

REFUGE AT WHITEHALL ARCHITECTURAL REVIEW BOARD (RWARB)
IMPROVEMENTS AND CONSTRUCTION STANDARD

Reference (a): Declaration of Covenants and Restrictions for the Refuge at Whitehall and Provisions for By-Laws of the Refuge at Whitehall Owners Association

This standard is developed and authorized per Section 5 of the reference. This standard shall be applicable to any pending or future lot owner request for improvements and development in the Refuge neighborhood.

I. DEFINITIONS

- a. HOME: means a residential dwelling unit on the Property intended as an abode for one family constructed upon a lot.
- b. IMPROVEMENT: means any building, fence, wall, patio area, driveway, walkway, antenna, sign, mailbox, pool, tennis court, or other structure or improvement, including trees, plants, shrubs, flowers, and other landscaping, which is constructed, made, installed, placed or developed within, upon, or removed from any portion of the Property, or any change, alteration, addition, or removal of any structure or improvement other than normal maintenance and repair which does not materially alter or change the exterior appearance, condition, and/or color of the same.
- c. LOT: means and refers to any lot, whether improved or unimproved, which may be independently owned and conveyed, and which is shown on a recorded plat of the Property and designated for use as a building area site for the construction of a single family dwelling; such term shall also include, without limitation, any contiguous or non-contiguous portion of a Lot ancillary to the use allowable on the remainder of the Lot, together with any and all improvements located therein or thereon.

II. PURPOSE. The purpose of the RWARB is to provide a system of review for the construction or modification of all Improvements within the Property. No improvement shall be commenced, improved, or altered; nor shall any grading, excavation, or change of exterior color or other work which in any way alters the exterior appearance of an Improvement, be done without the prior written approval of the RWARB.

III. PURPOSE OF STANDARDS. The RWARB is empowered to publish or modify the design and development standards for the Property, including, but not limited to, standards for the following ("Standards"): (i) architectural design of Improvements, including, but not limited to, design standards for any Home or other Improvement constructed upon a Lot; (ii) fences, walls, and similar structures; (iii) exterior building materials and colors; (iv) exterior appurtenances relating to utility installation; (v) signs and graphics, mailboxes, and exterior lighting; (vi) building setbacks, pools and pool decks, side yards, and related height bulk and design criteria; (vii) pedestrian and bicycle ways, sidewalks and pathways; and (viii) all buildings, landscaping, and improvements on lands owned or controlled by the Association.

Furthermore, this document will provide updated and/or amplifying information to the requirements and restrictions already covered within reference (a), and should be used in concert with reference (a). If there is contradictory information between the two documents, this Standard will be considered the authoritative source for determining the suitability of a request.

IV. PROCESS. In order to obtain the approval of the RWARB, the individual homeowner requesting any Improvement is required to submit a completed ARB Application for Modifications and Renovations form to the RWARB for approval. This form is available via the management company Point of Contact (POC) or from the ARB chairperson. Along with this form, a complete set of plans and specifications for proposed Improvement shall be submitted for review. The plans may include the proposed location, grade, elevations, shape, dimensions, exterior color, approximate costs, and nature, type, and color of materials to be used, as appropriate.

V. VARIANCE. The RWARB has the authority to grant variances to the standards detailed within this document, if deemed reasonable and within general compliance of reference (a). Any request for a known variance should be requested via the same process listed in section III of this document, with all pertinent information attached.

- a. Circumstances such as topography, natural obstructions, hardship, aesthetics, or environmental considerations may require a variance.
- b. Past decisions regarding requested variances for similar items within the neighborhood will stand as precedence and will be used when determining whether or not a variance will be approved.
- c. Requested variances must be in a reasonable manner so as not to destroy the general scheme or plans of the development of the Property.
- d. If any such variances are granted, no violation of the restrictions contained in the Declaration shall be deemed to have occurred with respect to the matter for which the variance was granted. The granting of such a variance shall not operate to waive any of the terms and provisions of the Declaration for any purpose, except as to that particular property and particular provisions hereof or Standards promulgated hereby which are covered by the variance.

VI. Exterior Paint Color

- a. Bright primary color schemes are not permitted per reference (a). Only natural “earth tone” colors will be accepted as part of the specifications, and only as a secondary color to a primary (predominant) natural wood assembly. The ARB strongly encourages the Lot Owner to submit an ‘as-built’ photograph of the structure (or similar one) for review. The ARB has the right to refuse a proposal (proposed, pending, or erected) which is not suitable

or desirable as complementing, blending with natural surroundings of the immediate vicinity, or enhancing the natural ambience of the Refuge Property.

- b. When requesting a change in exterior paint color to any existing structures, the guidance listed within section VI of this document shall be used.
- c. Colors for Improvements will be reviewed in the same manner as for Refuge homes.

Examples of acceptable colors:






Other similar colors are acceptable.

