



INDIGO RUN

Architectural Review Board

Architectural Design Guidelines

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*Forms & applications can be found on indigoruncoa.nabrnetwork.com

SECTION I Introduction

Indigo Run, a private golf and residential community, is located on the northern part of Hilton Head Island. Indigo Run is conveniently positioned off of William Hilton Parkway (Highway 278) close to schools, shopping and recreation, medical and professional services. 1,517 acres comprise the residential portion of Indigo Run.

A. Vision Statement

Indigo Run is envisioned as a *Premier* residential community on Hilton Head Island because of our congenial people, optimal size and location, and especially pleasing appearance. The manicured grounds, natural beauty, strong sense of community and professional management will retain lifelong homeowners and attract new discretionary buyers. The island lifestyle afforded our residents includes the availability of friendly social activities, excellent event and dining facilities, first class golf, tennis, swimming venues and other attractive amenities. Indigo Run will flourish through a sound fiscal and management plan that develops our reputation as the *Community of Choice* for those seeking an active lifestyle and beautiful home in the heart of Hilton Head Island.

B. Mission of the Architectural Review Board

The mission of the Architectural Review Board (ARB) is to enhance the value of each property owner's investment by guiding the building design process in order to preserve the environmental ambiance and to facilitate a mutual goal of the community. The Architectural Review Board, in its review of the building design and construction process, will not dictate any particular architectural style or hinder personal design preferences but will strive to *ensure a cohesive character* in the communities. Traditional design details may be incorporated in the design but "pure styles" which tend to create disharmony are discouraged whether it be by design or color palette. "Maintenance and enforcement of covenants are not the prevue of the ARB"

C. Organization of Architectural Review Board

Membership/Liaison/Advisors/Assistants

The Architectural Review Board shall consist of not less than three members that are Indigo Run property owners. The number of members of the ARB may increase at the discretion of the IRCOA Board of Directors provided Property Owners always represent the majority. The IRCOA Board of Directors shall assign a director to serve as liaison to the ARB and attend ARB meetings. Advisors and assistants to the ARB may be retained and consist of consulting architects, landscape architects, urban designers, engineers, inspectors, attorneys, other professionals, and/or one or more Indigo Run COA staff personnel acting as ARB administrator and/or field support to advise and assist the ARB in performing its function as defined by the covenants and governing documents. Maintenance and enforcement of covenants are not the purview of the ARB.

Appointments

All members of the ARB shall be appointed by the IRCOA Board of Directors as provided herein however, any member may be removed with or without cause by the IRCOA Board of Directors at any time as provided in Article 10.02 of the Declaration of Covenants, Conditions & Restrictions of the Indigo Run Community Owners Association, Inc. The property owner members shall not receive any compensation for their services to the ARB. Advisors, assistants, or Indigo Run COA staff assignments must be approved by the General Manager.

Chairperson

The chairperson shall be selected by all appointed members of the ARB. Duties of the chairperson shall include but not be limited to running the ARB meetings, authorizing the actions of the ARB, reviewing all correspondence and notices before distribution, signing plan submittals and recommending members for service on the ARB to the IRCOA Board of Directors for their appointment. The term of office shall be for one year.

Vice Chairperson

The vice chairperson shall be selected by all appointed members of the ARB. Duties of the vice chairperson shall be to perform the duties of the chairperson in the absence of the chairperson. The term of office shall be for one year.

Term of Appointments

Terms of the property owners on the ARB shall be for three years and are to be staggered to provide for continuity. Property owners may serve on the ARB for no more than two full consecutive terms. The consulting Architect and consulting Landscape Architect shall serve at the pleasure of the ARB. There is no term or limit on the time the staff field person or the staff ARB administrator serves on the ARB.

Voting

A majority of the members shall constitute a quorum for the transaction of business, and the affirmative vote of a majority of those present (including participating by electronic or proxy means) at a meeting of the ARB shall constitute a quorum for the transaction of business. A tie vote by the members shall constitute a non-approval of the submission. All decisions of the ARB are final. The ARB shall have the sole discretion to determine whether plans and specifications submitted for approval are acceptable.

Consultant Architect/Designer

Prior to each meeting of the ARB, the consultant architect or designer shall review each applicant's submission (if required) and prepare a list of comments summarizing his/her evaluation of the architectural aspects of the proposed project. These shall include, but not be limited to:

- Architectural compatibility within the Indigo Run community

- Conformance with Indigo Run’s architectural design guidelines and covenants
- Issues involving potential violations or deviations from the above

The list of comments shall be given to the ARB Administrator who shall distribute them to all other ARB members prior to each meeting.

A consulting architect or designer serves at the pleasure of the ARB. The ARB members will conduct a performance review annually.

Tasks of the ARB Administrator

The Architectural Review Board Administrator shall undertake the following tasks:

1. Receives and processes all applications to the ARB which includes:
 - Pre-review screening of plans to determine adequacy of submission and conformance with applicable covenants, restrictions, guidelines, policies, and standard procedures.
 - Providing notification to applicants of submission deficiencies or infringements, prior to board review and to work with the applicant to achieve satisfactory submission.
 - Collecting and recording of appropriate application fees and deposits.
2. Based on the submittals received by the deadline submittal date, create the meeting agenda and immediately forward it, electronically, to all ARB members.
3. Meets with applicants, their design professionals, or builders during the approval process, when necessary, to assist them in understanding ARB decisions, and advise them of board requirements in order to meet Indigo Run’s standards, guidelines and pertinent covenant provisions.
4. Represent the ARB to Property Owners, architects, builders, and the general public.
5. At the directions of the ARB, refer violations of the ARB Guidelines on existing developed properties to the General Manager for appropriate action.
6. Prepare and distribute correspondence concerning the ARB’s decisions/actions as directed by the ARB Chairperson.
7. Prepare and distribute permits and any other documentation deemed necessary to the owner or applicant to indicate approvals in accordance with policies and procedures.
8. Arrange for payment of stipends to professional consultants to the ARB.
9. Maintain all files and records relating to review ARB business and activities including archives, correspondence, fees, and other data as needed.
10. Prepare and electronically distribute minutes of meetings to ARB members. All ARB minutes are permanently kept in digital form for General Manager review.
11. Perform such other tasks as assigned by the ARB upon approval by the General Manager.

Tasks of the Field Person

Duties of the field person shall include review of plans prior to each meeting of the ARB, so as to be prepared to discuss each application at the meeting; review and approval of site stake-out and clearing of trees, which shall be in strict accordance with the approved site plan; make periodic site inspections of the construction to assure compliance with the ARB approved plans and guidelines; attend ARB meetings to provide information about site conditions.

Consultant Landscape Architect

Prior to each meeting of the ARB, the consultant landscape architect shall review each applicant's submitted landscape plan and prepare a list of comments summarizing his/her evaluation of the plan in accordance with Indigo Run's landscape guidelines and any specific recommendations. The list of comments shall be given to the ARB Administrator who shall distribute them to all other ARB members prior to each meeting. The Consultant Landscape Architect serves at the pleasure of the ARB. The ARB members will conduct a performance review annually.

Submittals

In order to be placed on the agenda of an ARB meeting, one (1) copy of all required documents and one (1) copy of plans (whether for conceptual, preliminary, or final approval) must be submitted and delivered to the staff ARB Administrator at the Indigo Run Community Association Office by noon on the Friday prior to the scheduled meeting. Failure to do so will prevent inclusion on the agenda for that meeting. Furthermore, in addition to the above, and prior to being placed on the agenda for final approval, the property must be staked out to show the location of the house, drives, and trees to be removed, by noon on the Friday prior to the meeting.

Complete applications shall be considered for approval at the sole discretion of the ARB. However, with the approval of the General Manager, staff may approve applications when urgent circumstances exist which threaten persons or property. All such approvals will be ratified by the ARB and entered into the minutes of the next regular ARB meeting. Resubmission of applications must include a narrative that contains a response as to whether requested change is being made, as well as providing the drawing number and revision number, if applicable, where the change is made. Any submission without narrative and area of change clearly marked will be returned without review. If a change is not made, the applicant must provide a reason. A complete set of corrected plans or corrected pages must be added, and old sheets removed, by applicant from the set originally supplied showing all proposed changes. Failure to obtain ARB approval prior to the commencing of any project will result in a penalty of 20% of the verifiable project costs up to a maximum of \$3000.

If other circumstances exist where the scheduling of regular ARB meetings may create a particular hardship or practical difficulty for the property owner, the General Manager at his/her discretion, may initiate an *Action Taken Without a Meeting* consistent with Article VIII, Section 5 of the Bylaws whereby the ARB may approve an application via email or any means consistent with the governing documents and South Carolina law. The result of the *Action Taken Without a Meeting* shall be included in the meeting minutes of the ARB.

SECTION II

Architectural Review Board

All projects reviewed by the ARB are evaluated with consideration of the governing documents for the subject property, aesthetics and current policy. Approvals are not precedent setting. The ARB is not responsible for the enforcement of building codes, structural details, and accuracy of drawings and techniques of construction. Submissions may be disapproved for purely aesthetic reasons as deemed contrary to the mission of the ARB. Neighborhood governing documents will be applicable to any application in the respective neighborhood.

In general, a written response is generated following each review. While letters of denial may be necessary, the ARB will make every effort to meet with applicants to explain the reasons for denial and avoid misunderstandings of the ARB's concerns and reasons for denying the application. The ARB, through its Chairman/Administrator will strive to review issues in a constructive and positive manner.

In the event the ARB fails to approve or disapprove in writing any proposed plans and specifications within sixty (60) days after such plans and specifications have been submitted, such plans and specifications will be deemed to have been expressly approved.

There is a non-refundable review fee for all construction at Indigo Run. See the schedule of fees in Section IX.

ARB home approvals are valid for a period of 60 days from date of approval. Should construction fail to begin within this period, the ARB may require the plans to be resubmitted to assure conformity with current requirements/guidelines. Homes must be completed within 18 months of the issuance of the permit. Failure to complete the project within the 18 months may result in fines.

ARB pool approvals are valid for a period of 60 days from date of approval. Should construction fail to begin within this period, the ARB may require the plans to be resubmitted to assure conformity with current requirements/guidelines. Pools must be completed within 4 months of the issuance of the permit. Failure to complete the project within the 4 months may result in fines.

ARB hardscape and/or landscape approvals are valid for a period of 60 days from the date of approval. Work must be completed within 2 months. Failure to complete the project within the timeframe may result in fines.

ARB approved roof replacement or color changes must be completed in 21 days upon start of project.

Other renovation projects will be assigned a completion date by the ARB based on their complexity. The completion date will be assigned prior to the issuance of the permit. Any disagreement with the assigned completion date must be resolved before the permit is issued.

SECTION III Review Process

A. General

Construction within Indigo Run, including site preparation shall not begin before the following has been accomplished:

- Final plans have been approved by the ARB
- The builder/owner deposit has been paid
- Receipt of signed Drainage and Tree Compliance Agreement (Section IX)
- Receipt of signed Compliance Deposit Agreement (Section IX)
- Issuance of Indigo Run Building Permit
- Issuance of the Town of Hilton Head Island Building Permit

All proposed construction requires the submission of a completed, signed and dated application with the appropriate fee. Plans will not be reviewed without the completed application and requisite fees paid. See ARB Fee Schedule in Section IX.

To provide a systematic and uniform review of proposed construction, the Architectural Review Board has established the following submission and approval guidelines.

B. Stages of Plan Review

All stages of review will require on-site visits by an ARB representative. The ARB reserves the right to visit the site at any time in the review and construction process.

