restrictive.

After granting final approval, the ARB will stamp all approved drawings. The homeowner will submit the approved drawings to the appropriate permitting office.

The Declaration of Covenants, Conditions, Easements and Restrictions Applicable to Gift Plantation are seventeen (17) pages in length and are officially recorded and filed in the Charleston County's Register of Mesne Conveyance Office, Book 0444, Page 095 – 112. A copy of the Covenants may be found on our community website at [www.giftowners.com](http://www.giftowners.com)

## **Lot Analysis**

It is the responsibility of the lot owner to maintain the property as outlined in the Covenants and Restrictions. A meeting will be scheduled to analyze what steps will be needed to prepare property for construction.

## **Review Process**

The standards outlined here are not intended to be onerous. We believe each of them is essential to sustain and maintain the natural beauty and essence of Gift Plantation. Each step in the approval process and the guidelines themselves are designed to protect your investment and help guarantee the continuing livability of your home at Gift Plantation.

Before any work is started, written ARB approval shall be required. Failure to obtain this approval, prior to initiation of the work, may result in the issuance of monetary fines, at the discretion of the HOA Board.

## **Steps in the Approval Process**

### **Step 1**

Review the protective covenants and these standards for familiarization.

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## **Step 2**

Employ a surveyor to obtain a complete survey as required and described under the preliminary review section. (See pages 4 - 5)

## **Step 3**

Discuss ideas, visit the site, and develop designs with your architect.

## **Step 4**

Submit two (2) copies of preliminary design for review to ARB, including site plan and landscape plan. Fill out and submit preliminary review form.

## **Step 5**

Revise as required and submit (3) three copies of final submittal for approval to the ARB. Fill out and submit final review form, along with the required ARB review fee. Two copies will be returned stamped and signed for submittal to Charleston County.

## **Step 6**

Fill out a Construction Application Form from the ARB and obtain building permits from Charleston County to begin construction.

### **Preliminary Review Requirements**

This plan will reflect the conceptual or “schematic” stage of development in your design efforts. The Board will review the submittal adherence to the guidelines and will, if appropriate, provide suggestions and recommendations for consideration. This review must include all the following before consideration

### **Survey**

- must be performed by a South Carolina registered surveyor
- scale should be 1" = 20' minimum of 1/8" = 1'-0"
- indicate tax map number and area of property
- title with name of owner and surveyor and seal
- location and width of easements
- property lines with bearings and distances
- show all easements and building setback lines
- show topography lines in 6" inch increments
- location and type of trees larger than 6" in diameter at 4' height
- location of roads, utilities and other improvements
- location of wetlands, lagoons, drainage easements, etc.
- location of OCRM baseline or critical line
- location of any wetland or maintenance buffers
- north arrow

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## **Site Plan/ Site Analysis (to the scale of the survey)**

- north arrow
- roof plan of dwelling and structures should be shown
- delineate the proposed disturbed site areas
- property lines with dimensions and bearings
- location of all trees to be removed over 6" in diameter at 4' height
- first floor elevation should be indicated
- setback lines shown
- building accurately located from property line
- drives and walks shown
- primary views indicated

## **Floor Plans 1/ 4" = 1'-0" or 1/ 8" = 1'-0"**

- should include each floor, mezzanine and ground level plan
- rooms labeled
- all walls shown
- all windows and doors with swings shown
- all overhangs of floors and roofs above shown as dashed lines
- overall dimensions of building
- ground level plan to indicate piers, enclosures, driveway locations, stairways, garbage collection areas, HVAC enclosures
- compute total heated square footage
- compute total un-heated square footage (i.e., decks, porches, planters, walks, etc.)
- location of propane tank, if applicable

## **Building Elevations 1/ 4" = 1' - 0" or 1/ 8" = 1'-0"**

- show how building related to grade
- show any screening types and locations
- indicate overall height from grade to ridge of roof

## **Preliminary Stake Out**

The house must be staked out on the lot with stakes at least 2 feet tall marking the corners of the house. Trees to be removed are to be flagged with red surveyor tape. The lot line nearest to the proposed house location shall be defined with string. A preliminary stake out shall take place during the week of Preliminary Review Submission.

