



# CAROLINA BAY

## ARCHITECTURAL GUIDELINES

*The Creekside Single Family  
Community*

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# **Carolina Bay Architectural Guidelines**

*The Creekside Single Family Community*

## **INTRODUCTION**

Carolina Bay has the potential to become one of West Ashley's most desirable neighborhoods with a timeless design. Through careful planning and design as well as the coordinated efforts of each homeowner in the community Carolina Bay will stand above other communities. Architectural Guidelines are put into place to ensure a cohesive design for a neighborhood without sacrificing the individuality of each home. The standards aid the development of a desirable and attractive neighborhood. They ensure, enhance, and protect the value of all the homes within Carolina Bay. This document is meant to be a supplement to the Covenants and Restrictions for the neighborhood, but the Covenants and Restrictions always supersede these guidelines. The guideline will aid the reader in understanding those elements that are important to the integrity of an individual home as well as to the manner in which that home compliments the overall harmony of the neighborhood. No action taken by the Architectural Review Board shall entitle any person to rely thereon with respect to conformity with the laws, regulations, codes or ordinances of local, state, or federal governments.

## **A. ARCHITECTURAL REVIEW BOARD GUIDELINES AND PROCEDURES**

### **I. Who and What is the Architectural Review Board**

The Architectural Review Board is the architectural control committee, which shall be the governing body charged with promoting and maintaining a high level of design, quality, harmony and conformity throughout Carolina Bay. The Declarant controls the Architectural Review Board until the time of turnover; afterwards the elected board from the homeowner's association takes control. No improvements of any kind shall be erected, placed, or maintained, and no alteration or modification of any improvements in Carolina Bay shall be made without approval of the Architectural Review Board.

### **II. Purpose**

The Architectural Review Board is established to provide a system of review for the construction or modification of all improvements within the Project. The goal of the Architectural Review Board is to review the application of plans and specifications to determine the compliance with the standards set forth by the Covenants and Restrictions. The Board strives to ensure the communities are attractive by maintaining the principles set forth in the Covenants and Restrictions. The Architectural Review Board does not assume responsibility for the technical aspects, structural aspects, or safety of the design. Nor does the board assume responsibility for compliance with local codes, ordinances, or laws.

### **III. Scope of Architectural Review Board**

The Architectural Review Board reviews, approves, and/or disapproves all plans and submissions solely on the basis of aesthetic standards, harmony of location, external structure and design relating to surrounding topography and the overall benefit or detriment to the overall Project. The board will take into account aesthetic aspects of architectural design, placement of buildings, color schemes, exterior finishes, and materials used. The Architectural Review Board is not responsible for structural safety of the improvement or the conformance with building codes. The Board holds the right to refuse any submittals that are not suitable or desirable to the overall aesthetics of the neighborhood. The Board also reserves the right to grant variances to these standards on the basis necessity or unusual conditions. The Architectural Review Board reserves the right to inspect all aspects of the improvements after the construction process has been completed. Declarant improvements are not subject to the board approval and are deemed to conform to the plan of development for Carolina Bay.

### **IV. Steps for Obtaining Board Approval**

1. Plans for improvements must be submitted to the Architectural Review Board to include all aspects of the improvement along with the proper application form (See Appendix B).
2. Applicant must submit a plot plan of the lot showing the location of the improvement.
3. The Architectural Review Board may require the submission of additional information and materials as needed to supplement the application.
4. The Board reviews submittals on a monthly basis. (The typical turn around for an application is thirty days).
5. All approvals or disapprovals will be written and sent to each respective Applicant.
6. Applicants may submit improvement plans to the Architectural Review Board before the closing of a home to ensure the home will fit all the needs of the homeowner.

### **V. Enforcement**

The Architectural Review Board reserves the right of entry and inspection of any lot or portion of Project Land to determine the existence of improvement that violates the standards set forth by both this document and the Covenants and Restrictions. Except in emergency situations, any exercise of entry and inspection by the Architectural Review Board will follow at least a twenty-four hour notice to the Residential Owner. The Board is empowered to enforce the provisions set forth in both this document and the Covenants and Restrictions by any legal action, and in the event it becomes necessary to resort to the legal system all fees are incurred to the prevailing party. The cost of removal of unapproved improvements will also be incurred to the Residential Owner.