1. **Conceptual Review** - This is the initial review stage of every application and is intended to facilitate collaboration with the ARB and the applicant to establish a basis for Preliminary Plan Review and eventual final approval. However, should the applicant wish to forego this stage and begin with the Preliminary Plan Review stage, all provisions of Sub-Section 2 below must be met, along with the requirements of this sub-section. The following is required at the initial meeting with the ARB:

During this first review stage, the owner (or owner's representative) may attend the ARB meeting to make a presentation and discuss the project with the ARB. Placement on the agenda will be coordinated only through the ARB Administrator. If the application is for a new house or any improvements, the submission should contain the following:

- Information depicting the exterior of the proposed structure, e.g, if the application is for a house addition, swimming pool, or other major improvement, the above requirements shall also apply.
- Information as to the type of materials proposed.
- A scale drawing of the site plan with the footprint of the structure shown within the lot setback lines.
- On this site plan, an area table, as described in "Preliminary Plan Review" (#2 below) under Site Plan (paragraph 13) must be included.
- Any desired Variance shall be considered at this stage. See Section VII for more details.

If the project involves, repainting, re-roofing, landscaping, or a similar minor improvement, appropriate plans, details, color samples, and other pertinent information shall be submitted.

Acceptable representatives are either the design professional or the proposed builder.

2. **Preliminary Plan Review** - Once conceptual approval has been granted, the applicant may submit for Preliminary Plan Review which shall be a fully completed application form accompanied by the appropriate ARB submission fee (see Fee Schedule in Section IX of the guidelines). In addition, the Preliminary Review submission shall include the following:
 - a. **Site Plan:** A site plan prepared by a professional engineer or land surveyor must display a professional seal and signature. The site plan must show all information at a scale of $\frac{1}{8}'' = 1'-0''$ as to the proposed improvements to the property, including:
 - (1.) Property lines with bearings and distances.
 - (2.) Building setbacks, existing utilities and easements.
 - (3.) All trees (indicate size and species) of 6 inches in diameter or larger (measured at a point four (4) feet above the ground level), and clusters of smaller trees that may influence design and appearance. See Section V for tree protection standards. Show the outline of canopies of remaining trees that are in close proximity to the building.
 - (4.) Topographic contour lines at one-foot contour intervals.
 - (5.) Existing ditches, water courses and drainage structures.
 - (6.) Edge of pavement of existing roads.
 - (7.) Water edge, water level and top of bank, if applicable.
 - (8.) Location of DHEC/OCRM Critical Line, if applicable.
 - (9.) Location of existing and proposed bike/cart paths, driveways, garden walls, fences, swimming pools and any other features which could influence design
 - (10.) Finished floor elevation and the locations and finished floor elevations of houses/buildings on adjacent lots.
 - (11.) North arrow, scale and name and address of legal owners.
 - (12.) Location plan showing this proposal in relation to the Indigo Run community.
 - (13.) New homes must provide a streetscape view of the proposed home and adjacent properties.
 - (14.) Area Table showing the following. See ARB application form.
 - a) Interior square foot area per floor, including garage; indicate total.
 - b) Total exterior square foot area of covered porches, decks and patios.
 - c) Total square foot area of hardscape (driveways, walks, pools, etc.).
 - d) Percent dwelling lot coverage (items a. & b. above divided by the lot area).
 - e) Percent impervious lot coverage (items a, b, & c. above divided by the lot area). Maximum 38%.
 - f) Height of building above finished 1st floor elevation.

b. Photographs: 8"x10" color photographs of the front and rear elevations of the lot proposed for development and the lots/buildings on either side of the subject property; total of 4 photographs, labeled accordingly. These may be digital photographs printed on standard paper.

c. Building Plans: These shall be at a scale of 1/4" = 1'-0" and shall include floor plans, elevations, and overall height of the structure from pre-construction grade to the highest roofline.

3. **Final Plan Review** - In order to be eligible for Final Plan Review, a stakeout of the entire perimeter of the building, driveway and other proposed structures must be made. The applicant shall notify the ARB administrator when this is complete and available for review by members of the ARB before submitting the documents required for Final Plan Review, which shall include the following:

a. Site Plan: A site plan prepared by a professional engineer or land surveyor must display a professional seal and signature, show all the information required for the preliminary site plan submission and all improvements to the property, including:

- (1.) Exterior building walls, raised decks and terraces, edges of roof overhangs.
- (2.) Trees proposed to be removed shall be indicated with an "X." Tree protection must be included for at risk trees.
- (3.) Dimensions and materials for driveway, walks, patios (acceptable material is concrete, brick, pavers; bituminous concrete of any type is not permitted) and miscellaneous site improvements including service yards, fences, privacy walls, water features, swimming pools, pool enclosures, etc. (See Paragraph g. below for additional submittal information required when proposing a swimming pool.) Paver/brick bands and aprons are required for all driveways and parking areas, new and rebuilt.
- (4.) Site utilities including water, sewer, electric, cable TV, telephone and exterior HVAC units; include meter, transformers, generators, etc.
- (5.) Location and wattage of all outside lighting. Exterior lighting shall not be directed in such a manner as to create an annoyance to adjoining properties. Indicate type and wattage of all fixtures and the direction of light throw. The maximum. The maximum wattage of exterior lighting is 75 watts incandescent or LED equivalent per fixture.
- (6.) Location of dumpster, portable toilet, silt fence, and materials staging areas. (If materials are to be staged or workers vehicles are to be parked on other than the subject property, a letter of permission from the owner of the property must be included with the final submission.)

b. Grading and Drainage Plan

This plan shall be prepared by a South Carolina registered professional engineer or registered landscape architect and shall include the seal and signature of the professional. It shall be coordinated with the landscape plan to ensure compatibility with existing trees to remain, proposed plantings and other landscape features. A separate site plan shall be submitted showing both original and final grading

contours at a minimum of 1-foot intervals (1/2-foot intervals may be necessary for very flat sites), spot elevations at appropriate locations and drainage details (direction of flow arrows, pipes, catch basins, swales, etc.) to clearly show the proposed final grading of the site and its drainage pattern so that no storm water runoff will be directed to adjacent properties. Earthen berms created to direct the drainage flow are not allowed. Only *excavated swales* to collect and direct the drainage flow are allowed. Tree wells are prohibited. Include proposed trees to be removed and protection of trees to be saved. Attention should be given to the concentrated runoff from roof valleys and gutter downspouts, which may need to be directed by an open drainage system to prevent flows onto adjacent properties or otherwise prevent soil erosion or damage to landscape. In certain cases where no lower areas are available to direct the runoff, retention basins may need to be constructed on site. The ARB reserves the right to request a new or updated drainage plan anytime revisions (i.e., swimming pool, patio installation, etc.) will affect the approved, existing drainage plan.

At the completion of the work provide an as built, combination site and drainage plan with setbacks showing the location of the house as well as the contours of the lot. The as built drawing shall be on 24" x 36" paper and be at a scale of 1/8" = 1'0". The plan shall be prepared by a professional engineer or land surveyor and shall be signed and sealed. If there is any discrepancy from the original approved plan it will be cause for review and may require correction before the project is accepted by the ARB. The construction deposit shall be refunded upon satisfactory completion of all construction, including the grading and drainage work. The ARB reserves the right to make its own inspection of the work.

c. Building Plans

- (1.) Foundation and Framing: Show the plan, location and sizes of foundation and framing elements, including raised decks and terraces, with dimensions from all outer edges to property lines.
- (2.) Floor Plans: Show all levels, fully dimensioned.
- (3.) Elevations: Show all sides of the buildings. Label the existing and proposed grades, fill and finished floor elevations. Graphically depict and label all material selections for trim, siding, railings, windows, French doors, chimney, chimney cap, foundation, and entry steps. Show location of exterior light fixtures on elevations; also show location of satellite dish, if any. Show final grade lines on elevations. The exterior elevations are of particular importance and therefore, show full dimensions of the cornices, corner boards, water tables, quoins, window trim, door trim, columns, railings, spindles, and other appropriate details including colors.
- (4.) Building Section and Details: Show typical wall section, and details from bottom of footings through roof along with typical sections and/or details of cornices, window and door head, jamb and sill, decks and railings, swimming pool fences, patio walls, screening devices and other features (i.e.: dormers, pediments, columns, sections through unusual framing and construction).

d. Building Materials and Colors

In selecting colors, all exterior colors should blend with the surrounding environment and not contrast with it. Samples of all exterior materials, colors and finishes (siding, trim roofing and other appurtenances; color samples only for windows, doors and shutters) shall be submitted. See the ARB Application for Residential Construction to submit colors: one board for each color, each finish, and the roof surface. Should stone, brick or other masonry be proposed, a reasonably-sized sample shall be submitted. Samples of the ARB approved colors are available in the COA office.

e. Electrical Plans

These shall include the proposed exterior electrical layouts for the building, including location of the electric meter within the service yard, locations and specifications of exterior lighting and security lighting and any other proposed electrical equipment for swimming pools, water features, etc. Plans should include bulb wattage or equivalent for exterior fixtures.

f. Landscape Plan

This plan shall show an accurate scale representation of the size at time of maturity. Indicate proposed grading, irrigation and drainage including all spot grades necessary to ensure proper function and construction. Landscape plans must be prepared and coordinated with the drainage plan at the same scale as the final site plan and shall include: variety, size, location, quantity and names (common and botanical) of all plant material. Show types and limits of lawn areas. Vast areas of mulch are discouraged. See Section V B.2.g. for details.

g. Swimming Pool Plan Requirements

The site plan for a swimming pool must be submitted as part of the Final Review and shall include the following:

- A site plan to scale showing, by dimensions and elevation, the relation of the pool and pool deck to the property lines, setback lines, and house. Show existing and new finish grade contours, drainage flow, and tree removals. (NOTE: The setback from any property line to a swimming pool, including the deck, is 10 feet.)
- Photographs of the area of the proposed pool including the existing landscape, trees, and natural growth.
 - Pool and pool deck dimensions.
 - Elevation (AMSL) of pool deck and finish floor elevation of house.
 - Location(s) of stairs or steps from house to pool deck.
 - All pools will require a pump down dry well.
 - Location of all pool equipment and backwash drywell.
 - Details, dimensions and materials of the service yard that will house the pool equipment.
 - Structural section through pool and deck indicating depths and materials.
 - Samples of materials with proposed colors: tile, coping, and deck finish.

- Barrier fencing, if desired, must be compatible with the architecture of the house. See Item #14 under Section IV, Design Guidelines.
- Landscape changes and additions. Significant landscaping may be required if pool is adjacent to golf course or other common public areas.
- Locations and types of pool and deck lighting.
- Define other features: spa, waterfall, pergola, trellis, etc.
- Indicate route of mobile equipment access to pool site.
- Describe disposal of excavated earth.
- New or updated topo & drainage plan for affected area (to accommodate pool) signed & sealed by a South Carolina registered professional engineer or registered landscape architect.

Swimming pool enclosures and other accessory structures are only permitted within the buildable area inside the house setback lines. However, they shall be designed and constructed to be integrated into the style of the house so as to be in architectural harmony with it. Metal-framed screened pool enclosures, rooms, lanais and the like are not permitted. Custom-built screened pool enclosures and similar structures that are constructed of the same materials and have the same architectural features of the house will be considered by the ARB. Design shall be such so as to not adversely impact neighbor's sight lines.

