

Resolution – Amendment to the Architectural Review Board Guidelines

Jim Kelly, Board Liaison to the ARB

October 19, 2017

Background

Recommendation

The ARB has identified areas where the ARB Guidelines need to be amended to provide the Property Owners and the ARB with improved documentation regarding specific circumstances that are either unaddressed or could use clarification. The ARB therefore, has adopted changes, adding language and an application form regarding Memorial Benches and amending language regarding landscape planting requirements.

Proposed Resolution

WHEREAS, It is sound governance policy to review governing documents from time-to-time to ensure consistency with superior governing documents, to identify areas that need updating and to amend as necessary...

AND, WHEREAS, Article 10 of the Declaration of Covenants, Conditions, and Restrictions of the Indigo Run Community Owners Association, Inc. has numerous citations of the Architectural Guidelines and the Rules and Regulations together and treated concurrently. The ARB does not have the authority to establish Rules and Regulations, but the Board of Directors do. Similarly, the Board of Directors do not have the authority to establish ARB guidelines. That authority is delegated to the ARB...

AND, WHEREAS, Article 10.02 of the Declaration of Covenants, Conditions, and Restrictions of the Indigo Run Community Owners Association, Inc. states:

“The ARB is hereby empowered to establish and promulgate architectural and landscaping policies and procedures which must be adhered to by all Owners of Lots and Dwellings, with the exception of the Association, in undertaking any improvement within any Lot, Dwelling, or Common Area.”...

AND, WHEREAS, Article 12.01 of the Declaration of Covenants, Conditions, and Restrictions of the Indigo Run Community Owners Association, Inc. states:

“Subject to the provisions hereof, the Board of Directors may establish Rules and Regulations concerning the use of Lots, Dwellings, and the Common Areas and facilities located thereon.”...

AND, WHEREAS, The ARB has exercised its authority to amend the ARB Guidelines and as said guidelines become part of and directly related to the Rules and Regulations, the Board of Directors have the authority to approve the ARB Guidelines...

NOW, THEREFORE, BE IT RESOLVED, on motion duly made and seconded, that the ARB Guidelines as amended and approved by the ARB and submitted to the Board of Directors was approved on this date, October 19, 2017 and will take effect on November 19, 2017.

MEMORIAL COMMUNITY BENCH **ARB GUIDELINE**

Benches and other forms of memorials in honor of former Indigo Run Residents to be situated within any of the common area properties of the IRCOA Neighborhood Associations (*The Golf Club, River Club, Broad Pointe, The Owners Club, and Berwick Green*), must be reviewed by the IRCOA ARB. Applications for memorials situated on IRCOA Common Property requires *only* approval of the IRCOA Board of Directors. Prior to any consideration by the IRCOA ARB of a request for a memorial location to the IRCOA ARB, the application must be approved by the respective President or Board of Director's representing the Common Area Property Owner, and be in full compliance with the IRCOA ARB guidelines. No application will be considered until approved by the respective Neighborhood Association. Any application to the IRCOA ARB will be made on the *Memorial Community Bench Application* form Exhibit B and include the full estimated submission fee.

While reviewing the *Memorial Community Bench Application*, the IRCOA ARB shall consider its location relative to other existing or proposed memorials, specific locations to be situated **ONLY** on or near leisure trails (not less than 2640 LF apart from another memorial), cu-de-sacs, or common area circles. No other locations will be considered. Such proposed locations should be secluded, private and unobtrusive.

Design and installation specifications must conform to ARB guidelines. Uniform green benches, 10 ft. x 6 ft. hardscape paver pads and dedication plaques will be provided, installed and maintained by the IRCOA. Any approved memorial installations shall be fully funded by the resident sponsoring applicant in accordance with the Memorial Bench Application Estimate (*part of the estimate is to be established at the time of the application reflecting the estimated line item cost breakdown*).

Any future changes to the memorial bench or associated landscape or hardscapes after the initial installation, may be made only after a separate application detailing such changes is submitted to the IRCOA ARB for their review, and approval is obtained.

If the sponsoring resident moves from the community, the IRCOA or Neighborhood Association has the authority to remove the memorial. At the end of the original 5 year maintenance period and subsequent extensions, the applicant will fund another 5 years of maintenance at the prevailing maintenance fee. Failure to fund this future maintenance may be cause for removal of the bench.

MEMORIAL COMMUNITY BENCH
APPLICATION FOR REVIEW

Indigo Run Community Owners Association
103 Indigo Run Drive
Hilton Head Island, SC 29926
Office: 843.689.7300
Fax: 843.689.7304

This application is intended to provide clarity to all parties as to the specification, location, approval, and installation specifics. All applications and installations of Memorial Benches must comply with the ARB guidelines as identified in Section III, Design Parameters, Part D (No. 25), and will be indirectly and fully funded by the Owner Sponsoring Member Applicant through the fee identified by the ARB below. However, the memorial shall be purchased, installed and maintained by the IRCOA and as may be determined by the IRCOA for all such memorials which are requested to be situated within any of the common area properties of IRCOA or Neighborhood Associations.

- Today's Date: _____
- Next ARB meeting Date: _____
- Common Area Property Owner _____
- Owner Sponsoring Member Applicant: _____
- Memorial in the name of: _____

General Location of Bench (Please describe the general location and provide a sketch, map, or plat indicating the desired position, orientation, landscaping, and size of any hardscapes)

DETAIL SPECIFICATIONS HERE INCLUDING ANY MEMORIAL PAVER APPLICATIONS, INCLUDING CONSISTENCY OF INSTALLATION, AMOUNT OF CONTRIBUTION REQUIRED FOR THE BENCH, INSTALLATION, MAINTENANCE OR REPLACEMENT AS NECESSARY, AND CONSISTENCY FOR BRICK PAVERS, ETC.

Memorial Bench Fee Estimates*

Memorial Bench Fee:	\$700
Hardscape Improvement Fee:	\$660
Landscape Improvement Fee:	TBD
Annual Maintenance Fee (5 Yr. Minimum):	\$500
Installation Fee:	<u>\$100</u>
Total Fee	\$1,960 + associated landscaping

**Signature of President of Neighborhood Association, or IRCOA
(Based on Property Ownership):**

(President)

Date: _____

Architectural Review Board (If Applicable):

Comments:

*Review actual fees at the COA office for current pricing.

ARB Guidelines, Section 5 Landscaping, B, Landscaping Guidelines, 2. Planting Criteria, G, as follows:

Existing Language:

“g. Lawn areas shall be integrated into the landscaped areas to provide aesthetic appeal to the overall site. Climate-tolerant sod, such as centipede, zoysia or St. Augustine shall be used.”

New Language:

“g. Lawn areas shall be integrated into the landscaped areas to provide aesthetic appeal to the overall site. Climate-tolerant sod, such as centipede, zoysia or St Augustine shall be used. Areas directly adjacent to the street and/or street curb shall be fully sodded using natural materials to the side property lines. A minimum 10' width of sod from the curb or street is required. Any hardscape materials used in any part of the property such as pavers, stone or marble chips must be submitted to and approved by the ARB.”