## **VI. Fines**

A system of reasonable enforcement policies, which includes fines, has been put into place to allow the ARB and the Home Owner's Association authority when enforcing the standards set forth in both this document and the Covenants and Restrictions. This fine structure is subject to change if the ARB considers the current system ineffective. The Home Owner's Association steps of enforcement are as follows:

1. Letter of warning is sent to the Owner. Owner will be given 14 days to fix the violation.
2. If problem persists a second letter is sent with a fifty dollar fine incurred by Owner. Owner will be given 14 additional days to fix the violation.
3. If violation persists the Owner will be sent a third letter with a hundred dollar fine. Owner will be given 14 additional days to fix the violation.
4. If violation persists past the third warning, the Owner incurs a one hundred and fifty dollar fine. Owner will be given 14 additional days to fix the violation. After this point the matter will be turned over to legal counsel where all legal remedies will be pursued at the expense of the Owner.

The Association reserves the right to order work on the homeowners behalf and charge the account any at point in the violation process 14 days after the first warning letter.

## **VII. Appeals Process**

Any homeowner who is denied approval on any submittal or portion of a submittal holds the right to appeal the Board's decision. All appeals should be in written form addressed to the Creekside Single Family and Saltgrass HOA Board. The appeal should be noted at the next formal meeting and will allow the Residential Owner to explain and justify the original request. The appeals process is also applicable to the fines set forth by the Homeowner's association. The homeowner is allowed a 30 day maximum period of time in which to appeal the Board's decision. The 30 day time period begins on the date of the Board's decision, and ends 30 days thereafter.

## **B. CREEKSIDE SINGLE FAMILY LANDSCAPE STANDARDS**

The general character of any home is greatly determined by the elements of its surroundings. Proper selection and placement of plant materials is extremely important in establishing the overall setting of the home. The landscape guidelines promote continuity in the landscape where individual lots relate to one another while at the same time allowing for individuality of each lot. Only mulch or pine straw are approved plant bed materials, rock of any kind is not approved for plant beds.

### **I. Front and Side Treatment**

Emphasis should be placed on proper proportion rather than quantity or size of plant material. Try to select plants that will give year round bloom. Small plots of contoured grass provide year round color and low maintenance. A list of suggested trees and plants is available in Appendix A.

## **II. Rear Area Treatment**

The configuration of Carolina Bay's lots allows for a variety of landscaping treatments. If appropriately planned, much of the area can be kept in its natural state if desired. Structures such as decks and outbuildings lend themselves to more formal landscaping. In some cases the over shaded condition will limit the use of sod, however keep in mind that grass offers many advantages such as: year round color and low maintenance. There are many natural shrubs available at low cost that requires little maintenance. A list of suggested trees and plants is available in Appendix A.

## **III. Irrigation**

The Architectural Review Board must approve irrigation system location before it is installed.

## **IV. Maintenance**

Each Residential Owner is responsible for maintaining, in a healthy condition, all natural and introduced vegetation on their lot. Removal of dead or diseased plant material must be done on a regular basis in accordance with the best practices for the plant material involved. Each lot must have grass lawn that must be mowed and maintained on a regular basis. The grass lawn must be edged, and maintained at a height that is pleasing to the Board. The Architectural Review Board reserves the right of landscape inspections for each Residential Owner in the Project. If a Residential Owner fails to maintain all plant materials within a lot in the manner described above, the Architectural Review Board may remedy such failure by whatever methods it deems necessary and appropriate. The owner shall reimburse the Architectural Review Board for all expenses incurred by performing the duties described above.

## **V. Tree Removal**

The owner must obtain written approval from the Architectural Review Board before any tree over six inches in diameter is removed from any lot., a tree that is twenty-four inches in diameter or more will also require a permit from the City of Charleston. Tree removal guidelines are put into place to keep the Carolina Bay Communities as natural as possible, along with developing a low-country feel.