C. On-Site Stake Out

After all conditions for final review are met and before lot clearing can commence, a stake-out of the building, drives, and service yard must be installed and approved by an inspection performed by a representative of the ARB. For stake out review, the property lines and foundation perimeter must be materialized on the site by a series of stakes (a minimum of 3 feet exposed) connected by string. Trees to be removed are to be flagged with red flagging ribbon. In no case or for any reason shall any tree removal or site clearing commence without an Indigo Run building permit.

D. Issuance of Permit to Build

The Indigo Run permit to build will be issued after the on-site stake-out inspection has been made provided that the site conditions comply with the approved status of the final review and that all deposits have been made. NOTE: Owner/contractor must provide a copy of the Town of Hilton Head Island Building Permit. Both permits shall be prominently displayed and viewable from the street.

E. Progress / Completion of Project Inspections

The progress of construction will be monitored to ensure that compliance with the approved project's design as submitted for review is taking place and completion within the allotted time permitted. If project cannot be completed in the allotted time frame as established by the ARB guidelines or as assigned by the ARB, a written request for an extension must be submitted. The letter must contain the reason for an extension and the amount of time being requested to complete the project. The request must be made prior to reaching the original completion date and with sufficient time for ARB to review before the existing allotted time frame is exhausted. Granting an extension is at the sole discretion of the ARB. After reviewing an

extension request, the ARB shall determine if any fines or additional permit fees are necessary. No property owner shall be permitted to occupy a dwelling, major addition, or swimming pool, on a temporary or permanent basis, until it has been completed according to the ARB approved plans and specifications, a Certificate of Occupancy has been issued by the Town of Hilton Head Island and an occupancy approval has been obtained from the ARB or its authorized representative. For a swimming pool, a pool completion certificate will be required prior to use. Home completion (including landscaping) is to be the earlier of 18 months after the issuance of the ARB Final Approval, or 90 days after the issuance of the Certificate of Occupancy, whichever occurs earlier.

F. Request for Inspection

Upon completion of new home construction, see Section IX, *Compliance Deposit Agreement* for return of deposit.

The request for inspection of any type, with a minimum notice of one full business day, should be made by calling the COA Office at 843-689-7300.

1. Any construction, renovation or building modification that would change the footprint, height or color of an existing structure.
 2. Any demolition or razing of an existing structure.
 3. The construction of any new building (as to the exterior elevation, construction and height). Under no circumstance shall any new construction exceed the height of the tallest existing building located on the property where the new construction is proposed.
 4. Changes to current lighting on golf courses and buildings.
 5. Projects requiring heavy equipment in excess of 39 tons that will be parked on the property for more than one (1) week.
 6. The erection of any cellular or other communication tower where the height of the proposed structure exceeds the top of the tree line in the area where the tower is to be placed or exceeding 55 feet in height in areas where trees do not provide cover for the structure.
 7. The erection of any above-ground water storage or retention facility. Below ground or ground level water storage facilities such as lagoons and catch basins may be constructed without the requirement of the ARB approval, provided that any screening, berms or landscaping around such a facility must be approved unless wholly consistent with the features of the surrounding area.
- B. No construction of improvements shall be undertaken or conducted on any Sunday or community holiday except in emergency situations involving potential loss, injury, or damage to person or property, as otherwise permitted by the ARB.

C. Building Maximum:

Although maximum building sizes are not specifically established, the ARB will consider mass and bulk of a structure and may, at its sole discretion, disapprove a submittal that is inappropriate for the site due to the incompatibility with other neighboring structures. Generally, a maximum of one square foot of footprint covered area to 4 square feet of lot area will be considered reasonable. Since volume is a consideration when evaluating a structure for mass and bulk, second story living spaces shall be included for purposes of calculating the ratio of covered area.

D. Design Parameters

1. The Golf Club Community residences shall have a minimum distance of 3.0 feet from finished floor to the existing grade (within the building area) and a minimum of 2.0 feet of exposed foundation wall at the entrance elevation. The Broad Pointe, Golden Bear and River Club Communities shall have a minimum of 1.5 feet from finished floor to the existing grade with a minimum

of 1.0 feet of exposed foundation at the entrance elevation. These elevations pertain to lots above flood requirements. The ARB encourages an “elevated” appearance on the entry elevation. The Golf Club, River Club, and Broad Pointe communities are restricted so that no building shall be constructed that is identical to any other previously built in those respective areas. Any minor or cosmetic changes to an existing home design exterior, which for all intents is the same design, will be considered identical. This interpretation will be at the sole discretion of the ARB.

2. The maximum height from the heated finished floor elevation to the highest roof ridge is 35 feet, based on the assumption that the heated floor elevation is the FEMA base flood elevation plus 1 foot of “Freeboard”, if this is deemed the minimum required floor height by FEMA for the designated flood zone. If the minimum FEMA requirement is the FEMA base flood elevation plus 1 foot, plus the depth of the “House Floor System,” then the maximum height from the finished floor to the highest roof ridge shall be 35 feet plus the “*floor system depth.*”
3. The minimum roof pitch of the main roof for all residences shall be 6/12. Architectural roofing materials must be approved by the ARB. If fiberglass shingles are used, colors and configurations that do not call attention to the roof must be chosen. Metal roofs must be standing seam of a minimum gauge. Porches and other non-main roof areas less than 6/12, but greater than 4/12 where 6/12 cannot be achieved, must be standing seam metal.
4. Asphalt drives and parking areas are not permitted. A minimum 12-inch drainage culvert may be required under drives at the street. A larger culvert may be necessary and will be determined through a field inspection. Field inspections may also determine that a culvert is unnecessary. Large areas of concrete in the driveway must be mitigated. Refer to Section V, Part B, 3-a.
5. Vertical flagpoles are permitted. They must be made of spun aluminum and be of a size and scale compatible with the house. They must be placed on a spot marked by the ARB and surrounded by a landscaped island which also has been approved by the ARB. Submit the manufacturers installation instructions along with their wind rating limits, to the ARB for approval. They may be placed up to 10’ outside the front and rear seatbacks but must be within the side setbacks. Displaying of the flag must follow the all-flag protocols which include, but are not limited to proper illumination during the hours of darkness. The method of illumination that you will be using must be submitted to the ARB for approval. House and tree mounted flags, do not require an ARB permit and their approved locations are spelled out in the rules and regulations. They must also adhere to all flag protocols.
6. Any permissible outbuildings on a lot such as pool houses, detached garages, greenhouses, gazebos, and the like, must be compatible with the main house and within setback lines. Outbuildings must be harmonious in materials and colors of the house. Garages should be connected to the house by a covered passageway. The ARB requires a detailed drawing of any outbuilding as part of the approval process.

7. Exterior lighting should not adversely affect neighbors. If eave lights are proposed on outside extremities of a structure, they must be activated by motion detectors and must be directed to shine within the property boundaries. Unobtrusive decorative low voltage and solar light fixtures for low-level landscape, up-lighting and path/driveway lighting are permitted. Maximum height is 24” above ground level. Junction boxes should be placed to minimize their visibility. When down lights are used, the projected beam of the light must not leave the property.
8. The River Club and Broad Pointe residences, and other areas where applicable, may be reviewed as to their compatibility with the DHEC/OCRM and FEMA guidelines. Docks and bulkheads shall meet regulations of the governing agencies. Docks shall maintain a 25’ setback from the dock corridor established for their corresponding lot.
9. Masonry (stucco, brick, or stone) will be the primary exterior finish and shall appear on all elevations including chimney if applicable. For purposes of definition of this requirement, the ARB requires that masonry be the predominant exterior finish on each of the four elevations. Hardy board is acceptable but only as an accent on exterior finish.
10. Landscape plans shall be sensitive to the natural local conditions including factors such as water consumption requirements and wildlife considerations, especially the foraging habits of the local deer population. Irrigation and natural sod shall be extended to the area along the road. See Section V of these guidelines for a details.
11. All residences will be reviewed as to their compatibility with the OCRM and FEMA guidelines, etc., although enforcement in these areas is handled by other agencies.
12. Dishes should not exceed one (1) meter in diameter or diagonal measurement. The criteria for location approval is reception ability and screening from view. The device shall not be seen from the street. Every effort should be made to obscure the dish from other viewing areas. If placed on the ground, proper landscape screening is required. Antenna wires shall not be visible and shall be concealed within the structure of the house or buried under ground.
13. Fences or fence structures are prohibited. The sole exception is for fences around swimming pools, and in-ground hot tubs. Pool fencing (48” maximum height) shall consist of wrought iron appearance with masonry columns every 8 to 12 feet apart, evenly spaced. The columns must be compatible with the main house architecture. The location, design, materials of construction, color and aesthetic appropriateness will require ARB approval. The maximum amount of allowable fencing will be only enough to enclose the pool area. Chain link fencing is prohibited. Buried electronic pet fences that provide an invisible barrier to confine pets are permitted.

Temporary Fencing/Plant Covers - Temporary deer fencing to protect immature plants is permitted. Such fencing must be no more than 42” above ground level and must be earth toned (unobtrusive). The fencing should be removed as plants mature. Fence posts likewise must stand no more than 42” above ground level and must be earth toned. Temporary plant covers may be utilized in periods of extreme cold/frost. Covers may not be seasonal and must be removed when the frost advisory is lifted.

14. In accordance with the Amended and Re-Stated Declaration of Covenants, Conditions and Restriction of the Indigo Run Community Owners Association, Inc., Article XI, Use Restrictions, Part 11.06 Antennas and Transmitters, the following types of electronic transmitters are approved for operation: remote control devices, wireless routers for in-home networks, gaming and audio/visual devices; however, any of the foregoing generically approved transmitters may be prohibited from operation, in an individual circumstance, by the General Manager if such transmitter interferes with other properties in Indigo Run.
15. No building or its signage will use the Indigo or Indigo Run names without written permission from the COA.
16. Solar panels and related appurtenances/equipment shall be reviewed on an individual basis and if approved, shall be designed and constructed to appear as integrated parts of the building architecture.

A non-refundable application fee will be required as well as a refundable compliance deposit.

A. Solar panels

1. Only roof mounted photovoltaic solar panel systems, solar shingles and solar hot water collector systems will be considered.
2. Solar panels may extend no more than 4 inches above the level of the roof.
3. No solar panel application will be considered that is mounted on the front roof slope or can be seen from the front of the house.
4. All plumbing pipe and wiring must be kept to the interior of the house.
5. Every effort should be made to coordinate the colors of the panels and adjoining roof.

B. Other accessories and appurtenances

1. No accessory application will be considered that is mounted on the front roof slope or can be seen from the front of the house.
2. Multiple like-accessories should be located so they appear grouped, rather than randomly placed.