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## **Completed Preliminary Review Form**

The ARB will review preliminary plans. Advice on changes will be offered. If drawings are substantially changed, either by request of the ARB or by the desire of the owner, the plans must be re-submitted for review.

## **Final Review Requirements**

### **Final Review**

After Preliminary Review approval has been granted, the construction documents should be prepared and the final stake out reflecting any changes should be completed. The submission for final review must comply with the following requirements.

### **Site Plan 1" = 20' (See page 11. for details.)**

Revised as required by preliminary review

- location of water, electrical, septic tank, and propane tank
- location, dimensions, materials for walks and drives
- limits of construction activity showing all protective fencing locations
- exterior lighting location and types
- location of HVAC unit and trash enclosure with screening location and detailing
- electric meter location

### **Planting Landscape Plan**

- preferred scale is 1/8" = 1'-0"
- variety, size, location and number of all plant material
- common name and botanical name of plant type
- type and limits of seeded areas
- plant list with quantity, name, and size

### **Floor Plan 1/4" = 1'-0"**

Revise as required by preliminary review

- wall, window, and door openings dimensions

### **Elevations 1/4" = 1'-0"**

Revise as required by preliminary review

- show lattice and screening detail
- show all decks and railings
- show areas and detailing of screened porch

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## **Building Sections and Wall Sections**

- typical wall section from grade to roof at minimum scale of 1/8" = 1'-0"
- major section through building showing exterior stairs
- details of all exterior architectural woodwork
- The following detail plans must be submitted: (a) typical wall section, (b) exterior trim, (c) window and door details, (d) exterior walls, fences, or screens, (e) rails, (f) screen porch sections.

## **Structural Plans 1/4" = 1'-0"**

- includes foundations and framing plans

## **Specifications**

A full set of specifications must be submitted defining the proposed work and materials.

## **Final Stake Out**

The preliminary stake out must be updated reflecting changes, if any, in the location of the house or driveway and any additional trees to be removed. No marsh edge, significant understory growth or trees over 6" in diameter at 4' in height may be removed at any time without prior ARB approval.

## **Color Samples**

Proposed colors of all exterior materials including siding, trim, brick, roofing, stucco and lattice must be submitted on actual samples of materials proposed for use along with manufacture identification numbers. These sample submissions are most important to both the owner and the ARB in evaluating the eventual appearance of the house as color chips often vary greatly from actual applications. Samples should be provided as early as possible to prevent delays-materials shall not be placed on site until approved for use.

## **Completed Final Review Form**

All information outlined on the Final Review Form, including square footage computations and accurate color information, should be submitted.

Submittals with incomplete information will not be reviewed by the ARB. If the ARB fails to grant Final Approval of the project, it may suggest items to be corrected and resubmitted.

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## Construction/Landscape Security Deposit

A construction deposit in the amount of **\$2,000.00** made payable to Gift Plantation Homeowners Association shall be submitted during Final Review submission.

A **\$500.00** HOA administrative fee and the cost of any fines incurred as stated on page 22 will be deducted from this deposit. All homeowners who wish to install a mailbox must purchase it from the HOA. The \$350 cost for the mailbox can be paid in advance or will be deducted from the construction deposit. The balance of the deposit will be refunded upon satisfactory completion of the process.

### **For Example:**

|                                       |   |                     |
|---------------------------------------|---|---------------------|
| Construction Deposit                  |   | \$ 2,000.00         |
| HOA Administrative/Process Fee        | - | <u>500.00</u>       |
| Refund to Homeowner                   |   | <b>\$1,500.00*</b>  |
| <b>or</b>                             |   |                     |
| Purchase new HOA mailbox (optional) - |   | <u>350.00</u>       |
| Refund to homeowner                   |   | <b>\$1,150.00 *</b> |

Note: Amount to be refunded to be reduced by any assessed and unpaid fines.

Note: all landscaping must be in place and completed (as per the landscape plan submitted to the ARB) within six (6) months from the completion of home construction.

Final Review approval will not be given until the deposit is received by the HOA at which time an approval letter will be provided to the property owner.