## **C. CREEKSIDE SINGLE FAMILY WALL AND FENCE STANDARDS**

Walls and fences serve several useful purposes. First and foremost, they delineate property lines between neighbors and between the public and private realm. Behind the house, fences and walls serve as a privacy screen, to keep pets at bay, or to form a spatial relationship for the courtyard garden. Walls and fences can take an infinite number of forms. Another option is a living wall of hedges or simply larger landscaping grasses. The Standards published by the Board may contain specifications for the materials, design, and location of fences, including, but not limited to, the location, number and design of the gates. Fence styles and locations allowed on lots for your community are listed below. All fences, fence styles, and fence locations must be approved by the Architectural

Review Board before beginning installation. Appendix D shows recommended fence styles, specifications, and materials.

## **I. Style**

Four-foot wooden picket fences will be utilized in the Creekside Single Family Community. The recommended specifications for these fences are listed in Appendix D. The fences may either be painted Charleston Green or kept natural. The Architectural Review Board recommends fence uniformity between neighbors to help maintain an aesthetically pleasing neighborhood. It is recommended that natural barriers such as landscaping be utilized in lieu of fences.

## **II. Position**

Please note that fences may not be built in either Right of Ways or General Utility Easements without proper approval from the utility company(s). Additionally, fences are not permitted to be placed in a drainage easement without written approval from the City of Charleston. If there is an existing fence, it is preferred that the fence constructed secondly tie into the existing fence. If the fence constructed secondly does not tie into the existing fence then homeowner whom built the latter fence will maintain the yard between the fences.

- It is required that the fence be built on the rear and side property lines.
- The fence may not extend past 15 feet from the rear corner of the house that is closest to the street.
- If there is an existing fence, it is required that the fence constructed secondly tie into the existing fence. In the event that the Board grants a variance that the latter fence is not required to be attached to the first fence, the homeowner who constructed their fence secondly will be responsible for maintaining the yard between the fences.
- Fences on corner lots must be at least eighteen feet from the center of the side street. The Board reserves the right to modify this criterion if necessary.

## **III. Maintenance**

The Residential Owner of a lot upon which a fence or wall is installed shall be solely responsible for providing and maintaining access to and from the rear yard of such lot. The Architectural Review Board recommends refraining from placing fences in drainage or utility easements. In the event a fence is placed upon a drainage or utility easement, it is the homeowner's responsibility to comply with all municipality regulations and restrictions. Any fence placed in an easement can and may be removed for improvements or repairs to the easements, and the replacement cost of the fence will be at the homeowner's expense. In general, any fence installed upon a lot shall be designed and used in a manner that will allow access to and from the rear yard of such lot to allow the Architectural Board to perform any of its obligations or exercise any of its rights pursuant to this document that require the Board to have access to the rear portion of such lot and to allow public utility companies to inspect, maintain and repair any utility facilities located within the boundary of the lot.

All fences must be maintained and kept as new. If the fence is not maintained to the standards of the Architectural Review Board it will be cause for a monetary fine.

## **D. CREEKSIDE SINGLE FAMILY OUTBUILDING STANDARDS**

Another important characteristic of Carolina Bay homes is the option for outbuildings at the rear of the home. An outbuilding is defined as a detached structure from the main house, including a garage, carport, studio, equipment shed, or workshop. In each case, materials used shall mimic that of the primary structure (i.e. the siding and roofing of the house). To be granted approval for a shed; a fence must also be constructed previously or a fence request must be submitted with the shed request.

### **I. Placement**

Placement of the outbuildings in relation to the home is critical to the formation of a spatial layout of the lot. The Architectural Review Board must approve the placement of the outbuilding in relation to the lot layout. Please submit a plot plan with house and outbuilding location with application.

### **II. Height, Size, and Materials**

Outbuildings should be compatible with the architectural style of the main house, but appear secondary in massing, scale, material, and detail. Height and size must be proportional to that of the house and lot. The recommended size for an outbuilding is 10' length by 12' width by 8' height. The material used for the outbuilding must be the same as the house. The Architectural Review Board must approve all aspects of the outbuilding.

## **E. CREEKSIDE SINGLE FAMILY EXTERIOR MODIFICATION STANDARDS**

Exterior modifications help make each home more individualized. Each owner can modify his or her home based on the guidelines set forth in this document.