C. Application for Construction

1. No approval will be given for tree removal to increase sun exposure for the solar panels. Tree trimming within current guidelines will be allowed.
 2. A detailed plan of the scope of the project must be included with the application. This will include:
 - i. A plan, drawn to 1/4" scale, showing the size(s) and location(s)
 - ii. The size of the panels should be in proportion to and determined by the amount of roof area available.
 3. Photo(s) representation of the product such as a brochure.
 4. The total overall appearance of the project will be considered as part of the ARB review.
 5. All work must be done by an insured contractor who is currently licensed on Hilton Head Island.
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17. Garages – All houses must be designed to include and contain an attached garage sized large enough to accommodate a minimum of two (2) motor vehicles for the purpose of providing an enclosed parking area for same. The maximum number of motor vehicle spaces in a garage is at the discretion of the ARB.
 18. Awnings - All awnings and other similar devices attached to dwellings must be compatible and unobtrusive in both design and color (earth tones acceptable to the ARB) with the existing structure. Location, sample, and complete design must be provided to the ARB.
 19. Service yards are required and must be built to provide for two (2) trash receptacles in addition to air conditioning units, etc. and have outside egress. Service yards must be a minimum of 6 feet high. The door of the service yard shall not face the street. The floor plan must show the accurate size of each HVAC unit and electric meter base, cable, TV, HVAC cut offs, irrigation controllers, etc. All service yards must be constructed in a manner to prevent the viewing of the contents (all doors must be solid). Service yards may extend beyond the building setback line with ARB approval.
 20. Lightning rods are permitted. All measures should be taken to make lightning protection less noticeable including no cables or wires on front elevation of home. Decorative finials cannot be used as air terminals. Installation details must be submitted to the ARB with a picture of the type of rod being installed.
 21. Any vertical construction outside of the building setback line shall not exceed 18 inches unless approved by the ARB.
 22. Proper screening for all exterior mechanical equipment and tanks must be submitted to the ARB for approval.
 23. Generators -- Installation of permanent generators requires written approval by the ARB. Such submission must include: generator specifications, an

approved fuel storage system or method indicating the maximum amount of fuel to be stored, and appropriate 1/8" = 1' site plan and 1/4" = 1' details and plans to properly reflect the intent of the proposed installation. All permanently installed generators, including a required insulated sound box and associated equipment, must be located within an approved service area. Installation of the generator, associated equipment and the enclosures, must be completed in accordance with locally adopted codes, utility company requirements and should consider appropriate safety requirements referenced in NFPA standards. All automated or manual maintenance exercise cycles of the generator must be limited to between 9 a.m. and 5 p.m., and not on holidays and weekends. Temporary generators may be used during declared emergency situations and are permitted without ARB approval.

24. Play/Recreation Equipment -- Play equipment installed on any part of the property outside of the dwelling which is structurally permanent in nature, and used for recreation or play, must have approval of the Architectural Review Board (ARB) prior to installation. Locations must be sensitive to visual impacts on street and neighboring property, including golf courses and common areas.

Such play equipment includes, but is not limited, to:

- Basketball backboard and hoop (Only portable, no permanently affixed are allowed)
- Swing set
- Gym set
- Slide or teeterboard (seesaw)
- Trampoline
- Soccer goal set
- Lacrosse goal set
- Golf or other target/goal
- Horseshoe court
- Sandbox

Semi-Permanent Play Equipment:

Play equipment must be nature blending in color. Natural finish or earth-toned components are preferred. Bright color metal, plastic or fabric components will not be approved. Examples of semi-permanent play equipment:

- Volleyball net and court
- Badminton net and court

The preferred location for play equipment is in the rear yard area directly behind, and as close as possible, to the house. The property owner shall take into consideration proximity to adjacent neighbors' view and recreational areas relative to the type of play activity. Approved play equipment may only

be used during daylight hours after 7:00 a.m. After dark activity is prohibited. Play must always be mindful and respectful of the neighbors.

Play equipment must be maintained and kept in the condition for which it was originally endorsed by the ARB.

Such equipment should be removed from the property (or stored) when no longer in use. (Example: If a minor child has used a basketball hoop in the driveway and has now moved or gone to college, then the item should be stored or otherwise removed.)

Personal exercise equipment may be used outside the home on a temporary basis, provided it is located in a location on the property that avoids direct visibility from the street. However, such equipment must be stored when not in use and at night, either in the home or in a garage.

Tree houses, playhouses, swimming pool diving boards/slides and skateboard ramps are prohibited.

25. Skylights: There shall be no skylights permitted on any elevation facing a street.
26. Outdoor Kitchens – Outdoor kitchens and built-in barbecues shall be placed in the rear yard only, adjacent to the house or patio within setback lines, and shall not extend laterally past the side of the house unless approved by the ARB. Any cooking equipment under a patio roof or inside a screen or glass enclosure must meet requirements for exhaust ventilation. Installation of roof-mounted equipment is not permitted.
27. Outdoor Fireplaces - Permanent outdoor fireplace plans must be submitted for review and approval. Construction must meet all building codes. Exterior finish must consist of materials and colors harmonious with the house.
28. Vinyl pane (rather than glass) exterior windows are not permitted.
29. Rain gutters and downspouts must match the color of the area they are placed against.

SECTION V Landscaping

A. General

In order to assure all residents of Indigo Run that our residential community will continue to be an attractive and pleasant place to reside, the ARB requires a landscape plan for all new residential construction, including additions, swimming pools and other exterior at-grade modifications. For new construction, an additional compliance deposit of \$1000 will be required if a final landscape plan is not presented at final plan approval of project. Owner will have six months from date of final house plan approval to submit a final landscape plan. The landscape plan will be reviewed concurrently with the building and drainage plans. The ARB reserves the right to request changes prior to final installation. As the landscape matures, any in-kind replacements are acceptable without prior approval. Changes to the original approved plan or the existing landscape where the visual appearance is significantly altered must be submitted in writing pursuant to ARB requirements and will require approval of the ARB upon determination of the IRCOA staff. Check with the ARB Administrator for guidance.

Successful plantings can be made year-round on Hilton Head Island, but the best planting timeframe is generally from October to May. All plantings must be complete within 18 months of the construction start date or within 90 days of occupancy, whichever is earlier. Prior to the start of any work, all contractors must request an underground utility location by visiting www.sc811.com and submitting the appropriate ticket. Upon successful completion an inspection of all work at the site in accordance with the approved plans, the deposit will be refunded accordingly.

After Landscaping Plan final approval, any significant changes requiring additional review will be subject to additional fees. Please consult the Submission Fee Schedule for the actual fee.

B. Landscaping Guidelines

It is strongly suggested that applicants familiarize themselves with these guidelines prior to formally preparing a landscape plan, in that it shall be prepared according to the following criteria:

1. Preservation of Existing Vegetation

- a. Preservation of existing trees and their canopies is of the utmost importance. While a heavily wooded lot might benefit from selective thinning, all trees having a diameter at breast height (DBH = 4 feet above grade) of 6" or greater shall be preserved. Proposed improvements shall be designed to accommodate the location of existing trees to the maximum practical degree. Those trees located beyond 10 feet of the proposed building, improvement or paved area shall not be cut, removed or mutilated, without obtaining the prior approval of the ARB, unless such trees are determined to be dead or diseased by the ARB or its representative. Any viable trees desired to be removed beyond the 10-foot boundary may need to be replaced in accordance with paragraph "e" below. The

design of lot improvements must reflect the preservation of large trees whenever possible and disturbance of any portion of them during and after construction must be kept to a minimum. Temporary split-rail protective fencing will be required for all trees and erected at a minimum of 10' away from trunk.

- b. The ARB reserves the right to employ an arborist to develop preservation guidelines, the cost of which shall be borne by the owner. Such guidelines may include porous pavers in hardscapes over root zones, subterranean irrigation and/or aeration, ongoing maintenance plans, etc. Parking, dumpsters, material storage or other construction activities are not permitted within the drip line of specimen trees.
- c. All trees shown to be preserved on the approved site plan and landscape plan that are later removed shall require mitigation under Section V, F. "Tree Removal on Developed Lots."
- d. There shall be a minimum of two, no less than 2" caliper hardwood trees (see *aa.* below) and two, no less than 2" caliper flowering trees (*bb.* below) planted as part of the approved landscape plan for each developing lot. However, heavily treed lots that require significant tree removal or sparsely treed lots will need to have significantly more trees planted than this minimum.
- e. Removal of any tree between 6" and 18" DBH may need to be replaced with a minimum of one 2" or greater caliper tree. Removal of any tree greater than 18" DBH may need to be replaced with a minimum of two 2" or greater caliper trees. Acceptable trees are:

- aa.* Hickory Live Oak
 Red Maple Red Oak
 White Oak

Removal of flowering trees greater than 6" DBH may need to be replaced with trees greater than 6 feet in height. Acceptable trees include:

- bb.* American Holly Cedar Dahoon Holly Gordonia
 Magnolia Wax Myrtle Yaupon Holly

Applicants may submit tree species other than those listed above for approval, if desired.

- f. Drainage of the property shall be designed to avoid disturbance to existing trees. See Grading and Drainage Plan in Section III, Part B, No. 3-b. for additional information.

2. Planting Design Criteria

- a. Proposed foundation plantings must create levels of vegetation to soften the structure and integrate the building improvements into the site. Included in this requirement are:

Continuous multi-variety foundation plantings along all sides of the house which soften exposed turf areas while enhancing architectural elements of the structure. The selection of shrubs which will mature to the proper heights and mass without requiring excessive pruning. These plants must be hearty evergreens with a minimum of 30"-36" height at planting. Hearty

evergreens 12”-15” may be planted under ground level windows. Ground level windows are defined as windows on the first floor that start at floor level or less than 1’ above floor level.

- Layering of shrubs, dwarf shrubs, ground covers and perennials along the front and rear elevations of the house.
 - Vertical element plantings will be required on all sides of most houses to soften the exposure of the structure from neighboring properties. In some cases, existing preserved trees may satisfy this requirement. However, a minimum of two (2) flowering trees is required. Also, a minimum of two, no less than 2” caliper trees listed in e. aa. on previous page must be planted in the yard as part of the approved landscape plan for each developing lot.
- b. Plant selections for the composition of the basic landscape design should take into consideration potential severe freezes that may occur on Hilton Head Island. Selection of exotic plant species susceptible to any of the typical climate extremes experienced here should be kept to a minimum.
- c. Indigo Run has a deer population that will tend to feed on certain plantings and therefore, those plants susceptible to deer damage shall not be used as primary components of the landscape design. A list of plant species known to be deer-tolerant is included in this section. Permanent deer fences are not permitted.
- d. Plant selections and arrangements should take into consideration species compatibility with both exposure and soil moisture requirements.
- e. All areas of the lot should be treated with landscape plantings as part of the structural backbone of the landscape theme. In addition to the foundation plantings mentioned above, landscape treatment will be required for the driveway entry areas, partial side screening plantings along both side property lines and layered plantings, including vertical elements, along the rear property line for all properties visible from other lots or common areas. Substantial existing shrubs or trees may be considered to be adequate to satisfy the rear and side line requirements providing the existing plant masses include oaks, wax myrtle, holly, saw palmetto or other dense existing cover. Should this be the case, photographs showing all existing vegetation must be submitted with the landscape plan. “Natural” areas are desirable, but they must be properly maintained and not allowed to grow wild.
- f. Planting of any trees or shrubs at the rear corners of the lot, considered as the triangular area formed 20’ in each direction from the corner (10’ for patio lots) defined as the “viewing corridor,” shall preserve the view angles for adjacent properties. Conversely, consideration should be given to all view angles into a developed property of the proposed construction, from adjacent properties and the street frontage. Plant groupings should soften exposure of the proposed construction.
- 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 to the side property lines. The property owner is responsible to maintain the area between the

street and their property line. It is highly desirable that the first 10' from the road is fully sodded. The sod will prevent landscape material from eroding into the drains. In areas of shade, a shade tolerant sod such as Empire Zoysia could be used. In areas of unusual conditions such as major root intrusion or heavy shade, which cannot be mitigated, the ARB may approve a ground cover (e.g. Asiatic Jasmine or equivalent) within the 10' sod requirement. Planting beds in this area around mailboxes, trees, lamp posts, etc., must be maintained to the ARB's satisfaction. Hardscapes in this area will also be considered for approval by the ARB. Non-hardscaped or planted areas of front and rear yards must be predominantly grass or some other approved growing ground cover such as Asiatic Jasmine. Provide a calculation on the landscape plan showing this ratio of sod to pine straw.

