

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

AFFIDAVIT TO RECORD


RE: **Baynard Park Property Owners Association, Inc.
 Rules, Regulations & Design Guidelines - 2021**

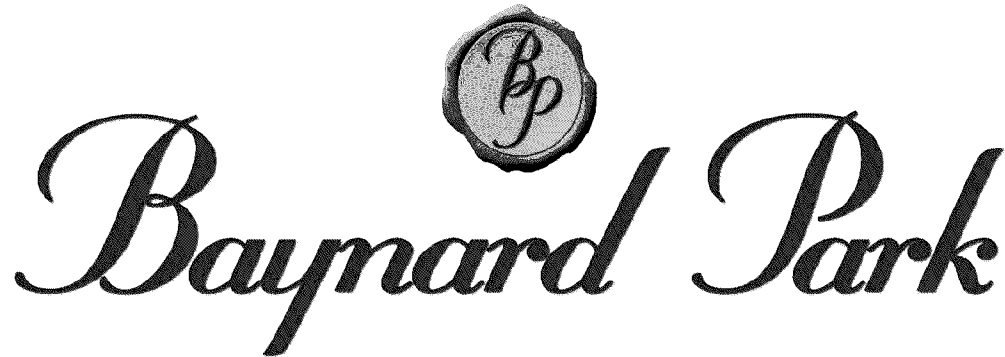
The attached document is being recorded to comply with the South Carolina Homeowners Association Act, Section 27-30-110, et. Seq., of the South Carolina Code of Laws 1976, as amended.

**Baynard Park Property Owners
Association, Inc.**

By: 
Name: Jim Rogers
Its: President of the Board of Directors of
 Baynard Park Owners Association, Inc.

SWORN to before me this 26 day
of February, 2021.


Notary Public for ~~Georgia~~ South Carolina
My Commission Expires: 12/30/23



Rules, Regulations & Design Guidelines

Revised Document – August, 2020

Revision - Section 13 – January 18, 2021

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1. RULES & REGULATIONS -- INTRODUCTION

The Rules and Regulations of Baynard Park are established by the Board of Directors of the Association under the authority described in the governing documents for Baynard Park. These rules and regulations may be expanded, amended or repealed by the Board of Directors of the Association, at its sole discretion. In any conflict between these rules and regulations and governing documents, the governing documents control.

The governing documents also establish the right of the Association to charge reasonable fees, authorize the use of portions of the common area by third parties for purposes felt to benefit the community and to impose sanctions for violations of governing documents, rules and regulations and policies.

All members and residents have the right to enjoy and use the Association facilities. Guests are welcome and accommodated when their participation does not infringe on the right of enjoyment of the members and residents. The Association shall apply and enforce these rules and regulations with members and residents equally.

Baynard Park Community Association Board of Directors

2. ASSUMPTION OF RISK

All use of Baynard Park Community Association facilities and all participation in Baynard Park Community Association programs are purely voluntary. Correspondingly, the recreational nature of all activities and programs potentially involves some personal or physical risk on the part of the participant. Program participation by a resident or guest is, therefore, interpreted as tacit acknowledgement and acceptance of the inherent risks.

3. CODE OF CONDUCT FOR RESIDENTS & GUESTS

The following outlines the Code of Conduct that shall be adhered to within the Community. Comments and complaints are to be civilly directed to the Association Property Manager. The Property Manager shall require that the complaint be submitted in writing before taking action.

- Residents, occupants, guests and staff must conduct themselves so as not to jeopardize or interfere with the rights and privileges of other residents, occupants or guests.
- Residents are responsible for the conduct of their occupants and guests. Occupants and guests will be held to the same standard of conduct as set forth herein for residents.
- Residents, occupants, guests and staff will refrain from loud, profane or indecent language.
- Residents, occupants, guests and staff will not harass or accost any other resident, or an occupant, guest, Association employee, director, officer, committee member or any other person.
- Residents, occupants, guests and staff will not compromise the safety of others by their actions.
- Residents will be held responsible for any damage to Association property caused by the resident and/or the resident's occupants or guests.
- Residents, occupants, guests and staff shall not interfere with the management of the Association or reprimand or discipline any Association employee. Comments and complaints are to be civilly directed to the Property Manager. The Property Manager shall require that the complaint be submitted in writing before taking action on the complaint.
- Residents are prohibited from profiting financially from their residency by charging occupants or guests to use the Association facilities. The Association and/or chartered clubs may, from time to time, enter into contracts with residents to provide products or services for an approved fee.
- Any resident who violates this code of conduct or who violates an Association rule or regulation is subject to disciplinary action which may include suspension of resident privileges and/or monetary fines as determined by the Board. Such fines shall be assessed to the residents account and collected in accordance with established collection policies.
- Safety is paramount and any resident or guest not adhering to the rules and regulations stated herein and/or posted or otherwise obvious safety rules, may be asked to leave any Association facility or

program with respect to safety, proper decorum and sanitation. The Association staff's judgment will prevail in all instances.

- All Association staff and contract labor shall adhere to the regulations set forth within the Community.

4. POA FEES, COLLECTIONS AND FINES

- POA fees are billed quarterly on resident statements. Assessments shall be paid on or by the fifteenth of the following month of each quarter.
- A homeowner's account that is not paid by the due date will be considered delinquent. A late fee will be applied to any unpaid balance beyond thirty days of the due date.
- A letter of warning or lien and/or suspension will be sent to residents whose accounts are more than 30 days delinquent. The delinquency may be incorporated as part of the association account statement and result in interest charges. Interest per the fee schedule shall be calculated from the date of the charge or assessment due until the date paid. The homeowner will have 30 days in which to bring the account current or request a hearing before the Board of Directors.
- Occupants of a residence in which an account is delinquent more than 60 days could be denied the right to use any amenities. The association may proceed with any remedy available to collect unpaid assessments and fees.
- An account not settled within 60 days of the due date will be referred to legal counsel for collection action. Legal counsel will notify the owner by letter of default and all costs incurred by the Association to collect the debt shall be added to the delinquent owner's outstanding balance.
- Legal counsel's goal is to collect the funds as quickly as possible or proceed with lien as quickly as possible when collection is unlikely. This may result in foreclosure proceedings.

5. BICYCLES

- The sidewalks/paths throughout Baynard Park are for walkers and cyclists both. A cyclist yields to a walker; however, a walker is not permitted to take up the entire walkway. The walker must allow the cyclist adequate room to safely pass. Residents walking in groups should walk single file when a cyclist is approaching.
- Residents and guests operating bicycles in Baynard Park must do so in a safe manner.
- Riders should limit their speeds to assure that they maintain control of their bicycles.
- Bicycles must be placed in or adjacent to the appropriate bike racks.
- The Association does not accept any responsibility for loss or damage to bicycles.
- Bicycles, scooter, strollers or toys shall not be stored in front of a residence so as to be visible from the street.

6. BURNING/DUMPING/LITTERING

- Residents and guests are prohibited from burning and or dumping lawn/garden waste or any other items on their property, on the streets or on common areas of Baynard Park.
- Littering is prohibited and residents may be fined. Resident or guest use of Association or construction dumpsters to dispose of personal/household material is strictly prohibited and residents may be fined.

7. COMMON PROPERTY

- Residents are not to plant, cut, mow, trim, cultivate, remove, build on, install any devices or otherwise modify common areas or plantings on common grounds. Aquatic plantings are not to be chemically treated nor physically removed from the water's edge of lagoons as this is the responsibility of the lagoon maintenance company.
- Swimming and/or boating is prohibited in all lagoons.

8. EXTERIOR SOUND EMITTING DEVICES

Any exterior sound emitting devices (speakers, sound players, insect/animal repellants, etc.) shall not create audible nuisance to any neighbors.

9. HOLIDAY DECORATION/LIGHTING

Home decorations, decorative lighting, temporary statues, artifacts, and other holiday decorative landscaping accessories are to be unobtrusive and displayed only for a period of 30 days prior to a holiday season; all such holiday decorations shall be removed no later than 30 days after the holiday.

10. MOTOR VEHICLES

All residents must abide by the South Carolina laws governing motor vehicles. The speed limit within Baynard Park is 20 miles per hour. Local law enforcement officials may cite Baynard Park residents for vehicle violations.

10.1. Vehicle Access

- Owners, co-occupants and lessees are entitled to 2 free decals and RFID devices per household. Additional decals or RFID devices will be charged at a rate set by the board
- Residents who sell or otherwise dispose of vehicles or who have lost or stolen decals must notify Security so that a replacement decal can be obtained.
- The names and phone numbers have been entered into an entry point at the front gate kiosk. Individuals wishing to enter may scroll to find the resident and the resident may then open the gate remotely to allow entry after hours and on holidays.

- Daily, weekly and monthly passes are available for guests to use for entering the neighborhood. Guest without passes called in for them will be denied entry. Vehicles entering the neighborhood after being denied access will result in monetary fines being levied against the homeowner.
- Residents may request passes from the gate attendant by calling (843-815-6311) daily from 7:00am to 7:00pm.
- Residents having a party should provide a guest list to the gate attendant at least 24 hours ahead of the expected arrival of guests.

10.2. Vehicle Access by Service Providers

- Vendors, contractors and other service providers are permitted entry only for the purpose of authorized work at a designated project or delivery to a particular resident's address.
- See the Vendor Gate Fee Guidelines for payment information.
- Except for emergency repairs, vendors/contractors may only provide service to residents from 7:00am – 7:00pm, Monday – Saturday with no vendor/contractor work allowed on Sundays.
- Service providers are allowed to park vehicles on the streets in front of homes. They should place orange cones around vehicles.
- Residents must notify the gate attendant (843-815-6311) to request a pass for Service Providers to gain entry to the community. If the gate attendant is not notified, then entry will not be permitted.

10.3. Golf Carts/ATVs/Other LSVs

- All golf carts must be registered with the Property Management Company.
- All golf carts must have valid golf cart insurance and be registered with the South Carolina Department of Motor Vehicles. Proof of insurance must accompany the golf cart registration application and will remain on file with the Property Management Company. Upon meeting the requirements, a decal from the Property Management Company will be issued. This decal must be placed on the front of the golf cart and be clearly visible.
- All drivers of a golf cart/ATV/Other LSV in the Baynard Park community must follow all state and local rules of the road while inside the Baynard Park community, including stop signs and posted speed limit.
- All golf carts/ATVs/Other LSVs must be equipped with proper night time headlights.
- The number of passengers cannot exceed the seating capacity.

- Golf carts and ATVs are allowed only on roadways and are strictly prohibited on sidewalks, turf landscape areas, around lake or lagoon edges, and pool/tennis/basketball court areas.

10.4. Parking

- Parking rules apply to all residents, guests, employees and service providers.
- Vehicles include automobiles, trucks, boats, trailers, motorcycles, mopeds, golf carts, campers, vans, and recreational vehicles.
- Resident's vehicles may be parked in a resident's garage, driveway, or parking pad. Vehicles may not extend out of the garage (trailer tongues, etc.) All vehicle tires should be on the driveway or parking pad. Sidewalks must be open and accessible from 7am-9pm daily. Overflow parking is available at the pool and Pleasant Point pavilions with notification to the Property Manager.
- Temporary guest on-street parking is allowed. Overnight on-street parking is prohibited unless prior approval is obtained from the Property Manager or security company to avoid receiving violations.
- Parking should not impede the flow of traffic. Vehicles, when temporarily parked on the street, should be parked in the same direction as the traffic flow.
- Commercial lettered vehicles, work trailers, or other oversized vehicles are not allowed to park in Baynard Park overnight unless they are fully enclosed in the resident's garage.
- Stored, unlicensed or inoperable vehicles shall not be parked within Baynard Park except in enclosed garages.
- Moving vans, trailers, and portable moving/storage units must be parked in driveways if possible, and for no more than 72 hours.
- Only vehicles with the displayed valid handicap parking identification shall park in designated handicap parking spaces. No vehicles, including golf carts, may park on the handicap blue striped lines meant for van access. Residents parking in designated handicap parking spaces without display of the valid identification, or inappropriately parked on the blue lines, are subject to a fine by the Association.