## Improvement/Maintenance Review for Existing Properties

### Letter of Intent

The owner should inform the ARB in writing as to the intent and purpose of the proposed improvements. As stated in the Covenants, no building, wall, fences, deck, dock, swimming pool, roof, exterior light or other structure of improvement of any kind shall be commenced or erected upon any residential lot, including any additions or alterations to existing homes, without taking the following steps as indicated below.

### Color Samples

Samples are most important when applying for improvement approval because of the necessity of matching existing materials. Manufacturer color identification number or name is required. Color samples are required, even if repainting with the same color.

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## **Site Plan**

A plan with dimensions of the property must be submitted showing the location of the proposed improvement(s) in relationship to the building setbacks and easements.

Additional information which must be provided includes comprehensive grading and drainage information indicating those areas which are to be filled, trees which are proposed to be removed and those trees which are to remain, limits of work to protect significant trees and/or significant under story growth which should be preserved.

## **Drawings**

Sufficient plans and elevations shall be submitted to adequately define and explain the improvements.

## **Landscape Plan**

The ARB may require that additional landscaping be provided depending upon the type of improvement proposed. If landscaping is required, a comprehensive landscape plan should be drawn at 1/8" = 1'-0" scale and must convey the representative size of all planting material identified as to size to be installed, common name, botanical name and variety. Plans must also show the location of landscape lighting with fixture catalogue cuts, walks, fences, pools, decks, patios, plan structures, propane tank locations and the location of one mailbox. Adequate plant screening must be provided for HVAC units, service yards, trash enclosures, driveway and driveway turnarounds, large walls, the foundation on all sides of the house and electric meters.

Note: all landscaping will be in place and completed as per the **submitted landscape plan within six (6) months of home completion.**

## **Completed Improvement Review Form**

After reviewing the project, the ARB will either grant Final Approval or disapprove the submittal.

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## Site Planning

### Site Evaluation

Successfully integrating your home into the natural environment is critical to preserve the natural character of Gift Plantation. Minimizing the impact of your home on the environment and on your neighbors is the primary objective of good site planning. Each home site at Gift Plantation provides unique design opportunities and limitations. A proper site evaluation will begin with a survey of existing conditions.

Since each building site is unique, it is necessary for the architect to prepare a thorough area analysis prior to the design of a project.

One of the first steps of preparing a site analysis is obtaining a topographical and tree survey from a South Carolina Registered Land Surveyor. This survey must be at 1/8" = 1'-0" or 1" = 20' scale, is required to show the legal description of the property, with all recorded easements and setbacks, the topography of the lot, the location and type of all trees in excess of 6" in diameter at 4' in height, and any other prominent natural features of the site.

Adjacent residences, garages, and driveways should also be located to suggest the orientation of areas of the design requiring maximal or minimal privacy.

All pertinent site data gathered will be presented to the ARB when submitting for Preliminary Approval. This information shall be represented graphically on a Site Analysis Drawing.

### Trees

Trees larger than 20" in diameter shall not be removed without a special variance from the ARB. No trees larger than 6" in diameter measured from 4' above grade shall be removed without the approval of the ARB. The ARB may require the replacement of any trees that die due to nearby construction or any other unusual causes. As previously stated, any clearing of lots shall be prohibited prior to receiving final ARB written approval.

### Streetscape

Because of the uniqueness of each site it is unlikely that a residential design that was appropriate on one site will be appropriate for another site. The repetitive use of residential designs is inappropriate and in most instances, will not be approved.

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Consideration should not only be given to prominent and potential views, but also equally to orientation for privacy from the street and neighbors. Scale and form of existing homes in the neighborhood should be considered.

## **Driveway Locations**

Driveways should meander through the site naturally, around trees. When locating the drive avoid the root zones of trees, generally at the tree canopy. "Straight shot" driveways are not encouraged.

## **Garages**

All homes shall be required to have a two-car garage minimum. Garage entrances that face the street are not encouraged. By orienting the garage entrances to face the side property lines, it will help to lessen the visual impact of the streetscape.

## **Carports**

Carports or any similar structure are prohibited within the boundaries of Gift Plantation.

## **Building Height and Setback Requirements**

### **Building Height**

The maximum height of buildings at Gift Plantation will follow the Charleston County Zoning and Land Development Regulations Ordinance.