- h. Artificial turf shall not be permitted.
- i. Vegetable garden applications shall be made to include plans depicting the proposed location while identifying the height, width, and depth dimensions of any permanent or seasonal structure or appurtenances together with the proposed materials and colors.

Design must be compatible and harmonious with the main house and not viewable from the street, golf course, or neighboring properties. Proposed gardens must be within house setback lines. The ARB will consider mass and bulk, favoring small ground level planters or planting beds.

3. Landscape Features

- a. Concrete driveways shall be designed with interest and be free flowing with bold curves wherever possible. Minimum driveway width is 12 feet. Straight runs or angular sections should be avoided. They shall be constructed with a brick or paver apron as well as brick or paver banding to break mass of concrete. The appearance of the drives must be softened with the use of decorative masonry strips at joints and edges, along with compatible highlight patterns within the main body. These rustications can be composed of brick, stone, granite, tabby or other contrasting, yet compatible, masonry. Two guest parking spaces are required which must be integrated into the design and provide comfortable access and turning radii for entry and back-up out of garages. The recommended width of the guest parking is 18 feet, but the minimum allowed is 16 feet, with the exception of a patio lot. Driveways and other hardscapes are not permitted within 5 feet of the sides or rear property boundary lines.
- b. Access to golf cart garages shall either match the main driveway or be of a suitable surface treatment for golf cart traffic.
- c. Pedestrian sidewalks should be concrete or masonry compatible with the design theme of the vehicular driveway.
- d. Parking areas and all vertical improvements including foundations, walls, fences, grills, play structures, garden ornaments, service yards, satellite dishes, hot tubs/spas, etc. shall require plant screening from neighboring properties and common areas. Garden ornaments, fountains, and similar features are not permitted between the property line and the setback line.

- e. Planting beds or plants in masonry pots should separate garage doors wherever practicable.
- f. Plans for swimming pools shall be submitted in accordance with Section III, Part B, No. 3-g. of these guidelines. Pool exposure shall be screened from the side property lines with plantings and shall be obscured with layered plantings on its exterior (normally rear) side when the lot adjoins a common area.
- g. All irrigation systems must comply with the Town of Hilton Head Island's irrigation code. Irrigation contractors must be licensed by the Town and must obtain a permit to construct the system.
- h. All proposed landscape lighting is required on landscape plan. See Section IV, D.8.

4. Demolition or Filling in a Pool

Permits from both the ARB and the Town of Hilton Head are necessary for demolition of a pool. An ARB permit will be required when filling in a pool in order to landscape over it. For either project, an experienced contractor must be secured who will carefully consider how to access the pool and what size and type of equipment is best for a particular swimming pool and yard.

Heavy equipment can damage landscaping or underground services in the surrounding area. Suitable fill material is to be used and should be compacted multiple times to reduce settling. A layer of topsoil must be added when the area is ready to be converted back into a lawn or landscaping.

C. Plans

The landscaping plan must be professionally prepared by a landscape architect or other acceptable landscape professional on a tree and topographic survey indicating the existing and proposed vegetation. It should be drawn at a scale of $1/8" = 1'$. The plan should graphically illustrate lot number, location, adjoining lot border lines, sizes of plant material, lawns, mulched areas, hardscapes and open areas, such as wetlands and adjacent common areas. A drainage plan (see Section III, Part B, No. 3-b.) shall be submitted concurrently and shall be designed to coordinate with the landscape plan. More specifically:

- a. Plant symbols shall be scaled to actual size to represent the mature spread of each plant. A legible legend must be included to indicate the following for each plant:
 - Botanical and common name
 - Plant height at time of planting
 - Plant spread at time of planting
 - Plant quantities
 - Tree calipers
 - Square foot area of lawn areas
 - Square foot area of mulched areas

- b. Existing trees of 6” DBH and larger must be identified as to exact location, genus name and species. Also show new trees to be planted in accordance with Section V, Part D. Provide a summary table of these trees indicating those to be removed, and those to remain along with new trees to be planted.
- c. All existing site features within 30 feet of the property lines such as roads, driveways, walks, cart paths, bulkheads, docks, etc. shall be graphically represented on the landscape plan. Should special features of interest (cart paths, drainage structures, etc.) exist in near proximity of the lot, they shall be indicated on both the site plan and the landscape plan.
- d. All surfacing materials shall be clearly noted, such as concrete, lawn, planting beds, etc. Texturing, coloring or other surface treatment to concrete surfaces shall be depicted on the plan and either sample, catalog cuts and/or color samples shall be submitted with the plan. In some instances, actual samples will be required.
- e. Professionally designed irrigation systems to be installed must include installation of backflow prevention and must meet all governmental regulations.
- f. Show proposed locations of any landscape lighting or landscape furnishings.

D. Suggested Plant List

A list of suggested planting material is included below. This list is intended as a guide and its focus is on drought resistant and deer tolerant plants.

Trees

American Holly	Golden Raintree	Maple	Sabal Palm
Atlas Cedar	Gordonia	Mimosa Silk	Service Berry
Bald Cypress	Hickory	Mountain Ash	Smoke Tree
Cedar	Honey Locust	Mulberry	Vitex
Chaste Tree	Japanese Zelkova	Oak	Wax Myrtle
Chinaberry	Little Leaf Linden	Palmetto Palm	White Oak
Chinese Elm	Laurel Oak	Pindo Palm	Yaupon Holly
Common Hackberry	Live Oak	Poplar	
Crab Apple	Locust	Red Bud	
Crepe Myrtle	Loquat	Red Maple	
Dahoon Holly	Magnolia	Red Oak	

Applicants may submit tree species other than those listed above for approval, if desired.

Shrubs

Adams Needle Purple	Cherokee	Ligustrum	Showy Jasmine
American Bittersweet	Common Witch Hazel	Mentor Barberry	Shrub Althea
Anise	Dwarf Yaupon Holly	Nandina	Spirea
Banana Shrub	European Fan Palm	Needle Palm	So. Cherry Laurel
Beautyberry	Firethorn	Oleander	Sweet/Tea Olive
Beauty Bush	Inkberry American Holly	Pineapple Guava	Tamarix
Blueberry	Japanese Anise	Podocarpus	Thorny Eleagnus
Buckthorn	Japanese Barberry	Pomegranate	Viburnum
Bush Cinquefoil	Japanese Quince	Rugosa	Wax Myrtle
Butterfly Bush	Japanese Rose	Russian Olive	Windmill Palm
Carolina Rose	Juniper	Sago Palm	Winter Jasmine
Chinese Fringe	Leatherleaf Mahonia	Sand Cherry	Yaupon Holly

Flowering Plants

Canna	Lavernia	Rudbeckia	Society Garlic
Echinacea	Rosemary	Scotch Broom	Yarrow
Iris			

Ground Cover

Asiatic Jasmine	Proesia	Sedum	St. John's Wort	Vetch
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Vines

Carolina Jessamine	Honeysuckle	Trumpet Vine	Virginia Creeper
Confederate Jasmine	Lady Banks Rose	Vinca Major	Silver Lace Vine
Cross Vine	Euonymus Coloratus	Sweet Autumn Clematis	Wisteria

E. Inspection

Upon completion of all landscape feature installations and plantings, the landscape contractor shall make a final inspection of the work and provide a letter of certification to the ARB that all work was performed in accordance with the approved landscape plan. Any deviations or plant substitutions made shall be explained in full detail. The ARB shall also make a final inspection of the completed work. Plans deposits will not be returned until all work has been completed satisfactorily.

F. Tree Removal on Developed Lots

In accordance with Article X, Section 10.06 of the "Amended and Restated Declaration of Covenants, Conditions and Restrictions of the Indigo Run Community Owners' Association, Inc.", Section 5 - Maintenance of Property of the "Rules & Regulations, Enforcement and Due Process" of same and these "Architectural Design Guidelines", the ARB has established the following procedures for the removal of trees on developed lots.

1. The owner of said developed lot shall contact the ARB Administrator to notify and make application for a permit to remove trees prior to scheduling any work. The application shall be accompanied by a fee of \$25 per tree and shall include all pertinent information about the property including the reasons for removal along with the name of the proposed contractor for the work. No trees greater than 6” DBH (diameter at breast height) shall be removed without the issuance of a permit from the ARB. The owner shall place a colored flagging ribbon around each tree proposed for removal.
2. The ARB Administrator will schedule an inspection of the site which shall be performed by representatives of the ARB. Should the inspection reveal that the size, amount and condition of the trees are such that their removal would significantly alter the tree canopy (such as the removal of pine trees or oaks), mitigation will be required. If there is any question as to the health of any tree planned for removal, an independent arborist will be employed, the cost of whom shall be borne by the owner.
3. The mitigation percentage shall be 50%, meaning, that the total aggregate diameters of trees to be removed must be replaced with suitable trees totaling at least half in aggregate diameter.
4. Should mitigation be required, the owner shall prepare a landscape plan in accordance with the applicable portions of Section V, Part D of these guidelines and submit one copy of same. The plan must show an entire site plan of the property with emphasis on the locations of all proposed removal and replacement trees.
5. The ARB shall evaluate the proposal at its first meeting after the site inspection and proceed normally with the review process.
6. After final approval, all work must be completed within the time periods stipulated in these guidelines.

G. Temporary Fencing / Plant Covers

Temporary deer fencing to protect immature plants is permitted. Such fencing must stand no more than 42” above ground level and must be earth toned (unobtrusive). The fencing should be removed as plants mature. Fence posts likewise must stand no more than 42” above ground level and must be earth toned. Temporary plant covers may be utilized in periods of extreme cold/frost. Covers may not be “seasonal” and must be removed when the frost advisory is lifted.

H. Memorial Benches

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 (*Golden Bear, The Golf Club, River Club, Broad Pointe, The Owners Club, and Berwick Green*), must be reviewed by the ARB. Applications for memorials situated on IRCOA Common Property requires *only* approval of the IRCOA Board of Directors. Prior to any consideration by the ARB of a request for a memorial location to the 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 or leadership group as applicable. 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 (Section IX), the 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), cul-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 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.

SECTION VI

Rules and Regulations Governing Construction within Indigo Run

A. General

These Rules and Regulations are for compliance by all contractors, subcontractors, material suppliers, maintenance personnel and any others engaged in construction or allied activity in Indigo Run. These regulations are not intended to restrict, penalize or impede construction activity during reasonable performance of duties while within Indigo Run. Rather, they will be enforced fairly to achieve the objectives enumerated below and in the Covenants and to facilitate orderly and controlled construction activity thereby preserving the overall quality of Indigo Run's appearance. Violations are subject to fines and repeated violations may be cause for denial of access.

B. The following items are guidelines within the jurisdiction of the Architectural Review Board:

1. *Site Clearing:*

Site clearing or construction on any property within Indigo Run is not permitted without first obtaining an Indigo Run Building Permit which shall be prominently displayed and visible from the street (See Section II, *Indigo Run Architectural Review Board Submission and Approval.*) Site clearing material must be transported in a covered truck.

2. *Trash Receptacles:*

Each residential building site must be provided with a suitable trash receptacle. Building sites must be cleared of litter each day and stored in the trash receptacle. Trash receptacles must be emptied regularly, when full. The dumping of construction trash is not permitted inside Indigo Run.