10.5. Boats/Recreational Vehicles/Campers

Recreational vehicles, campers, boats or other watercraft may be temporarily stored completely in a driveway or completely on a parking pad on a resident's lot for no more than 48 hours within each seven-day period. If any of the above vehicles will not fit in the driveway, parking at the Amenity Lot is available for overnight parking with Property Manager approval. The Association assumes no responsibility for vehicles and personal property while parked at the amenity lot.

11.PETS

- Pets must be under the owner’s control at all times.
- Owners must remove pet waste from all areas of Baynard Park.
- Doggie bag stations are available as a convenience at several locations throughout Baynard Park, however residents should not rely on them solely as the means for handling and disposing of their pet waste. If bags are not available or the container is full, owners should dispose of their pet waste at their own residence using their own supplies.
- Raising, breeding or keeping farm animals or poultry of any kind is not allowed. Dogs, cats and/or a reasonable number of other usual and common household pets are permitted.
- Cats must be kept indoors and not allowed to roam free in the community.
- Pets that roam free or that make objectionable noise (excessive barking), endanger the health or safety of residents or occupants or other permitted pets, or constitute a nuisance or unreasonable inconvenience to other residents shall be removed upon request of the Board of Directors.

12.RESIDENTIAL PROPERTY

12.1. Exterior Maintenance

- Homeowners are responsible for keeping the exterior of the home, including roof areas, free from mold and mildew. It is recommended that power washing be done at least once each year to maintain a clean exterior.
- All exterior painted surfaces must be maintained including gutters, doors, shutters, garage doors, etc., and must not be faded. Screens and windows must be well maintained and intact.
- Driveways and sidewalks must be maintained with a clean appearance.
- Mailboxes/posts must be maintained with no fading, mold or rust visible.

12.2. Exterior Modifications

Owners are required to submit an application to the Architectural Review Committee for any exterior changes to their property. Please refer to the DESIGN GUIDELINES FRAMEWORK for further details.

12.3. Hurricane/Storm Protective Systems

Hurricane/Storm protective systems shall not be implemented earlier than seven days prior to the forecasted hurricane/storm impact and must be removed and stored within fourteen days after forecasted hurricane/storm impact, if no hurricane/storm impact occurred.

12.4. Property Rental/ Leasing

Leasing/rental restrictions are in place to ensure Baynard Park remains a predominantly owner-occupied community. Baynard Park has a structured permit process with specific controls in place to avoid becoming a transient community filled with rental properties

The full leasing agreement information is provided in a separate addendum. Key points of these restrictions are summarized below:

- Formal leasing permit request/approval process with associated handling fees
- Required information provided to the property management company a minimum of 14 days prior to a (potential) lease
- Leasing permits are non-transferrable
- Six-month minimum timeframe for all leases
- Leasing permits can be revoked when specific events occur
- Unapproved leases assessed a daily fine of \$250 and related legal fees/costs until the situation is remedied
- No individual room rental

12.5. Selling/Moving

Nothing impedes a resident's ability to sell a home but certain requirements must be met for posting signs. Residents are permitted to hold "Open House" events and an "Open House" sign may be placed on the property only on the day of the event. Realtors or residents hosting "Open House" events must notify the gate attendants of the location, day and time of the event or potential buyers may not be allowed entry into the community.

12.6. Interior Window Coverings

- Window dressings shall be of a reasonable quality and shall compliment the property.
- Side-entry garage windows must be covered.
- Sheets, blankets, boards or other such items are prohibited.
- Curtains, drapes, shutters and blinds are recommended.

12.7. Yard Equipment/Supply Storage

- Yard equipment and tools such as mowers, wheel barrows, rakes, etc. must be stored in the garage or a Service Yard and not visible from the roadway.

- Yard supplies such as mulch bags, straw bales, etc., must be stored in the garage or a Service Yard and not visible from the roadway.

13.SERVICE PROVIDERS

- Revised January 18, 2021 - Except for emergency repairs, vendors/contractors may only provide service to residents as follows:
 - Outside vendor hours:
 - Monday through Friday – 7am to 7pm
 - Saturday – 8am to 7pm
 - Sunday – not allowed
- Vendors, contractors and other service providers are permitted entry only for the purpose of authorized work at a designated project or delivery to a particular resident’s address.
- Service providers are not permitted to solicit work or distribute flyers or other advertising material.
- Service providers are expected to clean up any trash or debris daily, including site debris that blows off the site and mud tracked onto roadways. Dumpsters shall be covered at all times when work is not being performed. Any damage to common areas shall be reported to the Association management immediately. Residents who allow contractors into Baynard Park are responsible for any damage the contractor does to common areas.
- Service providers are allowed to park vehicles on the streets in front of homes and should place safety cones around the vehicle.
- Entry passes must be visible in the vehicle front window.

14.SIGNAGE

14.1. For Sale/For Rent

“For Sale”, “For Rent” or other commercial signage is not permitted on a lot, house (inside or outside), vehicle, or common area.

14.2. No Soliciting

Residents may post “No Soliciting” signs with the following parameters:

- Near or on the front door or in a window
- Professionally prepared (no hand lettering)
- Not to exceed two inches in height or eight inches in width

14.3. Security/Alarm

Residents who contract for security/alarm systems may post one sign from that company with the following parameters:

- Near or on the front door or in a window
- Professionally prepared from the company
- Not to exceed two feet high above grade in the front yard and located within the setback criteria
- Not exceed 72 square inches if placed in the ground
- Not to exceed 16 square inches if placed in a window

15. TRASH CONTAINERS

- No garbage or trash shall be placed or kept on any lot, except in covered containers of a type, size and style which are required by the applicable governing jurisdiction. Such containers shall be kept inside the garage or service yard, except when they are being made available for collection and then only for the shortest time reasonably necessary for collection.
- No garbage can or recycle bin may be placed outside until after 5PM the day prior to pick up.
- Garbage can or recycle bin must not be placed in the street.
- Garbage can and recycle bins should be returned to an appropriate storage area by 9pm the day of pick up.

16. VIOLATION & FINE POLICY

In the event a resident violates governing documents and/or rules and regulations, fines may be imposed. Failure to pay any fine shall subject the resident to the same potential penalties and enforcement as failure to pay any assessments. Exhibit A – MONETARY FINE SCHEDULE provides a summary of the fines for Baynard Park.

16.1. Notice

Notice is given prior to the imposition of any fine. The Property Manager shall serve the alleged violator with written notice including the following:

- Nature of the alleged violation
- Proposed sanction to be imposed
- Statement that the alleged violator may present a written request for a hearing to the Board within fifteen days of the notice
- Statement that the proposed sanction will be imposed as contained in the notice unless a request for a hearing is received by the Board within fifteen days of the notice

Unless a request for a hearing is received by the Board within fifteen days of notification, the sanction stated in the notice will be imposed. The Board of Directors may suspend the proposed sanction if the

violation is cured or if the resident begins the cure within fifteen days. The Board of Directors is not obligated to suspend the sanction. Any suspension does not waive the right to sanction future violations of the same or other violations.

16.2. Board of Directors Hearing

If a hearing is requested within fifteen calendar days, the hearing shall be held before the Board of Directors, in executive session. The alleged violator shall be afforded a reasonable opportunity to be heard. Prior to imposing the sanction, proof of proper notice shall be placed in the minutes of the meeting. Such proof is adequate if a copy of the notice, together with a statement of the date and manner of delivery, is entered by the officer, director, or agent who delivered such notice. The notice requirement shall be deemed satisfied if the alleged violator appears at the meeting. The minutes of the meeting shall contain a written statement of the results of the hearing and the sanction imposed, if any.

17. WILDLIFE

- The lagoons, ponds, streams and other bodies of water within Baynard Park are provided for storm water protection and aesthetic purposes and are intended for limited use as a recreational facility for fishing, pursuant to the rules and regulations established by State and Local Government and by the Board of Directors. Certain areas are designated as wetlands or migration and preservation areas and are restricted as to use by covenants approved by the U.S. Army Corps of Engineers and the U.S. Department of Agriculture.
- Residents are not permitted to introduce any fish, plants or items into the lagoon system.
- Residents are prohibited from feeding, capturing, trapping or killing wildlife. Residents may feed birds in approved bird feeders.
- Alligators are native to South Carolina and are present in Baynard Park lagoons. Feeding, caring, taunting or playing with any alligators in Baynard Park is prohibited. Alligators are strictly protected by South Carolina law and when residents are found to have been feeding them, they must be removed and destroyed and residents will be fined.

17.1. Fishing

- Fishing is permitted on a “catch and release” basis only.
- Residents and their guests are permitted to fish in all lagoons except those areas directly behind residential properties. However, residents owning property on a lagoon are permitted to fish directly behind their property.
- Baynard Park is a private community and therefore fishing licenses are not required and it is not necessary to comply with state, local, or federal fishing regulations.
- Residents should be aware that alligators are often attracted to fish as they are being caught.

17.2. Hunting

Hunting with any type of weapon and discharge of firearms is strictly prohibited on the property of Baynard Park. Invasive animal species must be managed in accordance with state regulations.

18.FIREWORKS

The use of fireworks is prohibited throughout Baynard Park.

19.RESIDENTIAL DESIGN RULES AND GUIDELINES

19.1. Welcome to Baynard Park

Baynard Park is a Property Owners Association designed to respect the visual character of the community, alleviate environmental impacts and maximize water and energy conservation principles, all to the extent feasible. In order to preserve and enhance these principles, these Design Guidelines are established to maintain certain standards by which the community may grow and develop.

The Design Rules and Guidelines have been prepared pursuant to the Declaration of Covenants, Conditions and Restrictions for Baynard Park, as amended from time-to-time, ("Declaration") recorded in the Register of Deeds Office for Beaufort County, South Carolina. The Design Guidelines may be changed and amended to serve the needs of an evolving community pursuant to the procedures set forth in the Declaration and Bylaws pertaining to Rules and Guidelines.

The Design Guidelines provide an overall framework to allow the community to develop and progress in an orderly manner, implementing planning concepts and philosophy and any requirements of regulatory agencies. The Design Guidelines include minimum standards for the design, size, location, style, structure, materials, color, mode of architecture, mode of landscaping and relevant criteria for the construction and modification of improvements of any type. They also establish a process for judicious review of proposed new developments and changes within the community.

The Declarant developed each area of Baynard Park and each home with a different elevation style. The original home and elevations are to be maintained except as approved by the Architectural Review Committee.

19.2. Governmental Requirements

It is the responsibility of the Owner to comply with all Governmental Requirements and obtain all necessary permits and approvals from the appropriate federal, state, county or municipal governmental agencies ("Governmental Agencies") before beginning approved work on a project. For example, Beaufort County or the Town of Bluffton may require certain permits, depending on the proposed change, alteration, or addition. The Owner shall provide copies of any such required permits or approvals to the Architectural Review Committee.

To the extent that any Governmental Requirement requires a more restrictive standard than those found in these Design Guidelines or the Declaration, the Governmental Requirement shall prevail. To the extent that the Governmental Requirement is less restrictive than these Design Guidelines, or the Declaration, the Declaration and Design Guidelines shall prevail.

19.3. Conditions for Commencement of Work

No work shall commence on any modification activity until an application for the work has been submitted to and approved by the Architectural Review Committee.

19.4. Required Approvals for Modification Activity

The Owner is required to submit an application to the Architectural Review Committee and request review of plans for any Modification Activity prior to beginning the actual modification. See the table below and check the appropriate block on the Modification Application. If the modification being requested is not listed in the Table below, choose the "Notification/Other" block on the Modification Application and describe the type of modification being requested.

Please note the table on the following page ONLY addresses modifications requiring approval from the Architectural Review Committee. The remainder of this ENTIRE DOCUMENT encompasses overall design guidelines as well as prohibited modifications in order to maintain the visual character and standards of Baynard Park.

