

ORA Hilton Head Property Owner's Association Architectural Review Board

Property Enhancement Committee Guidelines

I. PROPERTY OWNER'S GENERAL INFORMATION

(a) BRIEF HISTORY

The original developer of the ORA Motorcoach Resort at Hilton Head Island has determined the overall land use plan and the infrastructure within the resort. The Declaration of Restrictive Covenants (covenants) was written with the idea that the resort would be able to evolve with the Recreational Vehicle (RV) industry and at the same time maintain its natural serene atmosphere, as well as provide a lasting value for the lot owners.

With the passing of time, it was determined that some changes and additions to the original designs and make-up of lot infrastructure were desirable and a Property Enhancement Review Committee was created to help the owners implement rules and guidelines to help maintain Resort atmosphere and still enable the improvement of facilities conducive to the RV industry in the 21st century.

(b) PHILOSOPHY

The covenants grant the association the authority of maintaining and administering the common properties and administering and enforcing the covenants and restrictions on both the common properties and individual lots. The association also has the authority to seek enforcement of local ordinances and state laws, as well as discriminatory laws, both state and Federal.

Since the authority of the Association relating to lots is limited to the restrictions in the rules, regulations and bylaws evolving from the covenants and Hilton Head Island town ordinances, it is necessary that the restrictions placed on individual lots be within the property owner's rights to enjoy their property as defined by South Carolina laws. These necessary restrictions are inherently part of the agreement when individuals purchase property in the resort.

A vital and dynamic Property Enhancement Committee is very important to the present and future development of the Resort common properties and its privately owned lots.

It is intended that the rules and guidelines of the Property Enhancement Committee be:

- applicable to all owners.
- allow the lot owners to deal with their own property consistent with the covenants, rules and local ordinances.
- beneficial to all and enforceable within the legal system.
- effective in enhancing the enjoyment of all owners.
- effective enhancing the resale value of all individual lots.
- effective in maintaining the nature-like atmosphere consistent with the Hilton Head Island development concept that owners were attracted to when they bought into the resort.

PROPERTY ENHANCEMENT SUB-COMMITTEE (PEC)

The Committee will come under the jurisdiction of the Buildings/Property Maintenance & Enhancement Committee (BPMEC) for the purpose of coordinating all construction activities within the Resort which could affect common property infrastructure.

The Property Enhancement Review Sub-Committee will be composed of members as follows:

- The Chairman of BPMEC.
- The Chairman of the PEC.
- At least two other members of the Owners' Association, one of which may serve as chairman of the PEC.
- The Resort Manager.

(c) PROPERTY ENHANCEMENT SUB-COMMITTEE FUNCTION

- 1) All applications for proposed permanent construction, renovations, or alterations on lots must be submitted to the Resort Manager who will contact PEC members for review and inspection. Should the request be of a simple nature with no lot line encroachment or other guideline, the Resort Manager may give approval for the work to be performed.
- 2) Approval of submitted plans if they meet PEC requirements. All approved plans must bear signatures of at least two PEC members except as stated in item 1) above.
- 3) Make suggestions for changes in the submitted plans if they do not meet requirements.
- 4) Conduct an inspection tour of the entire Resort at least on an annual basis or more frequently if required, to supplement the inspections conducted by the Resort Manager and submit a written report to the Board of Directors of their findings.
- 5) The Resort Manager will notify owners whose lots are not in compliance (including a photograph if necessary) with PEC Guidelines and take appropriate action. If no remedial action is taken, the Resort Manager will advise the owner in violation of the Association's intent of enforcement through proper process including the court if necessary.

(d) MEDIATION PROCEDURE (Property Enhancement Review/Permits)

Membership of the Mediation Panel shall be at least two members of the Board of Directors not on the PEC (one of which shall serve as chairperson for the committee) and the Resort Manger, if not involved with the original decision. If the owner is aggrieved by actions taken by the PEC, he may appeal to the Mediation Panel. In this case, the actions taken by the Panel will be final and any and all actions against the owner may be waived at the discretion of the Committee. In the event that the grievance is determined to be of great magnitude or is very controversial in nature, the committee may appeal to the Board of Directors, either by telephone conference or in session, for assistance in making its decision.