3. *Portable Toilets:*

Each residential construction site will be furnished with at least one portable toilet prior to any on-site construction. These toilets will be placed in an inconspicuous location, not closer than 30' from the street or 30' from any adjoining residential property lots, with the door facing away from any view from the adjacent street or house. **All portable toilets must also be enclosed with screening lattice or another acceptable material.** Clean and sanitary conditions are required for all toilets and must be serviced regularly. Contractors supplying these receptacles must not display phone numbers or advertising. Colors should be nature blending.

4. *Culvert Pipes:*

Within Indigo Run, the expense of culvert pipes and installation are to be borne by the owner and/or the contractor. Pipe shall be corrugated aluminum. Pipe shall be installed according to Indigo Run Community Owners Association standards. Any homebuilder/contractor that does not adhere to the above and causes a drainage problem because of incorrect

installation, will be required to remove the faulty culvert pipe and replace correctly. The cost of this operation will be borne solely by the Property Owner.

5. *Compliance with Architectural Review Board Approvals:*

All building and landscape plans must be approved in writing by the ARB and Indigo Run holds the Property Owner and builder jointly responsible that approved plans are followed in all aspects of the exterior of the house and grounds. Home completion (including landscaping) is to be the earlier of 18 months after the issuance of the ARB Final Approval, or 90 days after the issuance of the Certificate of Occupancy, whichever occurs earlier. Any change to the exterior of the house, driveway, garage, etc. must receive prior written approval from the ARB. Failure to comply may result in a fine. See Indigo Run Rules and Regulations for fine schedule and enforcement protocols.

6. *Street Number I.D.:*

The enhanced 911 system incorporated in the Town of Hilton Head has specific requirements for the posting of street address along roadways. Indigo Run has an approved design for this sign which must be posted within 20 feet of the road. In order to maintain consistency, the Indigo Run Operations Department will provide these signs for a cost of \$45.00 and they are required prior to final inspection by the town. Call (843) 689-9195 for placement and coordination.

7. *Signs:*

To minimize visual clutter, the ARB has a job site sign standard to be used on all residential construction sites. A sign stanchion will be provided by Indigo Run. Individual contractors will be responsible for providing their own graphic panels which meet the standards specification. The sign stanchions will provide a plan tube (holder) and space on the rear to display building permits. Call (843) 689-681-9195 for placement and coordination.

8. *IRCOA Rules and Regulations:*

The IRCOA Rules and Regulations shall be reviewed prior to all construction in Indigo Run. These regulations include items such as vehicle decals, construction hours, trespassing, trash hauling, fill dirt hauling, trash fires, etc.

9. *Contractors Performing Masonry Work:*

Work performed with a dry saw to cut concrete, brick, or masonry can disperse excessive dust. The dust can spread to adjacent properties and can be a serious airborne health hazard, as these materials typically contain silica. To limit dissemination and exposure, the ARB requires wet cut sawing processes.

10. The construction site shall *at all times* be kept in a clean condition, especially the roadway to which the lot abuts. Roadway must be swept on an as-needed basis. A silt fence must be installed to control the sediment associated with stormwater runoff. The sediment must be contained on the permitted property and not be allowed to enter nearby waters, adjacent properties or roadways. The area(s) used for ingress and egress to the site shall be covered with a layer of mulch to keep construction traffic from tracking mud and dirt onto the roadway. The mulch bed shall be replenished as needed.

11. Any violation of the ARB Architectural Review Guidelines will be considered a violation of the Rules and Regulations of the IRCOA and will be enforced per the protocols contained therein. Additionally, the IRCOA may issue a Stop Work Order if any violation of the governing documents as they pertain to any Improvement or permitted project takes place. At such time as a Stop Work Order is issued, all work must cease and remain in effect unless and until the violation is remedied to the satisfaction of the IRCOA. If work is not immediately ceased, the IRCOA may pursue immediate legal action without further notice to the Owner.

SECTION VII Variance

Seeking a Variance is a legal process that allows property owners to construct Improvements, Buildings or Structures, or use land in a way that is contrary to the prevailing zoning regulations and use restrictions. Variances are meant to be used sparingly. Granting a variance should be based on a practical difficulty or particular hardship that is directly related to the property and related uses. A property owner may apply for a Variance for any restriction contained in the governing documents as applicable. Variances are not precedent setting.

In trying to define the practical difficulty or particular hardship the members of the ARB making the decision on whether or not to support the Variance will need to evaluate if:

- The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the restrictions in the Subdivision in which it is located; or
- The plight of the Owner is due to unique circumstances as compared to other similarly platted Lots; and that the Variance, if granted, will not alter the essential character of the community.

Examples of conditions under which a Variance may be considered:

- Site topography or sloping conditions are atypical to the lot as compared to other similarly platted lots:
 - Some other existing natural condition requiring extension into setbacks (e.g. wetlands, other immovable object, valuable stand of trees, etc.)
 - Difficulties in placing a home or other improvements within a building envelope (e.g. irregularly shaped lot)
 - When a change of circumstances since the recording of the governing document(s) has rendered such restriction obsolete:
 - Laws restricting the power of the IRCOA to restrict such improvements (e.g. access to electronic communication)
 - Technological improvements to building materials
 - In the judgement of the ARB the Owner's application would enhance the attractiveness of the community

The applicant must describe how the Variance:

- will overcome practical difficulties
- will prevent particular hardships
- is not detrimental or injurious to other Property Owners
- conforms to the intent (i.e. is mutually beneficial to the neighborhood) and purpose (i.e. enhances and protects the value, desirability and attractiveness of the neighborhood) of the IRCOA governing documents.

VARIANCE APPLICATION

A Variance application must be completed and submitted with an improvement application for approval (per section above). An application can be found on pages 43-44.

NEIGHBOR NOTIFICATION

- Neighbors of the Property Owner(s) Lot which in the judgement of the ARB could be visually impacted shall be notified in writing by owner or COA staff that an application for a Variance has been made and that their comments and opinions for approval or disapproval will be considered by the ARB. Failure to respond to the notification will be considered neither an approval nor disapproval.
- Neighbors will be allowed access to the Variance application and supporting data and information.

VARIANCE HEARING PROCESS

- The ARB will consider the application for a Variance at one of its regularly scheduled meetings at which time the applicant and neighbors may present information and discuss the application with the ARB.
- In arriving at the decision to approve or disapprove, the ARB will consider all the information available including the application request; written and verbal comments and responses from the applicant and from the neighbors; and data and information presented by the IRCOA staff. Approval or disapproval will be announced at the meeting.

RECONSIDERATION OF ARB DISAPPROVAL OF VARIANCE REQUEST

Any applicant may request in writing that the ARB reconsider a Variance disapproval if they can show within fourteen (14) days, that one of the following two conditions existed or now exists:

- Information presented and reviewed by the ARB in reaching a decision has been discovered to be subsequently incorrect.
- New information, not available at the time of the hearing, has subsequently become available.

OTHER

Any Variance that approves encroachment into a setback will require an updated survey reflecting the change.

Any Variance that encroaches into a utility easement will also require written approval by the utility companies.

SECTION VIII Emergency Permits

A. General

Following a hurricane or other disaster, in which Hilton Head Island has legally been declared a disaster area, the following procedures will be in effect so that affected property owners can quickly restore their properties to habitable conditions. It is the intent to maintain the high quality of Indigo Run's built environment while keeping records and approvals of exterior design changes in order to maintain the integrity of our community's covenants.

B. Procedure

The ARB administrator maintains the files of each developed property's plans and other documents. Each property owner's files have been updated over the years as various approvals were obtained from the ARB. **These files will be instrumental in effecting reconstruction, since the Town of Hilton Head Island will also have certain permit procedures in place for emergency repairs.** In addition, Indigo Run requires the following:

1. **Minor Damage** – In situations where trees need to be removed, roofs need minor repairs, windows and/or doors need to be replaced and the building needs to be repainted because of minor exterior damage, no prior approval of the ARB will be required as long as no changes of any of the exterior finishes are made.
 - a. Tree removal permitted when they have fallen on the ground, across structures or are leaning more than 15°.
 - b. Roof repairs are permitted when the exact same materials match the texture and color of the existing roof.
 - c. Window replacements are permitted and must match the color and type of existing windows.
 - d. Doors and garage door replacements must match those they are replacing.
 - e. Exterior wall material replacement permitted when the total surfaces and the materials match the texture and color of the existing surfaces.

2. **Major Damage** – In situations where the building is going to be reconstructed identically to the current updated plans on file with the ARB administrator, only a simple Declaration Form (Affidavit) needs to be executed by the owner. This form will be promptly reviewed by a representative of the ARB and approved, if appropriate. A copy of this form may be obtained either from the ARB administrator or from the Indigo Run COA office.

3. **Destroyed** – In situations where the building needs to be completely razed and rebuilt and the property owner decides to change the design, size or exterior materials in any way, the traditional ARB application and approval process will be required in accordance with these guidelines.

Upon completion of repairs/replacements in Items 1 and 2 above, the property owner shall so notify the ARB administrator, in writing, and shall include before and after photographs of the property.

4. Demolition of Existing Structures

a. Single Property

In the event that an existing residence or structure is deemed by the Town of Hilton Head Island Building Division as unsafe, uninhabitable, and considered by the Town and/or the Indigo Run Board of Directors and ARB as negatively affecting the property values of the surrounding properties of Indigo Run, the damaged structure must be demolished and removed from the property in a timely and orderly manner which shall be non-offensive to neighboring property owners and according to a plan approved by the Architectural Review Board (ARB). An application for a Demolition Permit must be submitted to the ARB within sixty (60) days of the occurrence of the damage and no clearing or demolition work shall begin before a Demolition Permit has been issued by the Board. In no event shall a structure requiring demolition remain longer than 365 days from the date deemed as such by the Town of Hilton Head. This requirement exists whether the demolition work is a prelude to repairing/rebuilding the damaged structure or is to be completely razed prior to resale of the property as an undeveloped lot.

Additionally, a property owner wishing to remove an existing undamaged residential structure before either constructing an entirely new house or selling the property as an undeveloped lot must obtain a Demolition Permit from the ARB prior to commencement of any demolition/removal work on the existing building(s) either of an interior or exterior nature, and must be in compliance with all local codes, permits and other requirements for such demolition.

A Demolition Permit issued by the ARB will normally be valid for only 30 days from date of issuance, unless an extension of time is formally requested and approved by the ARB in advance. The purpose of the 30-day limitation is to minimize the time period during which neighboring residents will be disturbed or inconvenienced by the noise, dust, and vehicular traffic associated with the demolition work. Therefore, requests for extending this period will necessitate a very explicit justification as a formal request for variance.

Additional rules and guidelines for demolition include, but are not limited to:

1. Owner or contractor must submit an application including the appropriate fee, a tree and topography survey for the property and a copy of the Town of Hilton Head Island's approval for demolition with the application to the ARB.
2. Prior to beginning demolition the contractor must schedule an on-site meeting with the ARB administrator to review the site and determine the required tree protection and any other site requirements. The demolition permit will then be issued, and demolition can begin. A member of the ARB will inspect the project upon completion of demolition to evaluate the site including fill/grading and any unauthorized tree removal or damage. Flagging of all underground utilities must

occur prior to the start of demolition. Electrical service and other utilities shall be disconnected in accordance with Town of Hilton Head Requirements.