Required Approvals for Modification Activity

HOUSE MODIFICATIONS AND EXTERIOR PAINTING	
<ul style="list-style-type: none"> • Room Additions • Covered Patios & Screened Enclosures • Exposed Rafter Patio Cover • Wall Hangings 	<ul style="list-style-type: none"> • Exterior House Painting • Exterior Doors • Storm / Screen Doors • Solar Tubes & Skylights
LOT DRAINAGE / ROOF DRAINAGE	
<ul style="list-style-type: none"> • Gutters / Downspouts 	<ul style="list-style-type: none"> • Grading / Drainage
EXTERIOR FEATURES/STRUCTURES	
<ul style="list-style-type: none"> • Shade Devices / Awnings • Pergolas / Gazebos • Outdoor Kitchens • Flags 	<ul style="list-style-type: none"> • Hurricane Protection Systems • Roof Top Decorations • Shutters / Window Boxes • Mailboxes
OUTDOOR PLAY EQUIPMENT / PLAYGROUND STRUCTURES	
<ul style="list-style-type: none"> • Semi-Permanent Play Equipment • Playhouse 	<ul style="list-style-type: none"> • Basketball Backboards • Swing Sets
LANDSCAPE AND HARDSCAPES	
<ul style="list-style-type: none"> • Concrete / Paver Extensions • Planting Beds - Add / Remove / Modify 	<ul style="list-style-type: none"> • Plantings - Remove / Replace • Trees - Add / Remove • Ground Cover & Inert Materials
DRIVEWAYS / WALKWAYS	
<ul style="list-style-type: none"> • Expansion 	<ul style="list-style-type: none"> • Materials / Appearance
LANDSCAPE ACCESSORIES	
<ul style="list-style-type: none"> • Arbors • Fountains 	<ul style="list-style-type: none"> • Trellises • Water Features
FIRE PITS AND OUTDOOR FIREPLACES	
<ul style="list-style-type: none"> • Permanent Fire Pit 	<ul style="list-style-type: none"> • Outdoor Fireplace
PERIMETER FENCING AND PRIVACY HEDGING	
<ul style="list-style-type: none"> • Fencing 	<ul style="list-style-type: none"> • Privacy Hedging
ANCILLARY EQUIPMENT	
<ul style="list-style-type: none"> • Roof Mounted Equipment • Attic Fan • Water Treatment / Tankless Heating Systems 	<ul style="list-style-type: none"> • Service Yard • Antenna / Satellite Dish • Exterior & Mechanical Equipment
LIGHTING	
<ul style="list-style-type: none"> • Landscape / Walkway • Spotlight / Floodlight • Fence / Building Mounted Light 	<ul style="list-style-type: none"> • Large Bushes / Trees • Lampposts
POOLS AND SPAS	
<ul style="list-style-type: none"> • In-Ground Pool • Fencing 	<ul style="list-style-type: none"> • Above / In-Ground Spas & Hot Tubs • Pool Mechanical / Maintenance Equipment Storage

Owners may request a WAIVER OF STANDARDS if special conditions or factors not commonly encountered exist.

All Modifications Applications MUST be submitted to the Architectural Review Committee for approval prior to work commencing on the Modification Activity. The fact that similar Modification Activity may exist or have been approved for another site does not automatically set a precedent for other Modification Activity. Modifications will be reviewed with the style of the home, the lot size, and if proposed request is in harmony with the neighboring properties. Beginning or completing the Modification Activity prior to approval by the Architectural Review Committee does not mean that the approval requirement is waived. An Owner may be subject to fines and required to remove or correct any Modification Activity not approved.

No modifications will be reviewed or approved if there are any outstanding violations or fees due.

19.5. Prohibited Exterior Features/Equipment

The following are prohibited in Baynard Park:

<ul style="list-style-type: none"> • Above ground swimming pools • Clothes lines or clothes poles • Connecting pool drain pipes directed to another homeowner’s property or community lagoon • Detached garages • Disposable nursery containers • Dog houses and other animal dwellings • Dog runs and other fencings or enclosures for pets • Fixed awnings • “For Sale”, “For Rent” or other commercial signage on a Lot, house (inside or outside), vehicle, or common area • Fruit and vegetable gardens • Landscape plans that use rock or crushed rock as a predominant element 	<ul style="list-style-type: none"> • Lawn accessories located in the 10-foot sod buffer and/or lagoon top of bank including the slope • Outdoor electronic pest control devices (bug Zappers) • Plastic sheeting or polyethylene over ground cover/bedding areas • Raising, breeding or keeping farm animals or poultry of any kind is not allowed. • Solar Panels • Storage buildings or sheds • Tree houses • Window Air Conditioning units • Window and roof mounted equipment including mechanical, air conditioning and solar heating equipment • Wood, chain link or chicken wire fencing
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19.6. Appeal Process

Homeowners may appeal decisions of the Architectural Review Committee, in writing, to the Board of Directors in accordance with procedures established by the Board. Such appeals may be submitted to the Community Manager for Board of Directors consideration.

19.7. Completion of Approved Projects

On-time completion of approved work is essential to minimize neighborhood disruption and lingering “construction zone” appearance. Projects must be completed within 90 days after the proposed start date provided in the Modification Application, unless an extension request has been approved.

Approved modifications that are not completed within 90 days from the proposed date must be extended by obtaining an approved, one time 60-day extension from the Architectural Review Committee.

Projects not completed in the prescribed time and projects with unapproved changes will be deemed a violation and referred to the Community Manager for applicable fines and/or correction.

19.8. Final Review of Completed Projects

The Architectural Review Committee will perform a Compliance Review (final completion review).

The homeowner shall notify the Architectural Review Committee per the requirement specified in the Notice to Proceed document when the modification scope is completed and ready for the final completion review. The Architectural Review Committee shall appoint members or representatives to conduct visual final completion reviews in order to ensure that the completed scope complies with the latest edition of “Baynard Park Design Guidelines” and is as described in the approved modification application. The Architectural Review Committee has no obligation to ensure that the modification scope complies with the requirements of the Town of Bluffton, state or federal government codes or requirements.

19.9. Applying for Approvals from Government Agencies

- Unless otherwise expressly approved in writing by the Architectural Review Committee, **prior** to submittal of a request for a permit or approval from any Government Agency, the Owner must obtain the approval of the Architectural Review Committee for the Modification Activity for which the permit or approval will be requested.
- If the building permit scope of work differs from the Modification Application, a revision to the original Modification Application must be submitted to the Architectural Review Committee.
- Unless required by applicable law, approval by a Government Agency shall not bind the Architectural Review Committee with respect to a permit or approval from the Government Agency which differs from the approval by the Architectural Review Committee.

19.10. Property Modification Application Requirements

All applications shall include:

- Required Application Fee (as appropriate)
- Owner Information – Name of owner, street address
- Modification Information - Appropriate information for particular type of Modification Activity and description of proposed work.

19.11. Community Management Review of Selected Modifications

The Architectural Review Committee may delegate authority to the Community Manager to review and approve specific routine modifications for the convenience of Owners.

19.12. Architectural Committee Review Procedure

The Architectural Review Committee shall review each application without a hearing and based solely on the information contained within the application. An Owner or another Owner affected by the

proposed application may request a hearing, but the decision as to whether a hearing shall be granted and the form of such hearing shall be determined solely by the Architectural Review Committee.

The decision of the Architectural Review Committee shall be final on all matters submitted. Owners have the right to appeal to the Board of Directors any application that was "Not Approved" by the Architectural Review Committee. Owner should contact the Community Manager to initiate the appeal process.

19.13. Notice of Decision of Architectural Review Committee

Upon completion of review by the Architectural Review Committee, correspondence shall be returned to the Owner indicating the Architectural Review Committee's decision. Approvals will include a "Notice to Proceed". The action of the Architectural Review Committee shall be stated in the following manner:

19.13.1. "Approved"

The entire application submitted is approved in total.

19.13.2. "Not Approved"

The entire application submitted is not approved and no work shall commence. A new application must be submitted.

19.14. No Liability for Approved Plans

Article XI, Paragraph 7 of the Declaration contains a disclaimer by the Architectural Review Committee for any liability or responsibility for the approval of plans and specifications contained in any request by an Owner.

19.15. Effect of Modifications on House Warranties

Owners are responsible for verifying the effect of any proposed modifications against any existing warranties for nullification concerns.

19.16. Owner Responsibilities

It is the responsibility of each Owner to comply with all requirements of these Design Rules and Guidelines in addition to the Declaration and any applicable Supplemental Declarations. This includes securing Architectural Review Committee approval prior to beginning any work.

19.17. Architectural Impact on Nearby Property

Applications for additions to a structure shall be reviewed for proximity to setback lines, easements, impact on drainage and significant buffering foliage, and access for drainage and utilities. Where the Architectural Review Committee determines that there is a significant adverse impact, the application will be returned as "not approved".

19.18. Community Variances

Design or exterior changes appropriate for one property in the community may not be applicable to another property based on the elevation of the home.

19.19. Waiver of Standards

The Architectural Review Committee shall have the right to waive in writing specific standards as they apply to a particular application if it is determined that such waiver is warranted as a result of special conditions/factors not commonly encountered and such waiver will not have a material adverse impact on these Design Guidelines and the community. Any waiver shall be limited to the maximum extent feasible while responding to the special conditions/factors.

20. HOUSE MODIFICATIONS AND EXTERIOR PAINTING

20.1. Architectural Design

The architectural design of any and all additions, alterations, and renovations to the exterior of an existing home shall conform to, or be compatible with, the design of the original home in style, detailing, materials, and color. Any such addition, alteration, or renovation shall be made only after submitting a Modification Application to, and receiving written approval from, the Architectural Review Committee.

20.2. Room Additions

No room addition shall exceed 25% of the total heated square footage of the home as originally constructed by the developer. However, if the roof structure is preexisting from the original construction by the developer, and space under the roof structure is simply to be enclosed by the Owner (while retaining needed roof overhangs), this enclosed footage will not be considered as a part of the 25% maximum. Notwithstanding, all requests for room additions must meet the parameters set forth in this document. As a result, some proposed additions may still be deemed inappropriate by the Architectural Review Committee even though the proposed addition appears to meet the 25% parameter.

Room additions designed to accommodate pools, spas, and other exterior features shall be reviewed based on how the proposed modification meets the criteria set forth in this article and how the proposed modification blends with its surroundings including neighboring homes, common areas, wetlands, berms, and any other exterior elements developed to beautify Baynard Park.

20.3. Wall Height

All room additions and enclosures shall have a minimum interior wall height from finished floor to the lowest ceiling of 7 feet 6 inches.

20.4. Height of Building

The height of the roof-line of any addition to an existing home shall not be higher than the original roof-line.

20.5. Solar Tubes and Skylights

The preferred locations for skylights and solar tubes are on the rear roof. Exposed metal framework and flashing shall be colored to blend with the roof shingles. The number of skylights and solar tubes will be reviewed on a case-by-case basis. Location of all existing roof equipment should also be noted on the application.

20.6. Covered Patios & Screened Enclosures

Homes with a covered patio, or homes with an open/uncovered patio, may enclose the patio with screening or a combination of windows, doors, and screening approved by the Architectural Review Committee. Any renovation of a covered patio, patio addition, extension, etc., shall be made only after written approval by the Architectural Review Committee. Similarly, any permanent changes to the exterior of existing screened enclosures must be approved by the Architectural Review Committee. Be aware, conversion to a conditioned living space may void warranties the Owner has from the Declarant or original builder.

20.7. Exposed Rafter Patio Cover

Exposed rafter type covers shall be approved by the Architectural Review Committee and shall match the house material and color when the patio is attached or has a common side with the home.

20.8. Doors

Solid color exterior doors shall be compatible to house colors. Material shall be suitable for exterior door installations. Storm doors and screens shall be of man-made material (no wood storm doors).

20.9. Wall Hangings

Wall Hangings are subject to approval by the Architectural Review Committee. Decorations attached to exterior walls must not exceed three feet high by three feet wide and be in harmony with the property frontal view

20.10. Building Setback Lines

Building Setback Lines (BSL) for Baynard Park are defined by the Declarant and recorded on applicable Plot Plan for the purpose of protecting against overbuilding a property site and imposing improperly on neighboring properties. All additions to homes shall be built within the established setback lines for Baynard Park, regardless of more lenient requirements of any local Governmental Authority. The minimum setbacks are set forth in part in Exhibit B - BUILDING SETBACKS found in this document. If a Lot has more stringent setbacks than those in Exhibit B - BUILDING SETBACKS, the more stringent setbacks shall apply.