### **Setbacks**

Setbacks are governed by the Charleston County Zoning and Land Development Regulations Ordinance. Homeowners are encouraged to consider adjacent property owner's houses and the constraints of each individual site when determining the requested setbacks. Setbacks are to be measured from property lines. Decks, roof overhangs, swimming pools, and stairs must be within all setbacks. Marsh lots, including wetlands, must conform to the requirements established by OCRM. This can affect the location of the building areas. Critical lines must be surveyed.

### **FEMA**

All the home sites in Gift Plantation are located in A-Zone. Being located in this type of zone requires the adherence to certain construction guidelines. Of the most substantial requirements is the elevation above sea level at which a building must be constructed. Consult with the FEMA flood maps to determine the required elevations. Contact FEMA of Charleston Building Inspections Office if there are any questions.

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## Architecture

### Introduction

An architect familiar with designing and building in an upscale residential environment can make a measurable difference in the quality of your home. The ARB urges that an architect, registered in any state be used to design and prepare the construction documents for residences to be built within Gift Plantation. Use of a registered architect helps assure the ARB that the overall design and aesthetic quality of the proposed construction or remodeling will be compatibility with our community's unique environment.

The Architect should, after obtaining the survey required, first visit the site and become familiar with its constraints and opportunities. The site and its features will dictate major design development decisions to be made by you and your architect. The planning of interior spaces and their transition to exterior spaces should be given high priority. The distinction between these spaces should be less marked than in a conventional home. Easy flow from the house to the decks and porches then to the ground should be emphasized, further integrating you and your house into this special environment.

### Design

The ARB does not favor any one particular style or period of architecture but merely promotes designs that successfully integrate your home into this unique environment. Each structure will be evaluated as it relates to its surroundings and neighboring designs.

Historically, homes of the Low Country have many of the following features: wide porches and verandas always extended around the south and west facades for sun control; high ceilings and central halls created natural ventilation; all rooms had at least two exposures to allow cooling breezes to filter through the rooms. These simple design principles can be incorporated to make your home more comfortable, and compatible with the relaxed, gracious lifestyle that is typical of Gift Plantation.

### Building Form and Size

Simplicity of form typifies the traditional house of the Carolina coast. Shed extensions and wrap-around porches protect the house from extreme weather and visually break up large, flat wall masses.

### Minimum Building Size

All homes are to have a minimum heated square footage requirement of 2000 SF with a two-car garage.

\*Please note that all minimum heated square footages shown do not include attics, garages, decks, porches, or their parking areas.

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## **Materials**

### **Siding**

The preferred siding shall be high quality vinyl, brick, wood, cement board, or stucco.

### **Roofing**

Roofing materials are metal, wood shakes, wood shingles, architectural shingles or slate. High quality standing seam metal will last a lifetime. Composite fiberglass shingles will be allowed, but should weigh 275 pounds per square minimum, and have at least a 30 year warranty. Any shingle weight lower than this will not stand up to high wind conditions without frequent replacement and therefore is not allowed.

Gabled roofs are to have a minimum roof pitch of 7: 12. All hipped roofs are to have a minimum roof pitch of 5: 12. Roof vents and accessories must be located away from the front elevation and shall be painted to match the roof color.

### **Windows**

Installing quality, high performing windows in the coastal environment is essential. Wood, thermal glazing with low-E coatings is preferred. Clad wood windows, whether aluminum or vinyl will provide maintenance free protection.

All windows shall be noted on the drawing schedules and/or specifications and will be subject to approval by the ARB. Shutters indicate a sense of permanence and protection on a residence and are recommended. Shutters that are fully operable are desirable.

### **Porches and Decks**

An essential element of gracious island living is covered porches and exposed decks. Screened porches allow breezes to enter the open window, shade interiors from the sun, and provide a pleasant transition from outdoors to indoors. Combining covered screened porches with generous open deck is recommended.

### **Propane Tanks**

All new propane tanks must be buried for all new construction. When existing above ground propane tanks need replacement they must be replaced with an in-ground propane tank only.

### **Color**

The exterior color of a home shall be selected to blend in with the natural surrounding environment. Color samples with manufacturer identification numbers for construction and re-staining/painting of existing buildings shall be submitted to the ARB for approval in advance of painting or staining. The use of garish and/or overly bright colors is uniformly prohibited.