### **I. Additions and Alterations to a Home**

No Living Unit shall be enlarged by any addition thereto or to any part thereof, and no Residential Owner shall make any improvement, addition, or alteration to the exterior of his Living Unit, including, without limitation, the painting, staining, or varnishing of the exterior of the Living Unit or re-roofing with shingles of a different color or material, without the prior written approval of the Architectural Review Board, which may withhold approval for purely aesthetic reasons. Permanent additions must be within all building setbacks.

### **II. Porches, Sunrooms, and Decks**

The size and design of porches, decks, and sunrooms should be architecturally compatible with the house. The Architectural Review Board must approve all plans before construction begins. Space below decks and sunrooms should be screened with lattice, shrubbery or other means appropriate to the house design.



### **III. Mailboxes**

Mailboxes may not deviate from the one the original Developer, in this case Centex Homes, has provided. Mailbox wraps are not permitted in the community.

### **IV. Temporary Structures**

No tents, trailers, shacks or other temporary buildings or structures shall be constructed or otherwise placed upon the Project Land except in connection with construction, development, leasing or sales activities permitted by the Architectural Review Board or performed by Declarant. No temporary structure may be used as a Living Unit. No garden shed, storage shed, outbuilding, play structure, or other permanent structures, which are detached from the Living Unit, shall be constructed or placed upon the Project Land unless approved by the Architectural Review Board.

### **V. Lighting (Security)**

Exterior lighting must be limited to areas within the building envelope. Exterior lighting shall be located so as not to result in excessive glare or interfere with the privacy of nearby dwellings. Floodlights must be hooded. An exterior lighting plan with locations is required for approval by the Architectural Review Board.

### **VI. Monuments, Sculptures, and Flag Poles**

The Architectural Review Board must approve all monuments, sculptures, yard art, and flag poles that the Residential Owner plans to place on the lot. Monuments, sculptures, yard adornment, and art of any kind are discouraged in front or side yards.

### **VII. Swimming Pools**

The Architectural Review Board must approve all pool sizes, shapes, and layouts prior to installation. No above ground pools will be permitted anywhere in the development. It is the responsibility of the homeowner to obtain all required permits from the governing municipality. An approved fence must be constructed along with a pool.

### **VIII. Docks**

No private docks are allowed on this property.

### **IX. Play Equipment**

Elements of a planned park or playground, swing sets and similar outdoor play areas, structures and equipment, must be located where they will have a minimum impact on adjacent lots and where they will be best screened from general public view. Play equipment must be located in the middle half of the rear of the lot on the non-street side. The play equipment must not exceed eight-feet in height. Any proposed play equipment to be placed in the yard must be approved by the Architectural Review Board. Natural wood play equipment is the only material approved for play structures. Brightly colored and plastic play equipment is not permitted, and may be declined by the Architectural Review

Board. A fence must be constructed before play structures will be permitted by the Architectural Review Board. No trampolines are allowed in the Creekside Single Family Community. Basketball goals must be stored out of view when not in use. The developer will be providing play areas at various locations throughout the community.

## **X. Outside Antennas and Satellite Dishes**

No Residential Owner may erect or maintain a television or radio receiving and transmitting antenna, satellite dish, or similar apparatus or equipment unless such equipment is; less than two feet in diameter, the apparatus is screened from public view and located behind the living unit either in the rear yard or affixed on the rear roofline, the apparatus is not visible from any point while standing along the property boundary line in the front of the house that abuts or is adjacent to a street, right-of-way or sidewalk, and the Architectural Review Board has approved of the apparatus, its location, and the type of screen. All efforts must be made to screen the apparatus from view including the use of approved shrubbery.

If the signal cannot be obtained from one of the specified locations, a letter from the provider proving this must be submitted to the Board with the ARB request.

## **F. CREEKSIDE SINGLE FAMILY ADDITIONAL FLATWORK**

### **I. Driveways**

No additional driveways can be added to lots without specific approval by the Architectural Review Board. If additions are approved they must be constructed of concrete that exactly matches that which is present. A two-foot minimum setback should be maintained from all property lines. Encroachments on the setback will be reviewed on a case-by-case basis by the Architectural Review Board, and should be submitted to the governing municipality.