VII. Fences, Walls and Similar Structures Construction or Modification

- a. Materials/specifications: many types of fences - aluminum, wrought iron, steel, and wood picket - may be allowed. The height of the fence shall not be greater than 48 inches and shall not contrast with any existing neighbor's fence. The fence shall not be installed at the front of side portions of a lot.
- b. If wood fence is selected, the natural treated lumber is required (with no bright stains or paint). Hardware shall be galvanized or stainless steel, durable, and weather-proof. If metal is selected, a black, dark brown, or bronze color is preferred
- c. The review will consider the aesthetic quality of the materials and fabrication, the suitability and harmony of the location, and the overall benefit (or detriment) which would result in the immediate vicinity of its location, and to the Refuge Property as a whole.

Examples



	<p>No more walls like this ←----- Color and design are not natural looking</p>		
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VIII. Mailboxes

- a. All mail boxes will be of the same design, color, and size as those currently within the subdivision.
- b. Company Info: Contact the ARB Chairperson for current information

IX. Exterior Lighting

- a. Lots with marsh view or with buffer areas shall not have lights of any design or use that will project light toward the river or marsh. This is required as part of the agreement with Middleton Place.
- b. No lighting will have exposed wires or cables extending through the air.

X. Pools and Pool Decks

- a. No above-ground pools will be allowed within the Refuge at Whitehall. In-ground pools may be considered.
- b. Similar to new construction, a complete set of plans and specifications for proposed pools and pool decks shall be submitted to the ARB along with a non-refundable \$750.00 review fee, for its review. This will include not just aesthetics, but also appropriate drainage information (per Dorchester County Code of Ordinances, Sec. 44-131. – General sewer use requirements, subsection (1), paragraph (b), sub-para 17), plans for pool utilities (pump, etc.), and fencing and signage, as appropriate.
- c. Approval will be subject to compliance with all other stipulations contained herein.

XI. Screened Porches

No front porch, defined as being seen from the street, greater than nine feet measured on any side, will be allowed to be screened.

XII. Outdoor Kitchens/Fire-pits

Outdoor kitchens and/or fire-pits may be permitted in a Home's back yard. Lots with marsh view or with buffer areas will have tighter restrictions which may preclude installation.

XIII. Trampolines

Trampolines will be considered on a case-by-case basis, provided they are not permanently affixed to any portion of the property and are placed such that they cannot be seen from the street.

XIV. Playsets

Playsets made of hardy, wooden construction may be allowed within a Home's back yard. Pictures of the specific playset should be submitted with the ARB request.

XV. Pedestrian/Bicycle Ways, Sidewalks, and Pathways

Repair and maintenance of sidewalks are the responsibility of the property owner. In an effort to complete the current sidewalk throughout the subdivision all lot owners are encouraged/directed to complete all remaining sidewalks NLT 1 February 2017.

XVI. Birdbaths

- a. The installation of birdbaths and fountains will be granted after a detail review of plan. The lot owner will provide pictures and specification of said birdbaths or fountains with a design plan and layout.
- b. There will be no new or replacement birdbaths or fountains greater than 40 inches neither in height nor in width allowed. The color must be natural and meet the general color scheme of the neighborhood

XVII. Home Structural Improvements

- a. The approval by the RWARB relates only to the aesthetics of the Improvements shown on the plans and submissions and not to their sufficiency or adequacy. Each Owner shall be responsible for obtaining the necessary technical data and to make application to and obtain the approval of the appropriate governmental agencies prior to commencement of any construction. Any addition or removal of any structure or improvement other than normal maintenance and repair which does not materially alter or change the exterior appearance, condition and/or color of the same required approval.
- b. In order to obtain the approval of the RWARB, a complete set of plans and specifications ("Plans") for proposed Improvement shall be submitted to the R W ARB for its review. The Plans shall include, as appropriate, the proposed location, grade, elevations, shape, dimensions, exterior color plans, approximate costs, and nature, type and color of materials to be use

- c. Normally the North Charleston city wants the ARB to approve improvements prior to issuing a permit. The Owner will provide a copy of the construction permit to a Board member or the RWARB after a formal approval letter is provided.

XVIII. Conservation Easement Restrictions

- a. The Property is subject to a Conservation Easement, dated December 28, 2000 and recorded December 29, 2000 in Book 2580, Page 203 of the RMC Office for Dorchester County. A copy of the Conservation Easement is attached within reference (a) as Exhibit "C", and strict adherence to the requirements therein will be maintained.
- b. Any violation to Exhibit "C" of reference (a) will be inspected by the ARB to determine the extent of the violation. Contact with The Middleton Place Foundation will be made if the violation exceeds more than one tree or ground cover removed over 10 square feet in area. Following the review, if it is determined a violation was committed, a letter will be sent to the property owner describing the violation. The letter will define a timeframe for corrective action, generally not to exceed 30 days.
- c. Marsh lots will adhere to Exhibit "C" of reference (a), with specific restrictions levied on certain lots. Please refer to Exhibit "C" of reference (a) for the affected lots.



Example of viewing corridor ↓↑



Normal view of undisturbed buffer ↓



NOTE: Specific items not covered within this document should still be submitted via the ARB process for approval.