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## **Heating and Air Conditioning Equipment Screening**

Any HVAC equipment must be screened from view. A combination of built enclosure and planting will likely be the best approach. Lattice or screening to match the ground level enclosure may be the best approach.

## **Trash Container Enclosures**

Trash container enclosures must be as inconspicuous as possible.

## **Landscaping**

The unique and sensitive coastal environment of the Carolina Low Country is something that you as a property owner of Gift Plantation should take special effort to preserve. By requiring you to submit a landscape plan, we expect a controlled and guided landscape in character with the natural beauty of Gift Plantation.

## **Propane Tanks**

All propane tanks must be buried in a location that will be the safest. This location shall be shown on all plans and sketches that are submitted to the ARB.

## **Septic Tanks**

All septic tank locations shall be shown on site plans and landscape plans that are submitted to the ARB and approved by DHEC.

## **Ground Level Materials**

A concrete block foundation walls and/or piers exposed to the exterior shall be covered with a stucco or brick veneer. No concrete block foundation walls and/or piers shall be left exposed or be painted. This will help blend the materials with the natural surroundings. Front elevations are essential to the beauty of homes in Gift Plantation. Special care should be taken to ensure this element of design.

## **Site Elements**

### **Driveways**

Concrete driveways are required. The portion of the driveway crossing the street right-of-way must have crushed stone during construction to prevent construction material from entering roadways.

All driveways must have piping per Charleston County guidelines.

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## **Boundary Walls and Fences**

Boundary walls may be erected but not higher than three feet from the street right of way to the rear building line and can only consist of hedges, shrubs and bushes and not fence material. Fences and boundary walls shall not exceed six feet in height from the rear building line to the rear property line.

All fences must be approved, in writing, by the Architectural Review Board as to materials, size and location prior to construction. The ARB shall have the right to approve exceptions. Adequate landscaping must be provided to soften the impact of the fence from street view. The six foot height requirement for fences and boundary walls shall be measured from the existing elevation and such elevation shall not be increased by the addition of any mound, berm or other dirt build up. Wood fencing must be painted or stained with a color approved by the ARB.

## **Appurtenances**

The proposed building of a dock or bridge into or across any natural or man-made waterbody must receive prior approval from the ARB and other regulatory agencies with jurisdiction over this type of construction. Game and play structures as well as swimming pools are considered improvements and must be submitted to the ARB.

The approval of such structures generally depends upon their location, appearance and related landscaping. Only mailboxes supplied by the HOA are allowed in Gift Plantation.

## **Swimming Pools/ Spas/ Hot Tubs**

Swimming pools and surrounding deck areas must be located as approved by the ARB. Adequate landscaping must be provided to soften the impact of the enclosure around the pool. Attention should be given to the fence enclosure requirements. Pools/spas/hot tubs must fall within the buildable areas defined in the Charleston County Zoning and Land Development Regulations Ordinance and must be approved by ARB.

## **Support Facilities**

The ARB requires that every home have an enclosed service area. Air conditioning units are to be screened from view. HVAC condensers should be located to minimize the negative impact on adjacent residences.

## **Lighting**

Site lighting should be done according to Covenants and Restrictions and be used to provide night visibility for pedestrians. Exterior lighting can be accomplished by indirect means such as shielded path lights, step lights or shielded tree up lights. The cast light shall be maintained within your disturbed area.

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## **Trees**

As mentioned elsewhere in this manual, no trees are to be removed without approval of the ARB. Any new trees to be planted shall be indigenous to the natural environment. Should any trees die during the design and construction of your home that were not approved for removal, the ARB may require the placement of trees equal in caliper to the original tree.

## **Maintenance**

All yards are to be maintained in a neat fashion. This maintenance must follow Covenants and Restriction guidelines.

## **Construction Regulations**

### **Before Construction**

After completing the review process and receiving Final Review approval of the stake out and construction documents from the ARB, several steps must be followed before any lot clearing, material deliveries, or construction may begin.