### **II. Patios**

Any patio additions must be approved by the Architectural Review Board.

## **G. CREEKSIDE SINGLE FAMILY SIGNS**

In an effort to enhance the appearance of the Carolina Bay communities only certain types of signs will be permitted. This will promote a sense of consistency and enhance the general appearance of the community.

### **I. Types**

The only type of sign permitted for a period longer than twenty-four hours in Carolina Bay is that which advertises a house is "For Sale." The Architectural Review Board for Carolina Bay has produced a template for which all "For Sale" signs must match. This is shown clearly in Appendix C. "For Rent" signs will not be permitted either in the yard or in house within these communities.

### **II. Style**

Sign details are located in Appendix C.

### III. Placement

The sign should be placed in the front center yard of the lot.

### IV. Obtaining a Sign and Lead-Time

The homeowner or real estate agent must contact the current property management company for instructions on obtaining For Sale signs.

## H. CREEKSIDE SINGLE FAMILY RECREATIONAL BOAT AND VEHICLE PROCEDURES

### I. Storage and Parking

The storage of a boat, camping trailer, recreational vehicles or similar equipment is allowed in an enclosed garage provided the garage door remains closed. No overnight parking of the boat, visible from the street, is permitted. **If the boat is visible from behind the fence or the garage is it not permitted by the Association and will be cause for monetary fines.**

Parking on Conservancy Lane is not permitted at any time due to high traffic volumes and parking on all others streets within the community for longer than a 24 hours period is not permitted. All owners must adhere to the parking rules and will be responsible for their vehicles and that of their guest.

# APPENDIX A

## *Suggested Landscaping*

## **I. Canopy Trees**

Red Maple  
Red Sunset Maple  
October Glory Red Maple  
River Birch  
Heritage River  
Pecan  
Deodar Cedar  
Green Ash  
Japanese Ginkgo  
Moraine Honey locust  
Shademaster Honey locust  
Black Walnut  
Yellow Poplar  
Sycamore  
Southern Red Oak  
Water Oak  
Willow Oak  
Shumard Oak  
Live Oak  
Scarlet Oak  
Laurel Oak  
Bald Cypress  
Brasswood  
Winged Elm  
Drake Chinese Elm  
Breen Vase Zelcova

## **II. Understory Trees**

Cocas Palm  
Eastern Redbud  
Flowering Dogwood  
Carolina Silverbell  
East Palatka Holly  
Foster Holly  
Hume Holly  
Savannah Holly  
Nellie Stevens Holly  
Natchez Crepe Myrtle (White)  
Potomac Crepe Myrtle (Medium Pink)  
Muskogee Crepe Myrtle (Lavender)  
Catawba Crepe Myrtle (Dark Purple)  
Tuscarora Crepe Myrtle (Dark Pink)  
Saucer Magnolia  
Sweet bay Magnolia  
Flowering Crabapple  
Wax Myrtle  
Pistachio  
Cherry Laurel

Purple Leaf Plum  
Bradford Pear  
Aristocrat Pear  
Palmetto  
Windmill Palm  
Chaste

### **III. Buffer Shrubs**

Sasanqua Camellia  
Eleagnus  
Burning Bush Euonymus  
Forsythia  
East Palatka Holly  
Foster Holly  
Hume Holly  
Savannah Holly  
Dwarf Buford Holly  
Buford Holly  
Nellie Stevens Holly  
Yaupon Holly  
Anise  
Pfitzer Juniper  
Japanese Privet  
Japanese Privet  
Variegated Chinese Privet  
Maiden Grass  
Japanese Silver Grass  
Wax Myrtle  
Nandina  
Oleander  
Fortunes Tea Olive  
Fragrant Tea Olive  
Pittosporum  
Variegated Pittosporum  
Formosa Firethorn  
Majestic Beauty Hawthorn  
Japanese Clevera

### **IV. Ornamental Shrubs**

Edward Goucher Abelia  
Sherwood Abelia  
Purple leaf Japanese Barberry  
Harrington Plum-Yew  
Cotoneaster  
Daylily  
Carissa Holly  
Dwarf Horned Holly  
Juniper