II. ALLOWABLE CONSTRUCTIONS AND ALTERATIONS

(a) PARKING AND DRIVING SURFACES (PADS)

- 1) Extensions of concrete PADS shall match the existing concrete. Replacement concrete other than aggregate may be approved on an individual lot basis. In order to maintain the original natural atmosphere concept within the resort, colors for all concrete surfaces shall be of a natural earth tone shade pre-mixed in the material from the list posted in the Clubhouse bulletin board and approval by the PEC is required prior to beginning construction.
- 2) All concrete additions must be 6" under all driving surfaces, be not less than 3,500-psi strength with these specifications in writing from the contractor prior to PEC approval.
- 3) In order to conform to Hilton Head Island township Land Management Ordinance, maximum impervious coverage allowed for the resort as a whole is 40% and minimum open space is to be 50%. Therefore the Association deems it necessary to restrict individual lot owners to a maximum overall concrete or other impervious surface area of 1,400 square feet. This overall restriction will allow for fairness to all owners regardless of their lot size, meet the town impervious surface ordinance requirements, and help control water runoff and drainage within the resort.
- 4) Concrete is not to be placed within four feet of the common rear property line.
- 5) PADS cannot be widened if they encroach on a neighbors' property or common property.
- 6) A four square foot area directly behind the pedestal should remain unpaved to allow for utility servicing.
- 7) Concrete should not be placed on the easement area between lots for two feet at each lot line except at the street. The PEC can approve concrete over this easement area; however the lot owner will be responsible for the cost of removal of such concrete if the association at any time in the future requires access to the easement. All costs associated with its removal or replacement shall be borne by the lot owner.

(b) DECKS AND PATIOS

- 1) If a deck is to be altered, the owner must submit a sketch with deck dimensions, lot line setbacks and specific material to be used. Approval by the PEC is required prior to beginning construction.
- 2) To coincide with the original concepts and to discourage deterioration and rot, wood decks shall be constructed of treated lumber or equivalent rot resistant material.
- 3) For the sake of consistency and aesthetics, only earth tone colors that complement the existing PADS will be approved. Coverings such as carpets should not be permanently attached to the deck.
- 4) When an owner not using a contractor removes wood decks in anticipation of new construction, all old lumber must be cut to lengths of no more than four feet and placed at front of lot for placement in the dumpster.

NOTE: Any hired contractor doing work in the resort will be responsible for the removal of excess material and/or debris from the resort upon completion of work. Should the contractor utilize the resort dumpster, the contractor shall pay an appropriate fee. Failure to comply by the contractor, the fee involved shall be paid by the lot owner.

(c) BENCHES, TABLES, ENTRY STEPS

Same criteria as decks should be used for construction materials and colors.
Ready made patio sets are also permissible, but within the color guidelines established.

(d) RAILINGS AND FENCES

- 1) Railings for safety purposes can be considered for approval by the PEC (For example, at the edge of the lake.) The height of the safety railings shall have a minimum height of 42 inches per Hilton Head building code and are not to exceed this height.
- 2) Same criteria as decks must be used for construction materials.
- 3) Prior to beginning construction of railings, a detailed drawing indicating purpose, measurements, type of material, and exact location must be presented to the PEC for approval.
- 4) Nautical rope decorations may be used if not utilized as a fence or enclosure and require approval by the PEC.
- 5) Trellises that are used for the growth of vegetation and not utilized as an enclosure or fence may be constructed if plans and exact location are submitted to the PEC for review and approval.

(e) STORAGE SHEDS

- 1) Prior to beginning construction, owners must obtain a permit from the PEC by submitting a sketch indicating where on the lot they propose to place the shed. Before submitting a sketch, owner will obtain from the Resort Manager the drawing showing the approved design, appearance, configuration, materials and colors to be used in construction.
- 2) Sheds are to be placed on lots in an inconspicuous location so as to not interfere with a neighbor's view of the natural landscape. If the location proves to be too conspicuous, owner may be required to plant natural vegetation to improve appearance.
- 3) The maximum approved size for storage sheds is: 4 feet tall, 8 feet wide, and 4 feet deep. All measurements refer to the outside of the shed excluding roof overhang, which shall not exceed 4 inches.

(f) STAINS

If stain is used in wood construction, three of the colors have been approved for use and can be purchased from the Grayco Hardware store closest to the Resort, and Home Depot where they are custom mixed to PEC specifications. The colors are:

- ORA Color A - Dark Brown
- ORA Color B - Beige
- ORA Color C - Gray
- Other Earth tone colors may be approved.

Several natural earth tone stain colors are approved for concrete. Samples of the approved colors for both wood and concrete are on display in the glass case of the lower floor of the clubhouse.

III. LOT AND COACH APPEARANCE AND MAINTENANCE

As a matter of common decency and consideration for neighbors, coaches and lots should be kept clean and in good repair. Also, lot landscaping should be well trimmed and generally well maintained.

As per article XII (a) of the Declaration of Covenants, the Association may require annual motorcoach approval as to condition.

(a) LOT LANDSCAPING

- 1) Prior to making substantial landscaping changes on a lot that would impact normal lot maintenance, the owner must obtain a permit from the PEC by presenting a sketch showing the proposed changes.
- 2) Shrubs and other plantings (including over-seeding with rye grass) are the responsibility of the individual owner and must be kept well trimmed and maintained.