Each contractor shall abide to the Regulations of Gift Plantation and is expected to maintain professional conduct while working at Gift Plantation. Please review the list of fines on page 18. Fines will be subtracted from the deposit, if not corrected.

### **Signage**

Permit boards are required on all projects as required by Charleston County. They must contain lot number (minimum size 2 inches) and be visible from the street view. No subcontractor signs shall be allowed to be placed on property.

### **Design Changes during Construction**

Each owner, or a representative, must request approval from the ARB of any proposed design changes prior to making the change. Major changes will require re-submission and final approval. Please note that the changes made during construction are not considered "improvements".

Any changes that are made during construction must be submitted in writing for approval by the ARB. Changes that are made without ARB approval shall be subject to fines as listed on page 18. Such changes include, but are not limited to, any deviations made from ARB final approval construction documents.

## **Summary**

In summarizing, the following steps must be completed before construction can begin:

- Submit three (3) sets (two (2) sets will be returned) of approved construction drawings for stamping with the completed construction form and deposit/fee.
- Receive written ARB approval.
- Obtain Charleston County Building Permit and other governmental permits as required.

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## **Contractor Regulations and Conduct**

The contractor is fully responsible for the actions of his employees and subcontractors. Workers are restricted to the job site. Access to Gift Plantation is provided between 7:00am and 7:00pm Monday through Friday and on Saturdays from 8:00AM to 5:00pm. No work is allowed on Sunday.

Toilet facilities must be provided in a discreet location by the contractor. Contractors must be licensed in the State of South Carolina.

Trash containers must be present at each job site during all times. Loud music is prohibited.

- No fishing, swimming, or hunting is allowed. No littering.
- No work shall be permitted on Sundays and National Holidays.
- No burning of trash, debris, or waste will be permitted.
- ARB has full authority, without notice, to stop work due to violations of these rules.
- A clean job site must be maintained at all times, and every Friday afternoon each job site shall be cleaned up and cleared of any debris.

## **Summary of General Construction Guidelines**

1. Architectural and Landscape drawings will be valid for 6 months from the time of ARB approval. If construction does not begin within that period, re-submittal will be required. The ARB may grant extensions due to adverse weather conditions.
2. Absolutely no site clearing without ARB approval.
3. Boards or other materials shall not be nailed to trees during construction. All signage shall be constructed as outlined.
4. There shall be a general site cleanup at least once per week no later than Friday afternoon.
5. During construction, all trash, debris, and waste shall be picked up at regular intervals and not exposed to public view. No burning of trash, debris, or waste will be permitted within Gift Plantation on any site during construction.
6. Sediment and erosion control measures must be utilized during construction using best management practices as required by the State of South Carolina. Silt fencing is to be used along all marsh and pond edges, and to protect culvert entrances.
7. All construction on Gift Plantation will be subject to observation by the ARB. Periodic field inspections are conducted by the ARB on every residence under construction. Construction sites that are in violation of the covenants and/or standards will be subject to a fine as listed on page 18. Those fines will be subtracted from the deposit, if not corrected. The HOA Board may elect to pursue legal action if violations are not corrected.

# The Community of Gift Plantation

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## **After Construction**

As a checklist, the following items must be completed:

1. Complete construction.
2. Install landscaping.
3. Install mailbox (if desired).
4. Dumpster and job toilet removed from the site.
5. All temporary facilities and utility pole removed.
6. Permit box removed.
7. Construction debris removed.
8. Repair any damage to right-of-way; street, common areas, and adjacent properties.
9. Request final completion ARB site inspection to release deposit.

## **Appeal Rights: Independent Appeals Review Committee**

If a request is disapproved by the ARB, the homeowner has the right to ask the Independent Appeals Review Committee (IARC) for a ruling/reconsideration. To initiate an appeal to the IARC, the Owner **must submit a written request to the HOA Board of Directors** for an appeal within seven (7) days of receiving the ARB decision.

Once received, the appeal will be referred within seven (7) days by the Board of Directors to the members of the IARC for immediate action. The IARC will share their recommendation to the HOA Board, the ARB and the homeowners within 7 days of receipt of the appeal. In total, the entire process for ARB, HOA and IARC consideration will not exceed an unreasonable amount of time.