Sergeants Juniper  
Creeping Juniper  
Harbor Dwarf Nandina  
Dwarf Pittosporum  
Dwarf Indian Hawthorn

## **V. Ground Cover and Vines**

Akebia  
Weeping Love Grass  
Winter creeper  
English Ivy  
Hypericum  
Candytuft  
Kadsura  
Liriope  
Miscanthus  
Mondo Grass  
Fountain Grass  
Asiatic Jasmine  
Confederate Jasmine

## **VI. Turf**

Bermuda  
Centipede  
Saint Augustine

# **APPENDIX B**

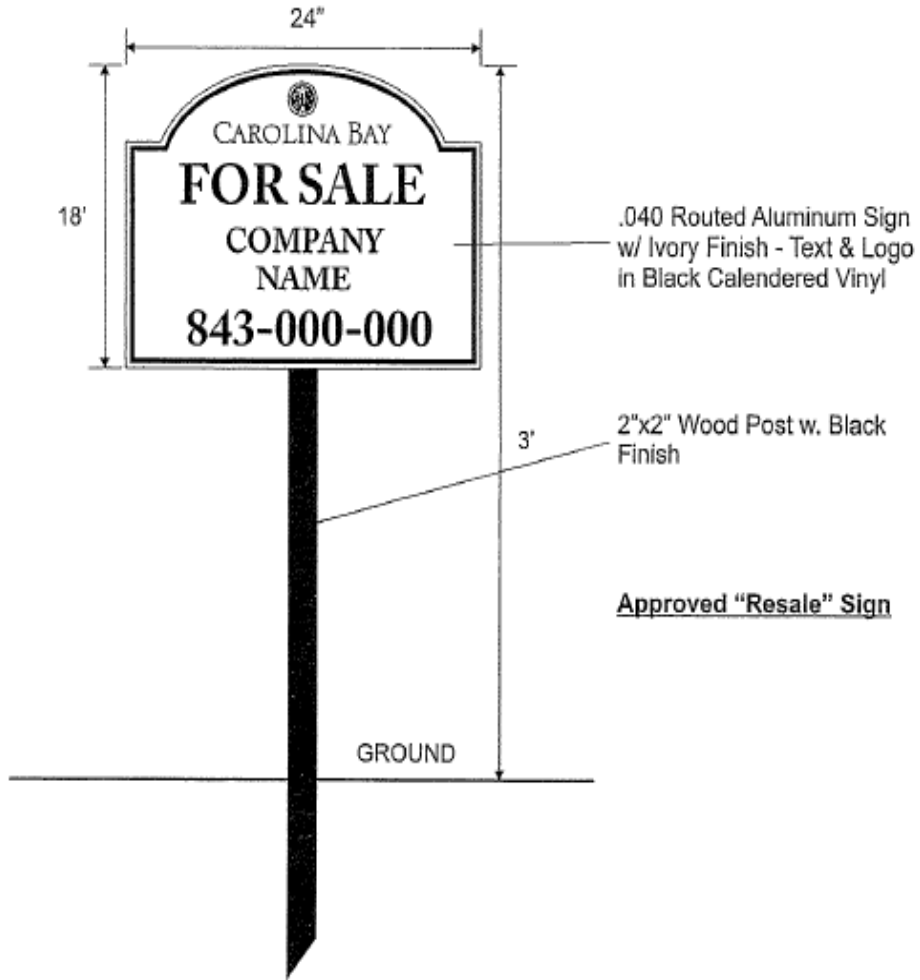
## *Architectural Review Board Application*

Please contact the property management company for the current application.