20.11. Allowed Materials

Unless expressly approved by the Architectural Review Committee, all materials used in maintenance, repair, additions, and alterations shall match those used in the original construction of the Dwelling Unit as to color, composition, type, and method of attachment. When house, storm or hurricane windows are added or replaced with new materials, the description, trim color and glazing specifications on those materials shall be included with the application for addition or replacement to ensure that the long-term appearance will be compatible and will not degrade with long term exposure to the elements. The Architectural Review Committee may allow substitute materials.

20.12. Exterior Painting

Maintaining aesthetically pleasing and harmonious exterior house colors are a common goal for all community residents to maintain the appearance of the community. Changes to the exterior colors of a home and repainting the exterior of a home with the same color require Architectural Review Committee approval. Spot applications or touch up of paint which does not result in a consistent color are not acceptable.

The color pallet group should be similar to or selected from Exhibit H – EXTERIOR PAINT PALLET EXAMPLES. Paint selections must include the body, trim, garage door and accent colors (shutters, doors, louvers, and other exterior elements). Pallet elements should not be mixed and matched. However, the front door may be a different color than the pallet indicates. This change from the original color pallet requires Architectural Review Committee approval.

The color scheme must not be the same as the home on either side of the house being modified (same side of the street).

Painting must be completed within 30 days of the proposed start date.

All garage doors must be painted solid white.

21.LOT DRAINAGE/ROOF DRAINAGE

When any additions, alterations, or renovations are performed to an existing home, the established Lot drainage must be consistent with the requirements outlined below.

21.1. Lot Drainage

As provided for in the Declaration, no Owner or Resident shall alter the drainage on any Lot to increase materially the drainage of storm water onto adjacent portions of the Properties without consent of the Owner(s) of the affected property and the Architectural Review Committee.

21.2. Roof Drainage

All new or altered roofs shall drain to the ground solely within the deeded Lot area. No roof shall drain directly onto a neighboring property. Roof gutter downspouts shall be directed to splash blocks or other impervious surfaces, plastic flexible drain tubes, or to undersurface drainage lines within landscaping.

21.3. Slope of Roof

No alterations or improvements shall be made which provide a roof slope of not less than 3 feet vertical to 12 feet horizontal. Pitches can be broken to match the existing house roof, but no screened roof design shall appear as a flat pitched surface from any external elevation.

21.4. Gutters and Downspouts

Gutters shall be as unobtrusive as possible. Gutters/downspouts shall be colored white or painted to blend with adjoining house trim. Flexible chain downspout extensions may be installed.

22.EXTERIOR FEATURES/STRUCTURES

Any exterior features/structures added to a home or lot shall conform to, or be compatible with, the design of the original home in style, detailing, materials, and color. Any such addition, alteration, or renovation shall be made only after submitting a Modification Application to, and receiving written approval from, the Architectural Review Committee.

22.1. Pergolas/Gazebos

The placement of pergola or gazebo structures shall be at least 20 feet from any neighbors Lot line and only in the rear yard. Application for size, materials, and placement requires approval by the Architectural Review Committee prior to installation.

22.2. Roof Top Decorations

Roof top decorations, cupolas and application of non-functional articles other than lighting, ventilating, and antennas mentioned above are prohibited. Any changes to the rooftop design must be submitted in detail with the application.

22.3. Outdoor Kitchens

Outdoor kitchens and built-in barbeques shall be placed in the rear yard only, and shall not extend laterally past the side wall of the house. The exterior surround shall match or complement the color and finish of the house walls. Homeowners installing cooking equipment under a patio roof or inside a screen or glass enclosure should consider requirements for exhaust ventilation. Installation of roof-mounted equipment is not permitted in accordance with these guidelines.

22.4. Shutters and Window Boxes

Upon approval by the Architectural Review Committee, shutters and/or window boxes may be installed. Shutter design and color, and window box design and color, shall be complimentary to the home design and overall aesthetic of Baynard Park.

22.5. Hurricane Protection Systems or Hurricane Shutters

Permanent hurricane shutters or protection systems are only used only in the event of an oncoming storm and are not to be confused with decorative shutters. The system may not deviate from the

aesthetic look of the homes. Manufacturers' catalog(s) and the selected design shall be attached when submitting a Modification Application.

22.6. Flags

Flags are permitted to be displayed on a resident's property per the guidelines below:

- American and/or US Armed Forces flags may be displayed vertically on a flag pole or diagonally using a pole socket attached to the residence. American flags can be flown all year long and must not be faded, torn or defaced in any way.
- Decorative/seasonal flags may be displayed.
- Game day flags may be displayed with a three-day limit.

22.7. Mailboxes

Replacement of mailboxes and posts shall confirm to existing standards as represented by mailboxes previously installed by the developer.

22.8. Shade Devices/Awnings

Man-made screens, shade devices and awnings must appear as an integral part of the building elevation and shall be made of materials that complement the house. Any such addition, alteration, or renovation must meet the following guidelines and requires approval by the Architectural Review Committee:

- Awnings or any other shading devices shall only be applicable to windows and doorways on the rear and side of the home.
- Such devices shall be in harmony as to size, style, and color with the house and application to shaded opening.
- Solid color, muted and consistent with the color of the home, roof, shutters and community-wide standard.
- Awnings or such other devices shall have a retractable feature, either mechanical or manual, for storage in inclement weather.
- Fixed awnings are not permitted.
- Shading devices shall not extend over 10 feet.
- Portable shade devices should only be used on a temporary basis (i.e., events, family gatherings).

22.9. Yard Furniture

Yard furniture (i.e., lawn chairs, lounges, gliders, tables, and umbrellas) in rear yards shall be placed no closer than 20 feet to the nearest property line. No furniture is permitted in side yards.

22.10. Decorative Outdoor Furniture

Decorative furniture shall be in harmony with the frontal view in style and color. The maximum height of the furniture is three feet and the maximum width is five feet.

23. OUTDOOR PLAY EQUIPMENT/PLAYGROUND STRUCTURES

23.1. General Guidelines for Semi-Permanent Play Equipment

Semi-permanent play equipment, which either constitutes a new structure or will be attached to an existing structure, requires approval. Examples include sandboxes, playhouses, trampolines, swing sets, etc. The following factors will govern approval of such equipment.

- **Location:** Such equipment must be placed in rear yards. All elements of the equipment must be within the homeowner's lot boundaries. Equipment should not be placed within 10 feet of the nearest structure, fence or wall and reasonably distanced from any public property such as greenways and streets. Equipment shall be maintained and positioned in accordance with manufacturer suggestions.
- **Scale and Design:** The equipment must be compatible with the lot size. The design and any individual screening are additional considerations in evaluating whether or not there will be an adverse visual impact.
- **Height:** The equipment must not be readily visible from adjacent roadways and common elements and shall not exceed 12' at its tallest point. Natural colors are encouraged.

23.2. Basketball Backboards

Basketball goals are to be away from curb areas of the street and must be located on the owners' property in such a manner so as to not be placed on the common landscape and so that the playing area is not in the street. Backboards may not be attached to garages or the house of single-family homes. The complete apparatus must be kept in a neat and attractive condition at all times. No basketball hoop and backboard shall be erected next to the curb on any road right of way nor should any portable hoop be placed in the street or on common area.

23.3. Swing Sets

Swing sets may be composite materials or constructed of wood, may be no taller than 12 feet high and may include sandboxes and large mulched areas around swing sets. Wood sets may be left natural, stained, painted white or painted to match the exterior color of the house. Composite material swing sets shall be muted colors browns, black and dark greens only. No bright colors permitted.

23.4. Playhouses

Playhouses will be reviewed on a case by case basis.

23.5. Tree houses

Tree houses are not permitted.

24.LANDSCAPE AND HARDSCAPE GUIDELINES

24.1. Approval Information

The Architectural Review Committee will review Modification Applications with proposed landscape plans paying special attention to property lines, easements, and set back lines. Provided in this document are several Exhibits containing information on different types of plantings/trees (Exhibit D), landscape/hardscape inert materials (Exhibit E), landscape accessories (Exhibit F), and lighting (Exhibit G) which can be used for landscape design.

24.2. General Landscaping Criteria

Landscaping must be consistent with the minimum requirements outlined below.

24.2.1. Planting Beds

Planting beds cannot be expanded or new beds added without approval by the Architectural Review Committee.

24.2.2. Plantings

All plantings and landscaping shall be maintained to present a neat appearance with no overgrowth. Plantings may be suspended, placed on pedestals or placed in decorative containers. Refer to Exhibit F – LANDSCAPE ACCESSORY GUIDE for information on plant containers. When plant items that were previously approved are to be changed to similar items and are in compliance with the Design Guidelines, re-application is not required.

24.2.3. Commonly Used Plant Material

Refer to the Exhibit D - COMMONLY USED PLANT MATERIALS found in this document for a list and description of recommended plant materials. Use of artificial flowers or trees anywhere outside the roofed area of the house is prohibited. Use of annual plants in planting beds as described above is acceptable without prior approval.

24.2.4. Irrigation Systems

All landscaped plantings shall be maintained by a fully automatic underground watering system. When using sprinklers, care should be taken to avoid over spray on patios, sidewalks, streets, and driveways ("hardscape"), structures, windows, and adjacent properties.

24.2.5. Landscape and Lawn Maintenance

Owners shall maintain all shrubbery, sod, trees, and other landscaping on their Lot in a neat, clean, orderly, and healthy condition. Lawns shall be comprised of grass sod and shall be cut and edged next to all concrete or asphalt surfaces and shall be regularly mowed and maintained. All shrubbery shall be regularly trimmed and maintained to assure health, attractive condition and does not impede walkways or roadway line of sight. All shrubbery and foundation plantings cannot exceed seven feet in height. Trees shall be monitored for growth. The removal of trees for any reason shall be approved by the Architectural Review Committee. All non-lawn areas shall

be kept free from excessive weeds or unsightly undergrowth or brush. The Owner's maintenance and care obligations shall apply to all portions of the Lot including any easements located on or adjacent to, including front, side, and rear road and utility easements. All shrubbery and foundation plantings cannot exceed seven feet in height.

24.2.6. Swales

Plants, flowers, shrubs, and trees shall not be planted in the swale such as to obstruct storm drainage along the side yards of the Lot.

24.2.7. Ground Cover

- Ground surfaces of all Lots except that occupied by hardscape or structures shall be covered with a combination of landscaping, sodded grass lawn, planted ground cover, and approved mulch materials as listed in Exhibit E – LANDSCAPE/HARDSCAPE INERT MATERIALS found in this document.
- Sodded grass lawn area shall be the predominant ground surface area. Choice of grass shall be approved by the Architectural Review Committee. Approval shall be secured from the Architectural Review Committee for a living ground cover prior to the commencement of work.
- Landscape plans that use rock or crushed rock as a predominant element is not allowed.
- Ground cover or inert material shall not be used to spell out names, nicknames, names of states, city athletic teams, slogans, states, emblems, geometric patterns, or any other communication.

In order to prevent soil erosion and to maintain positive drainage, the original grades of the Lot shall be maintained during landscape and sod installation. For this reason, a minimum sod buffer of 10 feet on the front curb must be maintained as a drainage area. For those properties located on or near a lagoon, the lagoon top of slope and banks are included in the sod buffer requirements.

24.2.8. Plastic Sheeting

The use of solid plastic sheeting or polyethylene over ground cover areas will not be permitted. If landscape fabric is used, it must allow the free flow of water, air, and gases to and from the soil. Weed control fabrics may only be used with prior approval of the Architectural Review Committee. All weed control fabrics must be kept thoroughly covered with a 3-4-inch layer of approved mulch material.

24.2.9. Removal of Existing Plants/Trees

Dead or terminally diseased plants/trees shall be promptly removed and all material resulting from the plant/tree removal must be disposed of properly. Trees removed and not replaced must be removed to grade level.

24.2.10. Unauthorized Tree Removal

Owners who remove trees without approval may be required to provide full size replacements or provide trees matching/exceeding the diameter of the removed tree. All replacements are subject to Architectural Review Committee approval with the exception of same species tree replacements.

24.2.11. Fruit/Vegetable Gardens

Fruit and vegetable gardens are not permitted on individual homeowner lots.