# The Community of Gift Plantation

## Schedule of New Construction Fines

Effective August 2015

*The HOA Board is responsible for administering and dealing with issues involving Covenant Violations and in levying any prescribed fines. Penalties\* are used only after the Member is afforded the opportunity to respond to or correct a violation. Notice of violations may be given electronically, by hand delivered or sent by mail or delivery services. Fines are generally proposed and levied as a last resort to resolve issues.*

| <b>Type of Violation</b>                                      | <b>Amount of Fine/Duration</b>              |
|---|---|
| Littered Site   | \$25 per day                                |
| No temporary sanitary facilities                              | \$50 per day                                |
| Contractors/subcontractor misconduct (owner held responsible) | \$100 per event                             |
| Damage to right-of-way  | \$100 per day                               |
| Parking on adjacent property                                  | \$50 per day                                |
| Building material or equipment on right-of-way                | \$50 per day                                |
| Damage to natural areas                                       | \$100 per day                               |
| Burning without a permit                                      | \$200 per event                             |
| Unauthorized plan change (minor)                              | \$100 per event                             |
| Unauthorized plan change (major)                              | PULL PERMIT                                 |
| Building without a permit                                     | \$500 per day                               |
| Sunday work and National Holiday work (exterior)              | \$200 per event                             |
| Working before or after hours                                 | \$100 per day                               |
| Unauthorized finish (paint, stain, roof materials)            | TOTAL DEPOSIT<br>PLUS FUTURE<br>PERMIT HOLD |

\*The HOA Board will assess fines on a case by case basis and may pursue legal action if necessary.

# The Community of Gift Plantation

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## Schedule of Existing Structures and Property Fines

**Effective August 2015**

*The HOA Board is responsible for administering and dealing with issues involving Covenant Violations and in levying any prescribed fines. Penalties\* are used only after the Member is afforded the opportunity to respond to or correct a violation. Notice of violations may be given electronically, by hand delivered or sent by mail or delivery services. Fines are generally proposed and levied as a last resort to resolve issues.*

| <u>Type of Violation</u>  | <u>Amount of Fine/Duration</u>  |
|---|---|
| <b>Violations (painting, landscaping, outside maintenance and repairs)</b>  |   |
| <i>Failure to secure required ARB approval</i>  | <i>\$100 per incident</i>   |
| <i>Deviation from ARB approved plan/submission/project completion deadline.</i>   | <i>\$100 per incident</i>   |
| <i>Failure to correct violation after notification within the agreed upon time frame. The HOA Board will provide a specific timeframe for correction in the notice to the Member.</i> | <i>\$100 and an additional \$25.00 per day until corrected/resolved</i> |
| <b>Violations (external remodeling projects)</b>  |   |
| <i>Failure to secure required ARB approval</i>  | <i>\$200 per incident</i>   |
| <i>Deviation from ARB approved plan/submission/project completion deadline</i>  | <i>\$200 per incident</i>   |
| <i>Failure to correct violation after notification within the agreed upon time frame. The HOA Board will provide a specific timeframe for correction In the notice to the Member.</i> | <i>\$200 and an additional \$50 per day until corrected/resolved</i>    |
|   |   |

# The Community of Gift Plantation

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## ARB APPLICATION FORM

*Application for changes to Existing Structures and Property*

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|                             |  |
|-----------------------------|--|
| <b>Date of Application:</b> |  |
| <b>Name of Submitter:</b>   |  |
| <b>Address:</b>             |  |
| <b>Lot #:</b>               |  |
| <b>Telephone:</b>           |  |
| <b>Email:</b>               |  |

**Check one:**

Pre-Construction Request                       New request  
 Post construction request                       Change in Exterior

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**Request for:**

Fence/replacement fence                       Tree(s) removal  
 Driveway/extension to Driveway                       Exterior painting (provide color swatches)  
 Swimming pool installation                       Dock (must have dock permit)  
 1st Landscape plan                       Detached building  
 Modification to existing house                       Other (specify): \_\_\_\_\_

Describe in detail the project you are requesting the ARB to approve:

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The ARB considers and approves requests of homeowners based upon the HOA construction guidelines as stated in the Design Standards and Construction Guidelines. It is the responsibility of the homeowner to contact applicable regulatory agencies and verify that the proposed work conforms to regulatory standards. The Homeowner is responsible for identifying and obtaining all Federal, State and/or County permits that may be required and to provide signed copies of the permits to the ARB prior to starting any work.