# ***APPENDIX C***

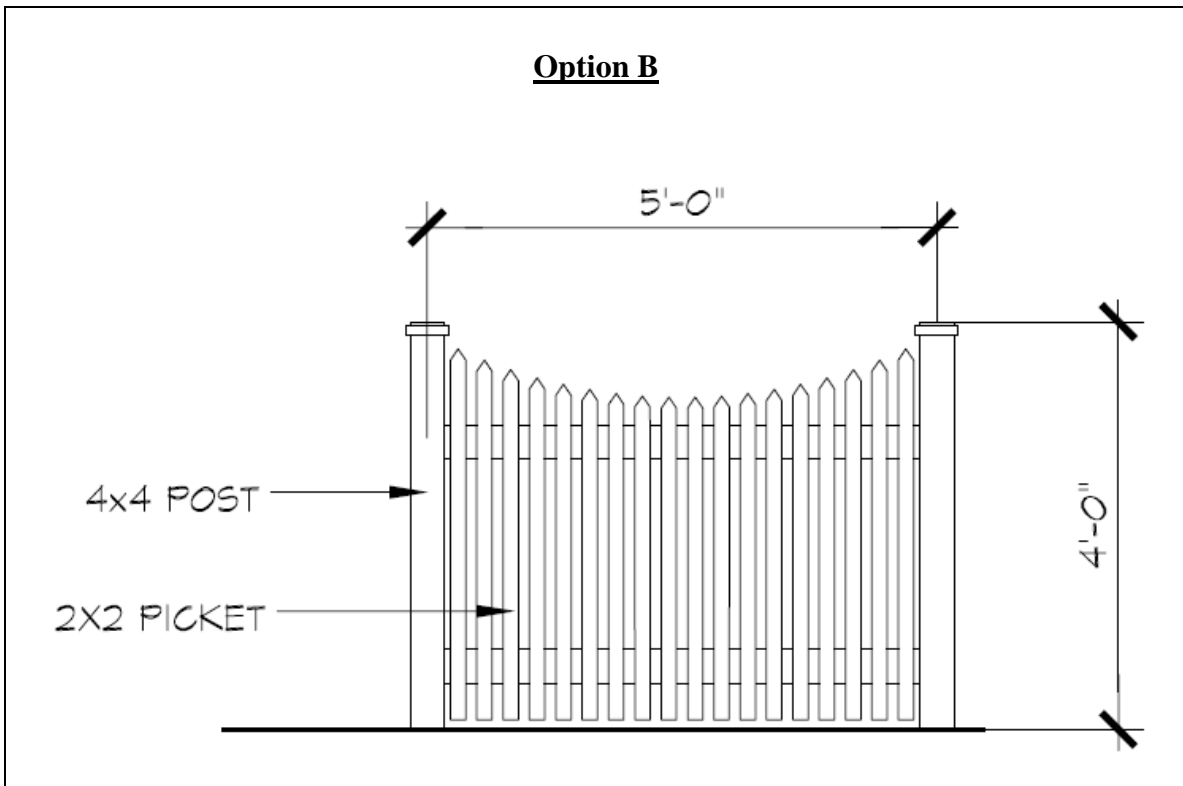
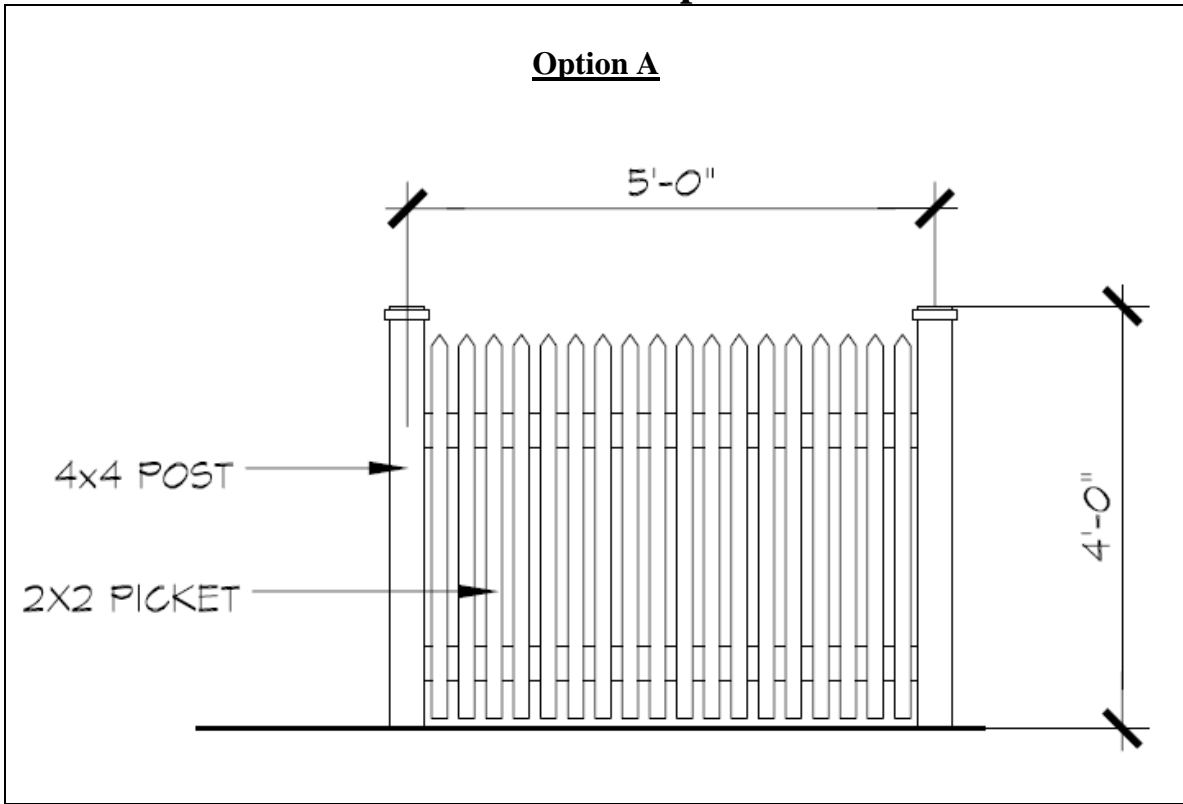
*For Sale Sign Details*