25.DRIVEWAYS

No concrete or other pavement may be located in driveway areas other than that which is initially included with the home. Modification Applications can be submitted, however, to expand existing driveways a maximum of 24 inches on each side parallel to the sides of the original driveway. The addition of color or decorative pattern changes to paving materials may be allowed upon approval of the colors and/or designs. Plans for ANY contemplated paving work shall be approved in writing by the Architectural Review Committee BEFORE any work commences.

26.WALKWAYS

Walkways with Modification Application approval may be expanded to a maximum of 60 inches wide to include any decorative trim or edging. All modifications requests must be detailed with exact measurements and are limited to approved colors, patterns, textures, coatings, and material.

27.LANDSCAPE ACCESSORIES

Landscape accessories are any items placed in the Lot that have not already been previously discussed in these guidelines. Examples of landscape accessories include yard ornaments, bird feeders/baths and plant containers. Placement and style of all landscape accessories shall be subject to approval on an individual basis consistent with the overall aesthetic scheme of Baynard Park. All landscape accessories mounted on entryway columns or walls shall be reviewed and approved or rejected based on overall design presented on the Modification Application. Applicants shall provide landscape plans that incorporate accessories to show how they are viewed on the property.

The maximum total of ALL accessories shall be no more than ten per Lot with the maximum of five in the front. Placement in the 10-foot sod buffer and/or lagoon top of bank to include the slope are not permitted.

See Exhibit F – LANDSCAPE ACCESSORY GUIDE for a more detailed list and description of landscape accessories.

27.1. Arbors

The placement of arbor structures shall be at least twenty feet from any neighbor’s Lot line and only in the rear yard. The recommended maximum size of any arbor should not exceed the height of eight feet six inches, the width of three feet, and the depth of two feet with the wider dimension parallel

to the rear Lot line. The arbor shall have approved vegetation, which will be required on the finished product. Application for size, materials, and placement shall be submitted and approved for prior to installation by the Architectural Review Committee. Vegetation shall be maintained to present a neat appearance with no overgrowth onto roofs or walkways.

27.2. Trellises

The placement of trellises shall be in a planting bed and only in the rear, side yard, and garage wall parallel to entry walkway. The recommended maximum size of any trellis should not exceed the height of eight feet, the width of three feet, and the depth of six inches with the wider dimension parallel to the side or rear Lot line. The placement of a trellis in a side yard planting shall not be more than two feet from the wall of the house. The trellis shall have approved vegetation, which will be required on the finished product. Application for size, materials, and placement shall be submitted and approved prior to installation. Vegetation shall be maintained to present a neat appearance with no overgrowth onto roofs or walkways.

27.3. Fountains

Fountains shall be limited in height to four feet above the natural grade of the Lot. All fountains shall be of natural material, color, and design, each of which is compatible with the overall architecture. Fountains shall be permitted in the front yard and rear yard of all residential homes. No more than one fountain shall be permitted in each yard. Fountains shall be subject to review for size, style and placement.

27.4. Water Features

The maximum depth of a water feature (i.e., Koi pond) is two feet. Water features shall be subject to review for size, style and placement.

27.5. Bird Houses/Feeders

Bird houses/feeders shall be placed in rear yard only. Bat houses, butterfly houses, bird houses, and bird feeders shall be designed and placed to be in harmony with the surrounding environment. Houses and feeders other than Martin houses shall not exceed 8 feet above ground level. Martin houses shall not exceed two levels and shall not exceed 20 feet above ground level. No house or feeder shall constitute a hazard to neighboring properties or be a home for pest animals.

27.6. Holiday Decorative Accessories

Home decorations, home lighting, temporary statues, artifacts, and other holiday decorative landscaping accessories are to be unobtrusive and displayed only for a period of 30 days prior to a holiday season; all such holiday decorations shall be removed no later than 30 days after the holiday.

28.FIRE PITS AND OUTDOOR FIREPLACES

28.1. Town of Bluffton Regulations

In order to install a gas operated fire pit or an outdoor fireplace, a building permit is required by the Town of Bluffton. Additional information may be obtained through the Town of Bluffton's Building Department.

28.2. Permanent Fire Pits

Permanent Fire Pits shall be located in rear yard areas only, not to exceed 48" in diameter and 24" in height. Fire Pits can burn natural gas or propane, or wood. Fire Pits must have a concrete, stone, paver or other non-combustible material forming an apron completely around the pit area to prohibit flames from spreading to adjacent combustible areas/materials. Fire Pits must be located away from trees, shrubbery and overhanging limbs. Fire Pit plans require a Modification Application to be submitted/approved by the Architectural Review Committee.

28.3. Temporary Wood Burning/Self-Contained Fire Pits

Temporary wood burning and self-contained firepits are permitted and must be located in the rear of the home. They are to be used with the established standards provided by manufacturer and placed on a concrete, stone or other non-combustible material away from trees, shrubbery and overhanging limbs.

28.4. Outdoor Fireplaces

Fireplace plans must be submitted on a Modification Application for review/approval by the Architectural Review Committee. Plans must be submitted if it is detached from the main structure, or part of the structure of the home, and/or part of the home patio/deck. Outdoor Fireplaces may burn natural gas or propane. Outdoor Fireplace construction must meet all building codes for structural integrity and shall have an exterior finish to match or complement the exterior of the home.

29.PERIMETER FENCING AND PRIVACY HEDGING GUIDELINES

29.1. Perimeter Fence Specifications

Fencing is required to be on the property line to avoid creating alleyways. All fencing requires a Modification Application to be submitted/approved by the Architectural Review Committee. Any fence request that varies from the description below will be reviewed on a case by case basis.

- Fence material shall be black wrought iron or black aluminum
- Wood and chain link (or chicken- wire or similar) fencing is not permitted
- All fences shall be four feet in height unless required by town, county, and/or state codes
- Vertical members of the fence may range ½ inch in width to 1½ inches in width
- Vertical members of the fence shall not be less than 2½ inches apart and not greater than allowed by Town of Bluffton building code
- All fences shall be maintained/repainted when necessary to maintain original appearance
- Gates shall be the same material and height as the fence

29.2. Perimeter Fence Placement

All perimeter fences shall originate from the rear corners of each side of the Dwelling Unit. Wetland, wooded, or preserve Lots in which the required distance from the rear property line, as stated in the Exhibit B - BUILDING SETBACKS found in this document, is equivalent to the tree line do not require landscaping at the portion of the fence obscured by the tree line. If the tree line of a wetland, wooded, or preserve Lot is closer to the property line than the required rear property line distance, the rear portion of the fence may be extended to the tree line as long as the fence does not encroach on an easement. Landscaping is not required on the portion of the fence obscured by the tree line.

29.3. Privacy Hedging

Plantings used for screening or landscaping along property lines shall be located and designed to not interfere with swale drainage. No plant or other landscaping may be located on an easement. Plantings must be maintained by the Owner to be aesthetically pleasing to neighboring property owners (plant overgrowth, weed and grass encroachment on neighboring properties shall be controlled). Hedge height must not exceed seven feet.

30. ANCILLARY EQUIPMENT

30.1. Window and Roof Mounted Equipment

Window and roof mounted equipment (including mechanical, air conditioning, and solar heating equipment) shall not be allowed. Supplemental heating and cooling equipment may be installed in walls, and attic ventilation devices may be installed on the roof, after submitting a Modification Application to the Architectural Review Committee and receiving approval.

30.2. Exterior and Mechanical Equipment

All ground mounted mechanical equipment, generators, propane tanks, or other service areas such as utility boxes shall be screened and allow for access to equipment for servicing. A sound barrier may be required for added equipment.

Installation of exterior water softeners, water filters or any appliance required to be permanently installed to the exterior of the home are permitted with adequate screening of the equipment from view both the street and neighbors.

Adequate screening is defined as plantings that provide immediate coverage of appliances or an approved three-sided Service Yard.

30.3. Water Treatment/Tankless Water Heating Systems

All interior water treatment systems shall be connected to the sewage system. Tank type water heaters must be installed inside the home. Tankless/on demand water heater systems may be installed on the exterior of the house.

30.4. Service Yard Specifications for Exterior and Mechanical Equipment

Upon Architectural Review Committee approval, a three-sided service yard structure can be used for coverage of exterior and mechanical equipment. Outlined below are the specifications:

- Three-sided enclosure attached to the home; one per home
- Maximum height of six feet
- Set back a minimum of four feet from the front corner of the house
- Maximum width of six feet
- Length not to exceed 15% of the side of the house where the service yard is to be installed
- Approved materials are hardiplank, stucco or wood (no lattice); materials are to be painted to match the base color of the home

30.5. Antennas and Satellite Dishes

Antennas whose installation and use are protected under Federal law and regulations are allowed (generally, certain television antennas under one meter in diameter). In accordance with FCC Rules regarding installation, maintenance and use of a direct broadcast satellite dish, these are also allowed. Installation of this equipment must be in accordance with the location parameters below.

30.6. Antennas and Satellite Dish Locations/Installation

No installation will be permitted on the front elevation of a home. The homeowner shall review the locations listed below with the installation and, based on signal reception readings, select a location that has the least visual impact on adjacent properties and instruct the installer appropriately. In addition, aesthetic conditions, such as attaching and concealing wire cables, shall be considered and implemented as part of the installation.

The locations listed below are intended to address all possibilities for an unobtrusive installation. The maximum pole with dish shall be 80 inches above finished grade. The satellite dish location in order of preference are:

- Ground/pole mounted, rear yard and screened with tall shrubs
- Ground/pole mounted, side yard toward the rear of the home and screened with tall shrubs
- Rear roof of the house, at lowest point of roof
- Rear roof of the house attached to the fascia
- Side of the house, at lowest point of rear roof, attached to the roof or fascia

30.7. Other Antennas (including amateur and ham radio)

Other antennas (including amateur and ham radios) shall be reviewed by the Architectural Review Committee on a case-by-case basis and may be approved if there is no significant degradation of the visual presentation of the house to the street view or to neighbors. No more than one antenna may be allowed on a house. The homeowner shall include a copy of their valid Amateur Radio Operators license with their application. Any installation shall comply with the following:

- Must be a vertical whip antenna that is mounted on the rear of the house.
- All cables shall be concealed, within the house or buried.

- No antenna, ground or roof mounted, shall extend higher than two feet above the house roof peak.
- If roof mounted, must be painted to match roof color. Any component mounted on the house must be painted to match the house color. If ground mounted, shall be painted to match the surrounding vegetation.
- There shall be no interference with radio or television reception in the neighboring areas.

31.LIGHTING STANDARDS

Refer to Exhibit G – RECOMMENDED LANDSCAPE AND PATHWAY LIGHTING GUIDE found in this document for detailed standards.

- The Owner is required to submit an application to the Architectural Review Committee for all exterior lighting to include location and wattage.
- No exterior lighting shall be permitted that constitutes a nuisance or hazard to any Owner or Resident.
- Lighting fixtures for garage and front entry areas must be of the same style/size and color.
- Exterior lighting must be shades of white or amber with the exception of Holiday Lighting noted in HOLIDAY DECORATIVE ACCESSORIES.

31.1. Landscape/Walkways

Illumination of landscape plantings which are 36 inches high or less, as well as for walks and driveways, shall be accomplished with low wattage fixtures which are ground mounted. Decorative low voltage/solar light fixtures for low-level landscape and path lighting are permitted. Fixtures shall be installed and maintained in a vertical position. A maximum quantity of 12 low-voltage or solar lights may be installed in front yards. A maximum quantity of 12 low-voltage or solar lights may be installed in rear and side yards (combined).

31.2. Large Bushes/Trees

Illumination of large bushes and trees shall be accomplished with standard or low voltage (flood or spot) light fixtures, ground mounted, and aimed vertically upward.

31.3. Spotlights/Floodlights

Exterior spotlight and floodlight fixtures shall be either non motion or motion detector fixtures. Exterior spotlight and floodlight fixtures location(s), other than the original construction of the dwelling location(s), require approval of the Architectural Review Committee.

31.4. Lampposts

Lampposts (measured to the top of lighting fixture) shall not exceed 80 inches in height. A lamppost may have no more than two globes. Globes shall not create a lighting nuisance to surrounding

properties. Only one lamppost per property is allowed and requires approval from the Architectural Review Committee. A lamppost is not considered a landscape accessory.