(b) STRUCTURE MATERIAL MAINTENANCE & REPAIRS

- 1) All structures and concrete are to be kept in good repair to minimize the occurrence of accidents that might affect the insurance rates for the association and should be kept clean of mold, mildew, or other influences that might tend to make them unsightly.
- 2) If at anytime there is a problem with a common utility on an individual lot, the Association may need to shut off services to that lot. It may also be necessary to repair that problem and the owner could be assessed for the cost.

IV. LIGHTING

- 1) Lights permitted on individual lots are to be of limited intensity so as to not create a nuisance for neighbors or users of the common areas of the Resort.
- 2) Lights mounted in or on trees are not permitted.

V. TARPS

Only earth tone color tarps (including black) may be used to protect personal property when lot not in use.

VI. SIGNAGE

- 1) Signage must not reflect commercial advertisements nor vulgar or distasteful messages.
- 3) Signs should be no larger than 24" wide or 18" tall. Entire structure including the post should be no taller than 30" and they may reflect any or all of the following:
 - Lot name or number.
 - Owners' names.
 - Tasteful emblem or illustration.

(c) ELECTRICAL SERVICE BOXES

The costs of all repairs to the electrical service box (including parts and labor) are the responsibility of the lot owner.

(d) SERVICE PEDESTALS

In the event that a service pedestal must be replaced, all connections must be included in the replacement pedestal and the Association may require removal of the old pedestal. The new replacement pedestal must be approved by the Association prior to installation.

X: TREE POLICY

(a) OWNER RESPONSIBILITY

- 1) Trees on individual lots are the ultimate responsibility of the lot owners.
- 2) Following a general inspection of trees in the Resort by the PEC, the Resort Manager will inform owners by registered letter of trees which might present a hazard to their property, neighbors' property, guests, or those who rent their lot, and the liability they incur in the event that the tree or limbs fall and cause damage.
Note: The Property Owner's Association reserves the right to correct any tree problem that presents and imminent danger.
- 3) Any commercial tree contractor doing work in the resort will be responsible for the removal of all tree removal debris from the resort upon completion of work. Should the contractor utilize the resort dumpster, the contractor shall pay an appropriate fee. Failure to comply by the contractor, the fee involved shall be paid by the lot owner.

(b) TREE PROTECTION AND REMOVAL POLICY

- 1) Outdoor Resort Owner's Association Restrictive Covenants provide that no tree measuring six inches (6") or more in diameter when measured four feet above the existing grade may be removed without written approval of the Association. Trees with nesting birds shall not be removed.
- 2) Tree pruning is permitted on any tree by the landowner on their property. This refers to trees of more than six inches (6") in diameter measured at four (4) feet above existing grade level. Removal of more than 30% of leaf surface, at any time will be considered tree removal and treated as such. Removing the top of any tree more than six inches (6") in diameter will be considered unauthorized removal of a tree
- 3) If tree size is above the 6" limit in item 1), a permit is necessary and the removal should be done by a qualified, licensed and insured Tree Company. When a tree is removed it shall be replaced with a new tree at least 6' high and 2" in diameter unless special exemption is received from PEC. This new tree must be replaced within one year and can be planted anywhere on the lot at the owner's discretion.
- 4) Trees to be cut noted on a site plan will be clearly identified on the lot by the PEC.
- 5) A PEC representative will inspect the site before the approval is given for tree removal.
- 6) Non emergency tree contractor work will not be permitted on Saturday, Sunday or national holidays.
- 7) The Association is particularly interested in the preservation of "Specimen" trees, namely oak trees and other slow growing hard wood species and very large full-headed pine trees.

(c) TREE DAMAGE REPAIR

- 1) It is the intent of the Board to emphasize the importance of the trees to be saved and maintaining the natural setting of the Resort. The owner will be responsible for damage on the part of the contractor whether by methods of excavation, use of improper equipment or incompetence. Any tree damaged during the repair or installation of irrigation equipment, concrete replacement or damage as a result of such construction shall be repaired or replaced.
- 2) Accidental damage due to dead trees falling, equipment breakdown or any act on the part of the contractor or owner deemed unavoidable would not warrant a penalty. However, the owner will be liable for consistent accidental damage to existing trees. Damage due to improper location of utilities, trenches, or ditches will not be considered accidental.
- 3) Cleaning of equipment, storage of materials or dirt, disposal of waste material such as paint, solvents or harmful substances, or other such acts that may be harmful to continued vitality of the trees is prohibited.

(d) REASONS FOR TREE REMOVAL

- 1) Dangerous trees (dead, hollow or diseased).
- 2) Trees which prevent lot from being used for its original intended purpose as an RV site.
- 3) Trees causing root damage to pad or deck.