3. No trees, of any size or species, shall be removed during the demolition process without specific approval by the ARB. Also, extreme care must be taken to avoid damage to remaining trees.
4. Demolition work must be total and complete. No part of a demolished structure, including foundations, driveways, walkways, etc., may be left unless so indicated on a plan approved by the ARB. If a pool is to remain on site, it must be filled and staked with a marker indicating as such.
5. All debris must be placed in waste dump boxes or removed prior to the end of each work day.
6. The site must be restored to a near-natural state with approximate natural grade. All depressions and excavated areas are to be filled and graded to avoid pooling of rainwater. Also, all bare earth areas are to be covered with pine straw or mulch to preclude blowing dust, unless new construction will commence immediately after demolition.
7. When a building is demolished, any variance to setbacks previously given to the property or existing conditions of the structure which are in non-compliance with current ARB guidelines, community rules, or covenants, are null and void.

C. Major Disasters

In the instance of a major disaster affecting multiple properties, defined as the destruction of or major damage to three or more properties caused by hurricane, flood, tornado, wind or fire, the following procedures shall apply:

1. Restore the property to unimproved condition and the application of natural ground cover. Upon receipt of a written application, the ARB will issue a permit marked "CLEAR LOT." No fee is required.
2. Prior to restoration, demolition, total or partial and debris removal is required. Upon receipt of a written application, the ARB will issue a permit marked "DEMOLITION ONLY." No fee is required. In the case of a partial demo, a set of marked drawings shall be submitted clearly showing the portion(s) to be demolished.
3. If the property is to be restored to its original condition (prior to damage with no exterior changes), a permit marked "NO CHANGES" will be issued upon receipt of a written application. No fee is required.
4. All applicable ARB review procedures apply, with a fifty percent applicable ARB fee along with the application to restore the property with proposed exterior changes and/or additions, or changes required by current applicable building codes, ordinances, rules, regulations, or guidelines.

Post Approval Control (Changes)

If any changes to the approved plans involving the exterior of the structure or the site are contemplated during the course of construction, documentation and a request for Design Review must be submitted to the ARB prior to the execution of any changes. Normal ARB fees will apply.

*Failure to obtain ARB approval prior to the commencing of any project will result in a penalty of 20% of the verifiable project costs up to a maximum of \$3000.

**SECTION IX
FEES, FORMS AND APPLICATIONS**

Architectural Review Board Submission Non-Refundable Fee Schedule

Additions (covered)	\$500	Full ARB approval
Awnings	\$25	Full ARB Approval
Generator installation	\$250	Full ARB Approval
Window replacement	\$25	Full ARB Approval
Window replacement design change	\$100	Full ARB Approval
Decorative trellis with benches, gazebo, etc.	\$100	Full ARB approval
Driveway Addition	\$100	Full ARB approval
Driveway staining over existing site	\$50	Full ARB approval
Enclose existing porch / patio	\$500	Full ARB approval
Extend existing patio or driveway	\$200	Full ARB approval
Fencing around pool / hot tub	\$500	Full ARB approval
Front door / Garage door(s) replacement	\$25	Full ARB approval
House, Single family residence	50 cents per SF, minimum \$2000	Full ARB approval
Landscape renovations or Fire Pit	\$100	Full ARB approval
Lighting on existing landscape	\$25	Full ARB approval
Lightning Rod Installation	\$50	Full ARB approval
New hot tub or spa	\$200	Full ARB approval
Outdoor Kitchen	\$500	Full ARB approval
Patio / Deck	\$500	Full ARB approval
Pavers + additional land area or over existing site	Up to 100 SF - \$50 101-250 SF - \$100 251-400 SF - \$150 401+ SF - \$200	Full ARB approval
Repainting/Re-stuccoing house	\$25	Full ARB approval
Replacing roof shingles/materials	\$25	Full ARB approval
Screen an existing patio, deck or porch under an existing roof	\$75	Full ARB approval
Shutters – permanent, decorative	\$50	Full ARB approval
Sitting wall / retaining wall	\$50	Full ARB approval
Skylights	\$25	Full ARB approval
Solar panels	\$100	Full ARB approval
Stamped Concrete over existing site	\$50	Full ARB approval
Swimming Pool	\$500	Full ARB approval
Swimming Pool demolition or fill-in	\$100	Full ARB approval
Tree Removal (tree permit form is applicable)	\$25 per tree	ARB Staff with ARB ratification approval
Walkway (new)	\$75	Full ARB approval
Builder/Owner ARB conference	No charge	
Changes after Final Approval Building permit	\$100	
Changes after Final Approval Landscaping	\$300	
Conceptual Review	No charge	
Re-Inspection due to Builder/Owner	\$100	
Variance Request	\$50	Full ARB approval

*Failure to obtain ARB approval prior to the commencing of any project will result in a penalty of 20% of the verifiable project costs up to a maximum of \$3000.

C. Architectural Review Board – Construction Deposits Schedule:

New Residence:	\$6,000.00*	Refundable Compliance Deposit
Pool and/or Spa:	\$1,000.00	Refundable Compliance Deposit
Major Projects:	\$1,000.00	Refundable Compliance Deposit

*If a final landscape plan is not submitted at final plan approval, an additional \$1000 refundable compliance deposit will be required.

All deposits are to be made payable to IRCOA with related Indigo Run address on memo line. Deposits are refundable without interest.

Once new residence construction is completed, see Section IX of ARB Guidelines, *Compliance Deposit Agreement*, for return of deposit.

APPLICATION FOR A VARIANCE

1. This application is accompanied by an Application for an Improvement Approval for this property dated _____. \$50 fee is included_____

2. OWNER/PROPERTY DETAILS

Owner's Name: _____

Indigo Run Street: _____

Neighborhood: _____ Lot _____ Block _____

Phone number(s): _____

Email address: _____

3. RELEASE AND CERTIFICATION

3.1 The undersigned grants IRCOA permission to release information from the association files to any Property Owner notified under this process for the purpose of considering the variance application. Information will include but not be limited to copies and/or review of:

- Building plans with all its attachments and color samples.
- No. 5 (next page) and filing fee of \$50

3.2 The undersigned certifies that:

- I am the Property Owner identified in this application.
- An alternate contact person is identified in writing.

Property Owner

Date

4. **VARIANCE SPECIFICS** are to be included with Neighbor Notification letter (see Section VII of ARB Guidelines).

State the basic issue of the Variance (i.e. setback encroachment, exceeding height restriction, use of non-approved color, etc.)

5. **DESCRIBE** how the Variance:

will overcome practical difficulties and prevent unnecessary hardship:

is not detrimental or injurious to other property owners:

conforms to the intent and purpose of the Declarations of Restrictions:

With payment of appropriate filing fee (\$50 cash or check made payable to IRCOA) and completion of the appropriate sections, this will be considered a COMPLETE APPLICATION.

Signature of ARB Chairman or Representative

DRAINAGE AND TREE COMPLIANCE AGREEMENT

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

DRAINAGE

It is every Property Owner’s responsibility to direct drainage away from the dwelling and adjoining private property in a manner that conforms to the master drainage system for Indigo Run in the area in which the property is located. This will normally be toward the street or the adjacent common area (drainage). For these reasons, it is the Property Owner’s responsibility to employ the services of a S.C. registered Professional Engineer or Registered Landscape Architect to design the drainage plan (See Section III of ARB Guidelines). Special consideration should be given to establishing appropriate building site elevations for foundations, sub-surface drainage, establishment of final grades, consider adjacent property elevations, and installation of gutters if necessary, among others. Also, at the completion of the work provide an as built, combination site and drainage plan with setbacks showing the location of the house as well as the contours of the lot. The as built drawing shall be on 24” x 36” paper and be at a scale of 1/8” = 1’0”. The plan shall be prepared by a professional engineer or land surveyor and shall be signed and sealed. If there is any discrepancy from the original approved plan it will be cause for review and may require correction before the project is accepted by the ARB. This drawing should be submitted prior to landscaping installation to avoid excessive cost to the Property Owner. Both the Property Owner and/or Contractor hereby also certify by this document, that reasonable efforts will be made, from the date of initial clearing of the property until completion of the landscaping, to avoid any soil run-off into the IRCO’s drainage systems, lagoons, or public waterways, and that water run-off shall be directed away from any adjacent private property. This includes the use of properly buried, staked and installed silt barriers, staked straw bales, temporary swales, temporary culverts, or other ARB approved methods.

TREE REMOVAL

Property Owners are advised that trees larger than six inches (6”) in diameter measured 48” above ground, or clusters of smaller trees that may influence design and appearance, may not be removed without approval of the Architectural Review Board. When site plans are approved, the tree and topographic survey indicates which trees may be removed. Once the site plan is approved and throughout all of the construction phase, no other tree may be removed without further request and approval of the ARB. Any unauthorized tree removal may result in a fine and the necessity of plant mitigations.

I/We understand the drainage and tree requirements in this document and I/We hereby agree to comply with proper drainage and tree removal from the property identified herein. Nothing in this document is intended to supersede any requirement of the ARB Guidelines, or the necessity to obtain proper approvals, and is intended to be a document of clarification and understanding.

AGREED:

(Property Owner Signature) _____ Date : _____

(Property Owner Signature) _____ Date: _____

(Contractor’s Signature, Title) _____ Date: _____

(Contractor’s Company Name) _____

Indigo Run Lot Number/Street: _____

COMPLIANCE DEPOSIT AGREEMENT
Indigo Run Community Owners Association
103 Indigo Run Drive
Hilton Head Island, SC 29926
Office: 843.689.7300

It is agreed to and understood by the undersigned that a Six Thousand Dollar (\$6,000.00*) Deposit will be paid to the Indigo Run Community Owners' Association to ensure that the house plans for Lot #_____ on _____ will be completed and installed in accordance with the current Architectural Review Board guidelines and the approved house, landscape, and drainage plans, submitted colors and finishes, and any related ARB communications. This deposit is also the property owner's guarantee of compliance with all rules and regulations regarding drainage, construction, tree removal, placement of portable toilets, refuse containers, and maintaining a trash and litter free construction site. Failure to comply may result in fines levied against this deposit or property.

It is the RESPONSIBILITY of the CONTRACTOR OR PROPERTY OWNER to request the return of the deposit upon completion of the following (as a minimum):

Completion of:

- The Residence in Accordance with the ARB approved plans and related comments,
- The Landscaping AND Residence completed and inspected by the ARB representative,
- The Grading Plan completed and functioning properly,
- A CD or flash drive with the following included in a (pdf) or (jpg) format provided to the ARB Administrator:
 - A copy of the Certificate of Occupancy issued by the Town of Hilton Head,
 - A copy of the Completion Certificate issued by the Town of Hilton Head for the Pool (if applicable)
 - A copy of the final signed As-built survey,
 - A copy of the final signed Flood Elevation Certificate (if applicable),
 - A letter from the SC Registered Engineer or SC Registered Landscape Architect, stating that the grading work has been completed in accordance with the ARB approved plan and is functioning properly. Letter to be stamped and signed.
 - A letter from the Landscaper stating that the landscape has been installed in accordance with the ARB approved plan.
 - A copy of the Original ARB approved submission with a photo of final colors,
 - A copy of the approved plans as submitted to the ARB,
 - Any other documents the Contractor or Owner may consider useful for the Owner or ARB.

PLEASE NOTE:

- 1) Landscaping must be completed within 90 days of the issuance of a Certificate of Occupancy.
- 2) The project, including all items noted here-in, if applicable, must be completed within 18 months of the issuance of the IRCOA ARB building Permit or in the allotted timeframe proscribed in the permit as applicable.

*\$7000 if final landscape plan is not submitted at final approval of new home.

An additional \$1000 refundable compliance deposit is included for the final landscape plan which will be submitted no later than six months from date of final house approval.