31.5. Fence/Building Mounted Light Fixtures

Exterior fence or building mounted light fixtures, including motion detector, spotlights and floodlights shall conform to the architecture of the house and be subject to approval of the Architectural Review Committee. Any enclosure of a light fixture shall be designed to conceal the lamp (bulb) and to direct the light downward.

31.6. Landscape Requirements for Lighting Equipment

Junction boxes shall be placed below grade to minimize day-time visibility of the hardware.

32. POOLS AND SPAS

32.1. In-Ground Swimming Pools

Above-ground pools are prohibited. Above-ground spas/hot tubs are permitted only if enclosed in a screen enclosure or sun room.

32.2. Perimeter Security Fence/Mandatory Enclosure

All pools and Spas shall be enclosed by a perimeter security fence, screen enclosure or sun room. Refer to PERIMETER FENCING AND PRIVACY HEDGING GUIDELINES for detailed information.

32.3. Location

Pools shall only be installed in rear yards. Pools and their associated enclosure shall not extend laterally past the side wall of the house.

32.4. Pool Mechanical/Maintenance Equipment Storage

The location for pool mechanical equipment shall be inside the Service Yard. SERVICE YARD SPECIFICATIONS FOR EXTERIOR AND MECHANICAL EQUIPMENT provides detailed specifications. Based on proximity of the pool and related equipment the Service Yard should be located near the rear corner of the home.

Pool maintenance equipment such as hoses, skimmers, vacuums and chemical containers shall be stored out of sight from neighboring properties.

32.5. Excavation Safety, Erosion and Drainage

The excavation site shall be well maintained for safety and storm water protection. Excavated material shall be promptly removed from the property. Silt fence is required and shall be properly maintained during construction. Grading and drainage shall be installed to prevent erosion. No pool shall drain onto neighboring property. Pools (and spas) and their associated equipment shall drain to

the pool owner's rear yard. Connections to sanitary sewers and drain pipes directed off the property, especially to or towards lagoons, are not permitted.

32.6. Above/In-Ground Spas and Hot Tubs

This information applies to all types of soaking tubs installed outside the house. Above-ground spas and hot tubs are not permitted unless surrounded by a screened enclosure or sun room directly attached to the home. In-ground spas are subject to the same guidelines as in-ground swimming pools, including perimeter security fencing. Approved spas shall only be installed in rear yards.

32.7. Children's Wading Pools

Children's temporary plastic/blow up pools no higher than 18 inches are allowed in rear yards.

Exhibit A – MONETARY FINE SCHEDULE

Baynard Park Property Owners Association Monetary Fine Schedule *Adopted August 2020*

The following schedules are subject to change at the sole discretion of the Board.

VEHICLE PARKING

Golf Carts/ATVs/other LSVs (low speed vehicles), campers, boats, other watercraft, inoperable vehicles, recreation vehicles, campers, RVs and trailers, vehicles under repair, commercial vehicles and trailers, and parking in an unauthorized area. Driving golf cart w/o an HOA Permit, operating a motorized vehicle on restricted areas, parking on the road overnight or at a common area parking lot w/o Property Manager or Board approval, parking commercial vehicles on property with company logo displayed.

NOTE: Golf carts are the only LSV which need an HOA permit.

1st Offense	Written Warning
2nd Offense	\$100
3rd Offense	\$200

MAINTENANCE

Mowing, rubbish/debris/leaf pick up, branches, dead weeds, grass clippings, painting, pressure washing, broken windows, missing window screens, driveway maintenance/repair, etc. as needed to maintain the exterior beauty of the property and other violations of the Rules, Regulations & Design Guidelines or Covenants, Conditions and Restrictions.

1st Offense	Written Warning
2nd Offense	\$75
3rd Offense	\$150

UNSIGHTLY PROPERTY

Unsightly property due to trash/recycling bins, un-stored trash, appliances, toys, window treatments, window a/c units, storage pods, propane tanks, furniture, grills, newspapers, landscaping materials and equipment, flags, signs, decorations and holiday decor/decorations (after specified removal date).

1st Offense	Written Warning
2nd Offense	\$75
3rd Offense	\$150

ANIMALS

Feeding wild animals excluding bird feeders, failure to pick-up owner's animal's waste or improper animal waste disposal, unleashed pets off of owner's property, animal enclosure (dog houses) noise, pet nuisance, boarding and breeding.

1st Offense	Written Warning
2nd Offense	\$50
3rd Offense	\$100

HARASSMENT

Physical or verbal abuse directed toward any resident, guest, employee, director, officer or committee person

1st Offense	\$200
2nd Offense	\$400
3rd Offense	\$600

NUISANCE

Creating a nuisance such as a loud party, loud music/noise, construction activity noise, recreational noise, vehicle noise. Hazard activities such as: burning, firearms, fireworks, improper use of property such as leasing without a lease on file with HOA.

1st Offense	\$100
2nd Offense	\$200
3rd Offense	\$400

ARCHITECTURAL MODIFICATIONS

Starting or completing any modification to landscaping, the exterior of residence without applying for a Modification Permit and the burning and/or dumping of lawn or landscape waste on personal property.

NOTE: For every month the violation remains un-remedied as mandated by the Architectural Control Committee, the fine will be doubled.

1st Offense	\$200
2nd Offense	\$400
3rd Offense	\$600

DAMAGE TO COMMUNITY PROPERTY

Depositing any substance into storm drains or lagoons, chemically treating or physically removing aquatic plantings or fish from lagoons. Cutting, dumping of any material, or disturbing designated wetlands. Cutting, mowing, removing, or adding additional plantings to common area property. Misuse or damage to common area property.

1st Offense	\$500 Plus cost of repair for damage to Community Property
2nd Offense	\$1,000 Plus cost of repair for damage to Community Property
3rd Offense	\$1,500 Plus cost of repair for damage to Community Property

For subsequent occurrences of the same offense within a twelve-month period fines may not be waived, fines are doubled and tripled respectively for second and third offenses and the fourth offense will be cause for loss of Association privileges. After no remediation of property and 3rd offense, fines will continue to increase with the potential of liens being applied to the property.

The Property Manager is authorized to levy fines and other sanctions commensurate with the nature of the violation. Specifically, warnings for first-time offenses are intended to serve as a courtesy to residents for inadvertent violations or minor infractions.

Warnings are not mandated for all first-time offenses and are not to be given to those violations that any prudent and reasonable person would consider serious in nature. In all situations, the Property Manager’s judgement will be applied consistently and equitably and will be premised on similar actions that would be taken by any prudent and reasonable person.

APPEAL FORM

DATE	
CITATION #	

To appeal due process fines/citations, please complete the content of this form and supply a copy of the citation within ten (10) days of notice. Citations cannot be appealed after ten (10) days.

NAME	
ADDRESS	
PHONE	
EMAIL	

PLEASE ENTER YOUR INFORMATION OF APPEAL BELOW

SIGNATURE _____

Exhibit B – BUILDING SETBACKS

A building setback line is defined as the minimum allowable horizontal distance from a given point or line of reference, such as a street right-of-way or property lines, to the nearest point of a foundation or supporting post or pillar of any applicable structure.

The building setbacks described below are applicable to Baynard Park and recognized by the Architectural Review Committee. Notwithstanding any other provision of law, all building setbacks shall meet these requirements, except for such buildings which are built by Declarant pursuant to approvals obtained from Beaufort County or Town of Bluffton, as applicable.