If a conflict occurs between the ARB approval and any regulatory agency, the government body takes precedence, and a revised ARB application must be submitted.

Applicant's signature: \_\_\_\_\_ Date: \_\_\_\_\_

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Date received: \_\_\_\_\_ Status: \_\_\_\_\_

Date of Review: \_\_\_\_\_

ARB Members' signatures: \_\_\_\_\_

Comments:

Return this form and any supporting documentation to ARB, 3875 Oakley Drive, Johns Island, SC 29455

# The Community of Gift Plantation

## ARB PRELIMINARY REVIEW APPLICATION

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

Name of Applicant: \_\_\_\_\_

### **GENERAL INFORMATION**

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

Telephone: \_\_\_\_\_

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

Lot Number: \_\_\_\_\_

Architect: \_\_\_\_\_

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

Telephone Number: \_\_\_\_\_

Surveyor: \_\_\_\_\_

Landscape Architect: \_\_\_\_\_

### **CHECK LIST**

Building Staked in Field: \_\_\_\_\_

Survey: \_\_\_\_\_

Landscape Plan: \_\_\_\_\_

Site Plan/Site Analysis: \_\_\_\_\_

Floor Plan: \_\_\_\_\_

Elevations: \_\_\_\_\_

### **EXTERIOR MATERIALS**

Foundation: \_\_\_\_\_

Walls: \_\_\_\_\_

Trim: \_\_\_\_\_

Windows and doors: \_\_\_\_\_

Roofing: \_\_\_\_\_

Decks and Porches: \_\_\_\_\_

### **SQUARE FOOTAGE'S**

1<sup>ST</sup> Floor Heated S.F. Living Area: \_\_\_\_\_

2<sup>nd</sup> Floor Heated S. F. Heated Area: \_\_\_\_\_

Garage/Ground Level: \_\_\_\_\_

Screened/Covered Porches: \_\_\_\_\_

Decks: \_\_\_\_\_

Other: \_\_\_\_\_

Total: \_\_\_\_\_

### **ARCHITECTURAL REVIEW BOARD**

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Preliminary Approval Date: \_\_\_\_\_

Preliminary Approval with Comments & Date: \_\_\_\_\_

Preliminary Not Approved & Date: \_\_\_\_\_

Form revised July 2015

# The Community of Gift Plantation

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## ARB CONSTRUCTION APPLICATION

Date: \_\_\_\_\_  
Name of Contractor: \_\_\_\_\_  
Contractor's License Number: \_\_\_\_\_  
Contractor's Business Address: \_\_\_\_\_  
Construction Location (Lot No.): \_\_\_\_\_  
Name(s) of Property Owner(s): \_\_\_\_\_  
New Construction: \_\_\_\_\_ Major Improvement to Existing Structure: \_\_\_\_\_  
Deposit Date: \_\_\_\_\_ Date Received: \_\_\_\_\_ Check No.: \_\_\_\_\_

**AGREEMENT:**

I/We, \_\_\_\_\_, as owner(s) for the described project above do hereby submit this deposit in good faith to the Gift Plantation HOA for insurance that the construction will be implemented in accordance with the final plans as approved by the ARB.

I/We further certify that:

1. I/We have read and agree to follow the Architectural Review Board Design Standards and Construction Guidelines as well as the Gift Plantation Declaration of Covenants, Easements and Restrictions.
2. I/We shall construct and fulfill the plans and specifications as approved for this project in the final review by the ARB.
3. I/We understand that the deposit submitted will be returned, less a \$500 processing fee retained by the HOA, less any other deductions necessary for any corrections to unapproved changes (i.e., work to clean up an untidy site, repairs necessary to common areas or damaged to any natural habitat outside of the delineated construction boundaries).

The application/agreement and deposit are made this date of \_\_\_\_\_ by \_\_\_\_\_.

Signed: \_\_\_\_\_

Approved by the Gift Plantation Architectural Review Board:

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

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

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

Return of Deposit:

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