ACCEPTED BY:

(Property Owner's Signatures)

DATE: _____

PLEASE TYPE OR CLEARLY PRINT THE FOLLOWING INFORMATION:

PROPERTY OWNER'S NAME(S):

MAILING ADDRESS:

CITY/STATE/ZIP CODE:

TELEPHONE AND EMAIL:

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 V, Part H, 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
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.

**INDIGO RUN ARCHITECTURAL REVIEW BOARD
APPLICATION FOR RESIDENTIAL CONSTRUCTION**

PLANS WILL NOT BE ACCEPTED FOR REVIEW WITHOUT COMPLETED APPLICATION AND FEE PAID

Date _____ FEE PAID \$ _____

Project (new home, addition, pool, new patio, screened porch, etc.)

Owner Name _____

Indigo Run Street _____

Mailing Address (if different) _____

Phone/Email _____

Contractor Name & Address _____

Phone & Email _____

Architect/Designer Name, Address & Phone:

Email: _____

Type of Approval Requested:

Concept Preliminary Final

Documents submitted (must be consistent/coordinated*):

Architectural Plans* _____ Landscape Plan* _____

Grading & Drainage Plan with seal*** _____

Exterior Finishes _____ Pool Plan if applicable _____

Cut sheets for exterior lighting _____

Color Photos of Adjacent properties _____

***Tree & Topo should also be signed & stamped

Please complete for NEW HOME:

Lot Area =	SF		
A. First Floor Interior		SF	
B. Second Floor Interior		SF	
C. Garage(s)		SF	
D. Covered porches, decks, patios		SF	
E. Hardscape		SF	
F. Height (above F.F.) =	FT		

_____ % Dwelling Lot Coverage
(A + B + C + D) / Lot Area = _____

_____ % Impervious Lot Coverage
(A + C + D + E) / Lot Area = _____

A + B + C** + D = Total SF x \$.50 = application fee

FINISHED FLOOR ELEVATIONS – First Finished Floor (AMSL) : _____ FT

GARAGE FINISHED FLOOR (AMSL): _____ FT

**When garage(s) are under first floor living areas, eliminate "C" in calculation.

**SUBMISSIONS FOR APPROVAL REQUIRE EXTERIOR ELEVATIONS, COLOR PHOTOS OF ADJACENT PROPERTIES,
SPEC SHEETS FOR EXTERIOR LIGHTING & SAMPLE SHEET OR ACTUAL MATERIALS AND COLORS**

Architectural Review Board Submission Fee Schedule

Additions (covered)	\$500	Full ARB approval
Window replacement	\$25	Full ARB Approval
Window replacement design change	\$100	Full ARB Approval
Awnings	\$25	Full ARB Approval
Generator installation	\$250	Full ARB Approval
Decorative trellis with benches, gazebo, etc.	\$100	Full ARB approval
Demolition or Filling in a Swimming Pool	\$100	Full ARB approval
Driveway Addition	\$100	Full ARB approval
Driveway staining over existing site	\$50	Full ARB approval
Enclose existing porch / patio	\$500	Full ARB approval
Extend existing patio or driveway	\$200	Full ARB approval
Fencing around pool / hot tub	\$500	Full ARB approval
Front door / Garage door(s) replacement	\$25	Full ARB approval
House, Single family residence	50 cents per SF, minimum \$2000	Full ARB approval
Landscape renovations / Fire Pits	\$100	Full ARB approval
Lighting on existing landscape	\$25	Full ARB approval
Lightning Rod Installation	\$50	Full ARB approval
New hot tub or spa	\$200	Full ARB approval
Outdoor Kitchen	\$500	Full ARB approval
Patio / Deck	\$500	Full ARB approval
Pavers + additional land area or over existing site	Up to 100 SF - \$50 101-250 SF - \$100 251-400 SF - \$150 401+ SF - \$200	Full ARB approval
Repainting/Re-stuccoing house	\$25	Full ARB approval
Replacing roof shingles/materials	\$25	Full ARB approval
Screen an existing patio, deck or porch under an existing roof	\$75	Full ARB approval
Shutters – permanent, decorative	\$50	Full ARB approval
Sitting wall / retaining wall	\$50	Full ARB approval
Skylights	\$25	Full ARB approval
Solar panels	\$100	Full ARB approval
Stamped Concrete over existing site	\$50	Full ARB approval
Swimming Pool	\$500	Full ARB approval
Demolition or Filling in a Swimming Pool	\$100	Full ARB approval
Tree Removal (tree permit form is applicable)	\$25 per tree	ARB Staff with ARB ratification approval
Walkway (new)	\$75	Full ARB approval
Builder/Owner ARB conference	No charge	
Changes after Final Approval Building permit	\$100	
Changes after Final Approval Landscaping	\$300	
Conceptual Review	No charge	
Re-Inspection due to Builder/Owner	\$100	
Variance Request	\$50	Full ARB approval

*Failure to obtain ARB approval prior to the commencing of any project will result in a penalty of 20% of the verifiable project costs up to a maximum of \$3000.

Owner: _____

INDIGO RUN

Address: _____

SAMPLE

SAMPLE

Siding Color:

Manf:

Stucco Color:

Manf:

SAMPLE

SAMPLE

Brick/Paver Color:

Manf:

Roof Color:

Manf:

INDIGO RUN ARB . 103 INDIGO RUN DRIVE . HILTON HEAD ISLAND . 843-689-7300

Owner:

INDIGO RUN

Address:

SAMPLE

SAMPLE

Trim Color:

Manf:

Fascia Color:

Manf:

SAMPLE

SAMPLE

Garage Door Color:

Manf:

Windows Color:

Manf:

SAMPLE

SAMPLE

Shutters Color:

Manf:

Chimney & Cap Colors:

INDIGO RUN ARB . 103 INDIGO RUN DRIVE . HILTON HEAD ISLAND . 843-689-7300

CHECK OFF LIST

PROPERTY ADDRESS:			
	Concept	Prelim	Final
% ratio of coverage (38% maximum)			
Exterior elevations of proposed residence			
Type of materials included and accepted			
Drawing to scale of site plan with footprint			
Area table included and acceptable			
Pool on site plan if applicable			
Complete application and paid fee	XXXXX		
Name & address of legal owners on plan; north arrow	XXXXX		
Topographic contour lines at 1-ft contour intervals	XXXXX		
Property lines with bearings and distances	XXXXX		
Minimum roof pitch of 6/12	XXXXX		
Small property location plan	XXXXX		
Show Control Joints	XXXXX		
1/8" scale site plan - current survey	XXXXX		
Building setbacks shown - no variances or variance request	XXXXX		
Shown canopies of trees near building structure	XXXXX		
Show existing utilities & easements inc catch basins; edge of existing road	XXXXX		
Excessive tree removal or removal of specimen trees	XXXXX		
DHEC/OCRM or wetlands shown on site plan	XXXXX		
Finished floor elevation & adjacent finished floors (Sec IV.D.1.)	XXXXX		
Height of building above finished FF - max. 35 feet	XXXXX		
8 x 10 photos of adjacent properties & location (6 photos)	XXXXX		
1/4" scale complete set of plans (roof, elev, electric, etc.) – one set	XXXXX		
Flagpole locations, height, color of pole	XXXXX		
Driveway dimensions including guest parking	XXXXX		
Service yard to accommodate 2 trash bins and HVAC	XXXXX		
Stakeout of building, driveway and other structures	XXXXX	XXXXX	
Site utilities: water, sewer, electric, cable, meters, generators, transformers	XXXXX	XXXXX	
Updated site plan for all tree removals	XXXXX	XXXXX	
Plan shows dumpster, porta toilet, material staging, silt fences, tree protection	XXXXX	XXXXX	
Final exterior colors and materials	XXXXX	XXXXX	
Exterior lighting & total wattage of bulbs (up or down lighting)	XXXXX	XXXXX	
Generator? All requirements	XXXXX	XXXXX	
Final engineered drainage plan, stamped and sealed	XXXXX	XXXXX	
Landscape plan? Shown on drainage plan?	XXXXX	XXXXX	
Signed drainage compliance agreement & fee	XXXXX	XXXXX	

**ADDENDUM
Exhibit "A"**

Broad Pointe Lot Setback Guidelines

All setbacks listed are in feet and are based on looking at lots from the street starting at intersection of right side of property line when facing lot from street. Exceptions are noted by asterisks.

Lot	Front	Rear	Lt Side	Rt Side	Other
<u>1</u>	30	30	12	10	n/a
<u>2</u>	30	30	12	12	n/a
<u>3</u>	30	30	12	12	n/a
<u>4</u>	30	30	12	12	n/a
<u>5</u>	30	30	12	12	n/a
<u>6</u>	30	30	12	12	n/a
<u>7</u>	30	30	12	12	n/a
<u>8</u>	30	30	12	12	n/a
<u>9</u>	30	30	12	12	n/a
<u>10</u>	30	30	10	12	n/a
<u>11</u>	30	30	10	10	n/a
<u>12</u>	30	30	10	10	n/a
<u>13</u>	30	30	12	12	n/a
<u>14</u>	30	30	12	12	n/a
<u>15</u>	30	30	12	12	n/a
<u>16</u>	30	30	12	12	n/a
<u>17</u>	30	30	12	12	n/a
<u>18</u>	30	30	12	12	n/a
<u>19</u>	30	30	12	12	n/a
<u>20</u>	30	30	12	10	n/a
<u>21</u>	30	25	10	10	n/a
<u>22</u>	40	40	12	12	n/a
<u>23</u>	40	40	12	12	n/a
<u>24</u>	40	40	12	12	n/a
<u>25</u>	40	50	12	12	n/a
<u>26</u>	40	40	12	12	n/a
<u>27</u>	40	40	12	12	n/a
<u>28</u>	40	40	12	12	n/a
<u>29</u>	40	50	12	12	n/a
<u>30</u>	40	40	12	12	n/a
<u>31</u>	40	45	12	12	n/a
<u>32</u>	40	45	12	12	n/a
<u>33</u>	40	50	10	10	n/a

Broad Pointe Lot Setback Guidelines

Lot	Front	Rear	Lt Side	Rt Side	Other
34	40	50	12	12	n/a
35	40	50	12	12	n/a
36	40	40	12	12	n/a
37	40	40	12	12	n/a
38	40	40	12	12	n/a
39	30	30	12	10	7 edge pavement
40	60	50	10	10	n/a
41	40	50	12	12	n/a
42	40	30	12	12	n/a
43	30	30	10	10	n/a
44	30	30	10	10	n/a
45	40	30	10	10	n/a
46	40	40	10	10	n/a
47	40	30	10	10	n/a
48	40	30	15	12	n/a
49	40	30	12	10	n/a
50	40	30	12	12	n/a
51	40	30	12	12	n/a
52	40	40	12	12	n/a
53	40	30	12	10	n/a
54**	50	40	12	15	n/a
55***	50	40	12	12	n/a
56	40	30	10	10	n/a
57****	40	30	12	12	n/a
58****	40	30	12	12	n/a
59	30	30	12	12	n/a
60	40	30	12	12	n/a
61	40	30	12	12	n/a
62	40	30	12	12	n/a
63	50	30	10	12	n/a
64	50	40	12	10	n/a

** Determined from longest right side yard calculation

*** Determined from left property line intersection with front

**** Front property line is contiguous with lot 58. Longest property line next to lot 56 is the right side.

ADDENDUM "B"

Addition to Page 24, Section V.B.2.a.

Added sentence: Top of Page 26, Section V.B.2.g.
Provide a calculation on the landscape plan showing this ratio.