Front Yard: 15 feet minimum

Side Yard: 5 feet minimum

Rear Yard: 10 feet minimum

Rear Yard adjacent to freshwater wetland: 20 feet minimum

Exhibit C – DEFINITION OF FRONT, REAR & SIDE YARD

YARD DEFINITION DIAGRAM

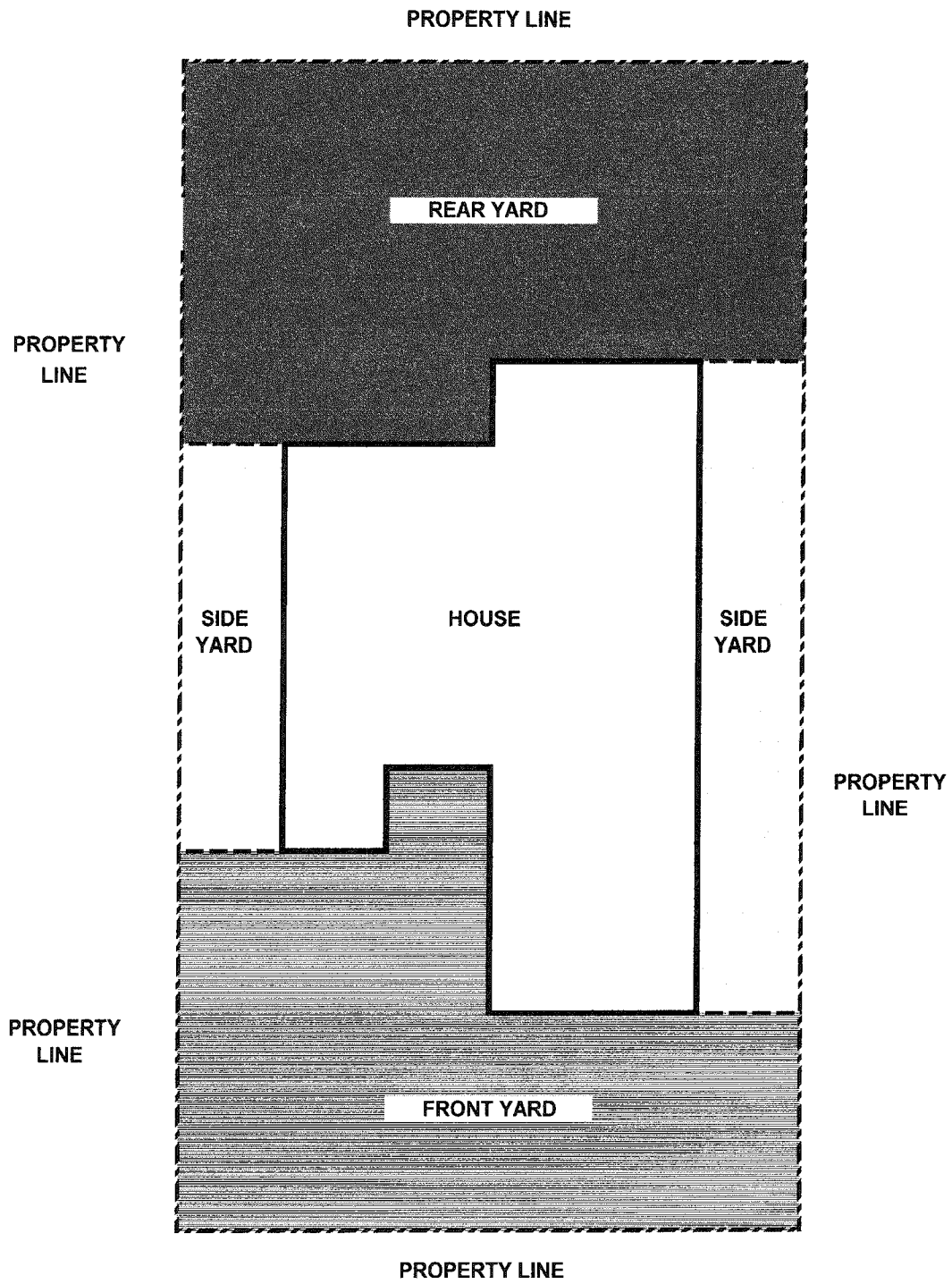


Exhibit D – COMMONLY USED PLANT MATERIALS

LARGE TREES	
* indicates Indigenous Trees of Bluffton	
*American Elm (<i>Ulmus Americana</i>)	*Rotundiloba (<i>Liquidambar Styracifflua</i>)
*Ash Magnolia (<i>Magnolia Ashei</i>)	*Sand Hickory (<i>Carya Pallida</i>)
*Bald Cypress (<i>Taxodium distichum</i>)	*Sawtooth Oak (<i>Quercus Acutissima</i>)
*Bitternut Hickory (<i>Carya cordiformis</i>)	*Scarlet Oak (<i>Quecus Coccinea</i>)
*Black Cherry (<i>Prunus Serotina</i>)	*Shagbark Hickory (<i>Carya Ovata</i>)
*Black Gum (<i>Nyssa Sylvatica</i>)	*Shortleaf Pine (<i>Pinus Echinata</i>)
*Black Oak (<i>Quercus Velutina</i>)	*Shumard’s Red Oak (<i>Quercus Shumardii</i>)
*Blackjack Oak (<i>Quercus Marilandica</i>)	*Slash Pine (<i>Pinus Elliottii</i>)
*Bluejack Oak (<i>Quercus Incana</i>)	*Slippery Elm (<i>Ulmus Rubra</i>)
*Box Elder (<i>Acer Negundo</i>)	*Southern Magnolia (<i>Magnolia grandiflora</i>)
*Carolina Basswood (<i>Tilia Caroliniana</i>)	*Southern Red Oak (<i>Quercus Falcata</i>)
*Hackberry (<i>Celtis Occidentalis</i>)	*Southern Sugar Maple (<i>Acer Barbatum</i>) Florida Maple (<i>Acer Floridian</i>)
*Honey Locust (<i>Gleditsia Triacanthos</i>)	*Spruce Pine (<i>Pinus Glabra</i>)
*Laurel Oak (<i>Quercus Laurifolia</i>)	*Sugarberry (<i>Celtis Lavigata</i>)
*Live Oak (<i>Quercus Virginiana</i>)	*Swamp Blackgum (<i>Nyssa Biflora</i>)
*Loblolly Pine (<i>Pinus Taeda</i>) Chinese Pistache (<i>Pistacia chinensis</i>)	*Swamp Chestnut Oak (<i>Quercus michauxii</i>)
*Longleaf Pine (<i>Pinus Palustris</i>)	*Sweetgum (<i>Liquidambar Styraciflucua</i>)
*Maidenhair Tree (<i>Ginko Biloba</i>)	*Sycamore (<i>Platanus occidentalis</i>)
*Mockernut Hickory (<i>Carya Tomentosa</i>)	*Tulip Tree (<i>Liriodendron tulipifera</i>)
*Nutmeg Hickory (<i>Carya Myristiciformis</i>)	*Water Hickory (<i>Carya Aquatic</i>)
*Ogeechee Lime (<i>Nyssa Ogeche</i>)	*Water Oak (<i>Quercus Nigra</i>)
*Overcup Oak (<i>Quercus Lyrata</i>)	*Water Tupelo (<i>Nyssa Aquatic</i>)
*Pecan (<i>Carya Illinoensis</i>)	*White Oak (<i>Querecus Acutissima</i>)
*Pignut Hickory (<i>Carya Glabra</i>)	*White Poplar (<i>Populus Alba</i>)
*Pond Cypress (<i>Taxodium Ascendens</i>)	*Willow Oak (<i>Quercus phellos</i>)
*Pond Pine (<i>Pinus Serotina</i>)	*Winged Elm (<i>Ulmus Alasta</i>)
*Post Oak (<i>Quercus Stellata</i>)	American Beech (<i>Fagus Grandifolia</i>)
*Red Cedar (<i>Juniperus Virginiana</i>)	Black Locusts (<i>Robina Pseudoacacia</i>)
*Red Maple (<i>Acer Rub rum</i>)	Black Walnut (<i>Juglans Nigra</i>)
*Ringcupped Oak (<i>Quercus Glauca</i>)	Red Mulberry (<i>Morus Rubra</i>)

MEDIUM TREES	
* indicates Indigenous Trees of Bluffton	
*American Holly (<i>Llex Opaca</i>)	*Sassafras (<i>Sassafras Albidum</i>)
*American Hombeam (<i>Carinus Caroliniana</i>)	*Savannah Holly (<i>Ilex x attenuata ‘Savannah’</i>)
Japanese Maple (<i>Acer palmatum</i>)	*Shadblow Serviceberry (<i>Amelanchier Canadensis</i>)
*Black Willow (<i>Salix Nigra</i>)	*Southern Red Cedar) <i>Juniperus Siliciola</i>)
*Buckthorn <i>Bumelia</i> (<i>Bumelia Lycoides</i>)	*Swamp Cottonwood (<i>Populus Heterophylla</i>)
*Carolina Ash (<i>Fraxinus Caroliniana</i>)	*Sweet Bay Magnolia (<i>Magnolia virginiana</i>)
*Carolina Cherry (<i>Prunus Caroliniana</i>)	Eastern Hophornbeam (<i>Ostya Virginiana</i>)

MEDIUM TREES	
* indicates Indigenous Trees of Bluffton	
<ul style="list-style-type: none"> *Carolina Silverbell (Halesia Caroliniana) Leyland Cypress (x Cupressocyparis leylandii) *Chinquapin (Castanea Pumila) *Common Catalpa (Catapla Bignooides) *Common Pear (Pyrus Communis) *Devil Wood (Osmanthus Americanus) *Dove Tree (Davidia Involucrate) *Downy Serviceberry (Amelanchier Arborea) *East Palatka Holly (Ilex x attenuata 'East Palatka') *Eastern Cottonwood (Populus Dettoides) *Foster Holly (Ilex x attenuata 'Fosteri') *Green Ash (Fraxinus Pennsylvanica) *Hume Holly (Ilex Attenuata) *Iron Wood (Carpinus Caroliniana) *Jerusalem Thorn (Parkinsonia Aculeate) *Loblolly Bay (Gordonia Lasianthus) *Lusterleaf Holly (Ilex Latifolia) *Olive Maple (Acer Oliveranum) *Osage Orange (Maclura Pomifera) *Paper Mulberry (Broussonetia Papyrifera) *Persimmon (Diospyros Virginiana) *Pumpkin Ash (Fraxinus Profunda) *Pyramid Magnolia (Pyramid Magnolia) *Red Bay (Persea Borbonia) *Redbud (Cercis canadensis) 	<ul style="list-style-type: none"> *Sweet Fig (Ficus Carica) *Tough Bumelia (Bumelia Tenax) *Two Winged Silverbell (Halesia Diptera) *Water Locusts (Gleditsia Aquatica) *Weeping Willow (Salix Babylonica) Aristocrat Pear (Pyrus calleryana 'Aristocrat') Calloway Crabapple (Malus pruniflora 'Calloway') Tree Form Wax Myrtle (Myrica cerifera) Crepe Myrtle (Lagerstroemia indica - Varieties 'Cherokee', 'Muskogee', 'Natchez, and 'Tuscarora') Japanese Flowering Cherry (Prunus serrulata 'Kwanzan') Yoshino Cherry (Prunus yedoensis) Little Gem Magnolia (Magnolia grandiflora 'Little Gem') Saucer Magnolia (Magnolia soulangiana) Nelli R. Stevens Holly (Ilex aquifolium x cornuta 'Nellie R. Stevens') Palmetto (Sabal palmetto) River Birch (Betula nigra) Tree Form Wax Leaf Privet (Ligustrum lucidum) Weeping Yaupon Holly (Ilex vomitoria 'pendula') Goldenrain Tree (Koelreuteria paniculata) Windmill Palm (Trachycarpus fortunei)

SMALL TREES	
* indicates Indigenous Trees of Bluffton	
<ul style="list-style-type: none"> *American Snowbell (Styrax Americanus) *Buckthorn (Rhamnus Carolinaianus) *Buckwheat Tree (Cliftonia Monophyllis) *Callaway Crabapple (Malus Prunifolia) *Cherokee, Muskogee, Natchez Crape Myrtle (Lagerstroemia Indica Faurei) *Cherry Plum (Prunus Cerasifera) *Chicksaw Plum *Prunus Angustifolia) *Coastal Plain Willow (Salix Caroliniana) *Common Alder (Alnus Serrulata) *Cudrania Tricuspidata) *Dahoon Holly (Ilex Cassine) *Devil's Walking Stick (Aralia Spinosa) *Dogwood (Cornus Alterifolia) *Dogwood (Cornus Florida) *Eastern Corabean (Erythria Herbacea) *Flatwood Plum (Prunus Umbrellata) 	<ul style="list-style-type: none"> *Mary Haw (Crataegus Aestivalis) *Myrtle Leaf Holly (Ilex Myrtifolia) *Myrtle Oak (Quercus Myrtifolia) *Paperbark Maple (Acer Griseum) *Parley Hawthorne (Crataegus Marshallii) *Pawpaw (Asimina Triloba) *Perny Holly (Ilex Pernyii) *Perny Holly (Ilex Pernyii) *Planetree (Planera Aquatica) *Pomegranate (Punice Granatum) *Possumhaw (Ilex Decidua) *Purple-leafed Plum (Prunus Cerasifera) *Red Buckeye (Aesculus Pavia) *Red Cedar (Juniperus Virginiana) *Sand Live Oak (Quercus Virginiana) *Shrub Hickory (Carya Flodidana) *Silky Stewartis (Stewartia Malacodendron)

SMALL TREES	
* indicates Indigenous Trees of Bluffton	
*Flowering Apricot (<i>Prunus Mume</i>)	*Silver Dollar Tree (<i>Eucalyptus Polyanthemos</i>)
*Flowering Peach (<i>Prunus Persica</i>)	*Soapberry (<i>Sapindus Marginatus</i>)
*Fortune Tea Olive (<i>Osmanthus Fortunei</i>)	*Sourwood (<i>Oxydendrum Arboreum</i>)
*Fragrant Tea Olive (<i>Osmanthus Fragens</i>)	*Southern Crabapple (<i>Malus Angustifolia</i>)
*Franklinia (<i>Franklinia Altamaha</i>)	*Sparkleberry (<i>Vaccinium Arboreum</i>)
*Fringetree (<i>Chionanthus Virginicus</i>)	*Stiffwood (<i>Cornus Foemina</i>)
*Goldenraintree (<i>Koelreuteria Bipinnata</i>)	*Strawberry Tree (<i>Arbutus Unedo</i>)
*Green Hawthorn (<i>Crataegus Viridis</i>)	*Swamp Cyrilla (<i>Cyrilla Racemifora</i>)
*Gum Bumelia (<i>Bumelia Lanuginose</i>)	*Swamp Privet (<i>Forestiera Acuminata</i>)
*Hackberry (<i>Celtis Tenuifolia</i>)	*Turkey Oak (<i>Quercus Laevis</i>)
*Hercules Club (<i>Zanthoxylum Clava-Herculis</i>)	*Weeping Holly (<i>Ilex Vomitoria</i>)
*Hog Plum (<i>Prunus Granatum</i>)	*White Mulberry (<i>Morus Alba</i>)
*Hollyleaf Osmanthus (<i>Osmanthus Heterophyllus</i>)	*Winged Sumac (<i>Rhus Copallina</i>)
*Horsesugar Sweetleaf (<i>Symplocos Tinctoria</i>)	*Witch Hazel (<i>Hemamelis Virginiana</i>)
*Lilic Chastertree (<i>Vitex Agnus-Castus</i>)	*Yaupon Holly (<i>Ilex Vomitoria</i>)
*Littlehip Hawthorn (<i>Crataefus Spathulata</i>)	Pinkneya Feverbark (<i>Pinckneya Bracteata</i>)
*Loquat (<i>Eriobotrya Japonica</i>)	Southern Plum

PALMS AND CYCAD	
* indicates Indigenous to Bluffton	
*Cabbage Palmetto (<i>Sabal Palmetto</i>)	*Sago Cycas (<i>Zamia Pumila</i>)
*Dwarf Palmetto (<i>Sabal Minor</i>)	*Saw Palmetto (<i>Serenoa Repens</i>)
*Needle Palm (<i>Rapidophyllum Histrix</i>)	*Scrub Palmetto (<i>Sabal Etonia</i>)
*Sago Cycas (<i>Cycas Revolute</i>)	