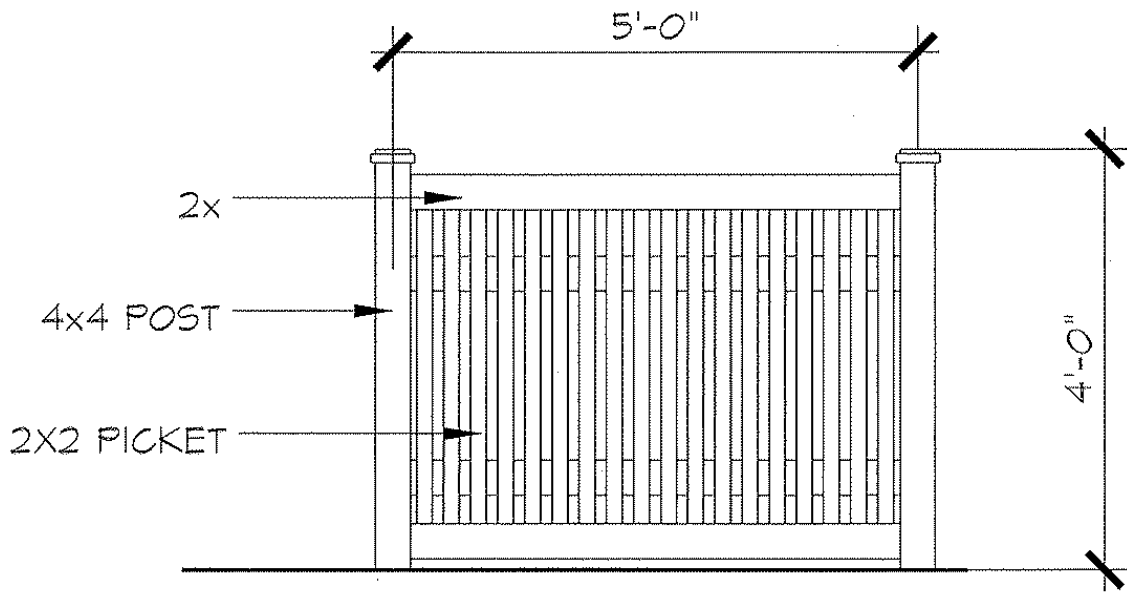
# APPENDIX D

## *Fence Options*

**Four-Foot Wooden Pickets  
Painted Black or kept Natural**



**Option C**



**Option D**