LARGE OR ACCENT SHRUBS (5-7 Gallon)	
SH = require shade, D = Deciduous, E = Evergreen	
D-Purple Fountain Grass (<i>Pennisetum setaceum 'Rubrum'</i>)	E-Firehorn (<i>Pyracantha koidzumi</i>)
D-Variiegated Maiden Grass (<i>Miscanthus sinensis 'variegata'</i>)	E-Fortune's Tea Olive (<i>Osmanthus fortunei</i>)
E-Anise (<i>Illicium anisatum</i>)	E-Gardenia (<i>Gardenia jasminoides</i>)
E-Azalea SH (<i>Azalea indica</i> - Varieties 'Formosa', 'George L. Tabor', 'G.G. Gerbing', 'Judge soloman', 'President Clay', 'Red Formosa', and 'Southern Charm')	E-Laurustinus (<i>Viburnum tinus</i>)
E-Banana Shrub (<i>Michello Figo</i>)	E-Nandina (<i>Nandina domestica</i>) E-Oleander (<i>Nerium oleander</i>)
E-Bottlebrush (<i>Callistemon citrinus</i>)	E-Pampas Grass (<i>Cortaderia selloana</i>)
E-Burford Holly (<i>Ilex cornuta 'Burfordii'</i>)	E-Pittosporum (<i>Pittosporum tobira</i>)
E-Butterfly Bush (<i>Buddleia davidii</i>)	E-Podocarpus Yew (<i>Podocarpus macrophyllum</i>)
E-Camellia SH (<i>Camellia sasanqua</i>)	maki
E-Chinese Fringe (<i>Loropetalum chinese</i> , cultivars; Hines Prupole leafe, Burgandy, Blush)	E-Sago Palm (<i>Cycas revoluta</i>)
	E-Sweet Viburnum (<i>Viburnum odoratissium</i>)
	E-Tea Olive (<i>Osmanthus fragens</i>)
	E-Wax Leaf Privet (<i>Ligustrum lucidum</i>)
	E-Waxmyrtle (<i>Myrica Cerifera</i>)

MEDIUM SHRUBS (3-5 Gallon)	
SH = require shade, D = Deciduous, E = Evergreen	
D-Barberry (Berberis thunbergii 'Rose Glow' or 'Crimson Pygmy')	E-Dwarf India Hawthorn (Raphiolepis indica)
E-Abelia (Abelia grandiflora)	E-Dwarf Yaupon Holly (Ilex vomitoria 'Nana' or 'Schellings')
E-Boxwood (Buxus microphylla)	E-Florida Jasmine (Jasminum floridum)
E-Carissa Holly (Ilex cornuta 'Carissa')	E-Primrose Jasmine (Jasminum mesnyi)
E-Dwarf Bottlebrush (Callistemon citrinus 'Little John')	E-Sanankwa Viburnum (Viburnum Suspensum)
E-Dwarf Burford Holly (Ilex cornuta 'Burfordii nana')	E-Yucca (Yucca filamentosa)

LOW SHRUBS OR GROUNDCOVERS (1 Gallon)	
Space 1 to 6 feet apart and 2 feet minimum from buildings	
SH = require shade, V = vines to be used with support, D = Deciduous, E = Evergreen	
D-Lantana (Lantana camara)	E-Dwarf Japanese Garden Juniper (Juniperous procumbens 'Nana')
E-African Iris (Dietes vegeta)	E-Dwarf Nandin* (Nandina domestica 'Harbor Dwarf' or 'Firepower')
E-Banks Rose V (Rosa bankiae)	E-Goldflame Honeysuckle V (Lonicera x heckrottii)
E-Big Blue Liriope (Liriope muscari 'Big Blue')	E-Hollyfern SH (Cyrtomium falcatum)
E-Blue Pacific Juniper (Juniperous conferta 'Blue Pacific')	E-Lily of the Nile (Agapanthus)
E-Blue Rug Juniper (Juniperous horizontalis 'Wiltonii')	E-Parson's Juniper (Juniperous davurica 'Expansa')
E-Carolina Jessamine V (Gelsemium sempervirens)	E-Trumpet Honeysuckle V (Lonicera sempervirens)
E-Confederate Jasmine V (Trachelospermum jasminoides)	E-Variegated Liriope (Liriope muscari 'Silvery Sunproof')
E-Daylily (Hemerocallis hybrida)	
E-Dwarf Gardenia (Gardenia jasminoides 'radicans')	

Exhibit E – LANDSCAPE/HARDSCAPE INERT MATERIALS

Approved inert landscape materials shall include: natural wood bark, hardwood mulch, pine straw and other materials as may be approved by the Architectural Review Committee from time to time.

Natural pine straw may be approved for reasonable use in bedding, around shrubs and trees, and along the exterior walls of the dwelling. Inert landscaping materials are not acceptable as a sod substitute.

Determination of whether a material is acceptable for inclusion in any specific situation shall be made by the Architectural Review Committee and shall be in writing.

No artificially colored/painted rock, no form of crushed stone, white stone or rubber mulch can be used as mulch/ground covering in landscape beds. Ground cover of inert material shall not be used to spell out names, nicknames, names of states/cities/athletic teams, slogans, emblems, geometric patterns or any other communication.

Approved inert hardscape materials shall include: concrete, brick, stone, concrete pavers, textured and painted coatings, natural pebble stone/epoxy coating, wood trim for bedding areas and other materials that may be approved by the Architectural Review Committee from time to time. Driveways shall be constructed of concrete or interlocking concrete pavers.

Exhibit F – LANDSCAPE ACCESSORY GUIDE

- A. All landscape accessories as noted below DO NOT require advance approval. Colors, materials, style, size, quantity and placement shall be complimentary to the house.
- B. Homeowners may mix and match accessory types listed below, subject to individual “TYPE” limits. The maximum total of ALL accessories shall be no more than ten per lot with no more than five in the front lot area.
- C. Landscape accessories are not permitted in the 10-foot sod buffer and/or the lagoon top of bank to include the slope.

TYPE	MAXIMUM HEIGHT	MAXIMUM QUANTITY PER ITEM	NOTES
Fountains	48 inches	1 per front/1 per rear	Outdoor electrical wiring per county code requirements
Bird Baths	3 feet	1 per front/1 per rear	
Bird Feeders/Houses	8 feet on pole	5 in rear yard only	Includes bat/bee/butterfly houses
Martin House	20 feet	1 per rear yard	Maximum 2 levels
Decorative Furniture and Plant Stands	3 feet high 5 feet wide	2 per front 2 per rear	At least 15 feet from curb in planting beds or on porch
Large Rocks/Boulders	18 inches	Reviewed on case-by-case basis	Planting beds only
Miniature Structures	3 feet	2 per rear yard	Wishing wells, lighthouses, bridges. Rear planting beds only
Lawn Ornaments, Statues, all other Accessories	3 feet on ground 18 inches on wall	See “B” above for amount	
Plant Containers/Pots in Planting Beds or on Hardscape	2 feet	See “B” above for amount	Disposable nursery containers not permitted. Must contain live plants.
Plant Containers on Driveways	2 feet	1 on each side of garage door	No more than 3 feet from wall. Must contain live plants.
Fireplace/Fire Pits/ & Chimineas	Case by Case Basis	1 at the rear of the home	Shall be natural gas, propane or wood

Exhibit G – RECOMMENDED LANDSCAPE & PATHWAY LIGHTING GUIDE

All landscape lighting requires advance approval. All requests must include the type of lights, the location and number of lights. The Owner is required to submit a Modification Application to the Reviewing Board for review for all exterior lighting modifications. No exterior lighting shall be permitted that constitutes a nuisance or hazard to any Owner or Resident.

TYPE	APPLICATION	LUMENS	LED	HALOGEN	INCANDESCENT	NOTES
Pathway Lighting	Walkways	70	2.5W	10W	15W	Space 3-6 ft. apart
Spot Light	Single tree, shrub, lawn landscapes	250	6.0W	35W	40W	2-4 ft. in front/center of item to be illuminated
Wall Washer	Retainer Wall	100	3.0W	15W	20W	Use for large flat surfaces
Well Light	Ponds/ fountains	400	12.0W	65W	100W	Use for single lighting– not with other lights due to large wattage
Flood Light	Landscape Settings (per light)	250	6.0W	35W	40W	Accent lighting for settings
Bollard Light	Walkways	70	2.5W	10W	15W	Use with Pathway lighting for special effects

Exhibit H – EXTERIOR PAINT PALLET EXAMPLES

EXTERIOR COLOR PACKAGES

Color Group 2- Intellectual Gray		Color Group 6-Requisite Gray	
Lap Sliding	Duron- Intellectual Gray SW7045	Lap Sliding	Duron- Requisite Gray SW7023
Shake (per elevation)	Duron- Anonymous SW7046	Shake (per elevation)	Duron- Hammered Silver SW2840
Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005	Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005
Gutters and Downspouts	Masco- White	Gutters and Downspouts	Masco- White
Shutters and Front Door	Duron- Tricorn Black SW6258	Shutters and Front Door	Duron- Ubane Bronze SW7048
Stone Veneer (per elevation)	Erie Dry Stack	Stone Veneer (per elevation)	Erie Dry Stack
Brick Color (per elevation)	Sapelo	Brick Color (per elevation)	Sapelo
Color Group 7- Latte		Color Group 11- Oak Barrel	
Lap Sliding	Duran- latte SW6108	Lap Sliding	Duran- Oak Barrel SW7714
Shake (per elevation)	Duron- Hopsack SW6109	Shake (per elevation)	Duron- Tree Branch SW7525
Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005	Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005
Gutters and Downspouts	Masco- White	Gutters and Downspouts	Masco- White
Shutters and Front Door	Duron- Black Bean SW6006	Shutters and Front Door	Darkroom SW7083
Stone Veneer (per elevation)	Seneca Dry Stack	Stone Veneer (per elevation)	Catawba Dry Stack
Brick Color (per elevation)	Sapelo	Brick Color (per elevation)	Spanish Moss
Color Group 12- Mountain Road		Color Group 14- Sawdust	
Lap Sliding	Duron- Mountain Road SW7743	Lap Sliding	Duron- Sawdust SW6158
Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duron- Roycroft Mist Grau	Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duron- Pure White SW7005
Gutters and Downspouts	Masco- White	Gutters and Downspouts	Masco- White
Shutters and Front Door	Duron- Black of Night SW6993	Shutters and Front Door	Duron- Andiron SW6174
Stone Veneer (per elevation)	Erie Dry Stack	Stone Veneer (per elevation)	Catawba Dry Stack
Brick Color (per elevation)	Spanish Moss	Brick Color (per elevation)	Spanish Moss
Color Group 16-Relaxed Khaki		Color Group 17- Whole Wheat	
Lap Sliding	Duron- Relaxed Khaki SW6149	Lap Sliding	Duron- Whole Wheat SW6121
Shake (per elevation)	Duron- Drowning Earth SW2820	Shake (per elevation)	Duron- Roycroft Suede SW2842
Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005	Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005
Gutters and Downspouts	Masco- White	Gutters and Downspouts	Masco- White
Shutters and Front Door	Duron- Black Bean SW6006	Shutters and Frontdoor	Duron- Kaffee SW2813
Stone Veneer (per elevation)	Catawba Dry Stack	Stone Veneer (per elevation)	Seneca Dry Stack
Brick Color (per elevation)	Spanish Moss	Brick Color (per elevation)	Spanish Moss
Color Group 19- Tony Taupe		Color Group 21- Downing Straw	
Lap Sliding	Duron- Tony Taupe SW7038	Lap Sliding	Duron- Downing Straw SW2813
Shake (per elevation)	Duron- Rookwood Clay SW2823	Shake (per elevation)	Duron- Burlap SW 6137
Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005	Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005
Gutters and Downspouts	Masco- White	Gutters and Downspouts	Masco- White
Shutters and Front Door	Duron- Otter SW6041	Shutters and Front Door	Duron- Iorn Ore SW7069
Stone Veneer (per elevation)	Catawba Dry Stack	Stone Veneer (per elevation)	Seneca Dry Stack
Brick Color (per elevation)	Old Savannah	Brick Color (per elevation)	Spanish Moss
Color Group 22- Downing Stone		Color Group 23- Basket Beige	
Lap Sliding	Duron- Downing Stone SW 2821	Lap Sliding	Duron- Basket Beige SW6143
Shake (per elevation)	Duron- Attitude Gray SW7060	Shake (per elevation)	Duron- Hopsack SW6109
Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005	Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005
Gutters and Downspouts	Masco- White	Gutters and Downspouts	Masco- White
Shutters and Front Door	Duron- Rock Bottom SW7062	Shutters and Front Door	Duron- Roycroft Bronze Green SW2846
Stone Veneer (per elevation)	Erie Dry Stack	Stone Veneer (per elevation)	Catawba Dry Stack
Brick Color (per elevation)	Sapelo	Brick Color (per elevation)	Old Savannah