

DESIGN REVIEW COMMITTEE GUIDELINES AND POLICIES FOR PORT ROYAL LANDING

Port Royal, South Carolina

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I. Design philosophy, Purpose and Goals

A. Architectural Style

The Port Royal Landing design intent is one of simple comfort, compatible with the environment and riverfront setting, as well as with the lot sizes and resultant scale of the built neighborhood. We are a small community of small homes on small lots, which not only dictates the scale of homes and landscapes, but creates an interdependency we can't ignore.

The architectural style for residences is "coastal cottage," typical of the southern Atlantic coastal region around 1700. This style features a rectangular footprint with a steeply pitched main roof, shed roof porches and dormers.

B. New Technology

While our design philosophy references the past, new technology and innovations in building materials, residential systems and energy sources will be considered, though some may be deemed inappropriate for Port Royal Landing homes.

C. Grandfathering

Previous updates to property and structures, prior to the effective date of these Guidelines and not in compliance, may be grandfathered. Major repair or replacement of any grandfathered features **MUST** comply with the DRC Guidelines in place at the time the request is made.

D. DRC Purpose and Goals

Our founders created a Design Review Committee (DRC) in our Covenants (Article VI) to review all plans for building and landscaping in Port Royal Landing. The Committee's goal is to preserve the unique look and feel of the neighborhood as established in the Covenants, helping to preserve our property values. This goal forms the basis of DRC decisions on property owner requests. Information about the DRC starts on page 13.

With only 2 lots remaining undeveloped in Port Royal Landing today, DRC focus is shifting from new home construction to improvements in existing homes and landscaping.

And as weather patterns become more violent and changeable, stormwater absorption and drainage are becoming issues, in Port Royal Landing as in communities across the nation. New products and materials are available to assist in the effort to control stormwater. Our goal is that each individual lot will absorb as much of its own rainfall as possible. Future DRC requests will be considered in light of this issue as well as appearance and safety.

II. Changes Requiring DRC Approval

If your proposed change does not change the appearance of your property, you need not seek DRC approval. Same color roof, same color paint... OK. **But any CHANGE anywhere on your property does require a Request for Review and DRC approval BEFORE you do it.** This ends the tradition that changes behind your fence, in your side or back yard, need not be approved. Your

change might not be visible from the street, but it could affect your neighbor's lifestyle or the community at large, and therefore it requires a DRC review.

A. Additions or extensions

Requirements outlined in this section and in New Home Construction (Page 11) should be used as a guide when planning renovations. Plans should be sufficient to show/describe the proposed change, as well as any possible effect on surrounding properties. Emphasis is on harmony of the new addition or extension with the existing building – no abrupt changes in roofline or silhouette; doors and windows, materials and exterior finish all should match the original.

B. Enclosures

When changing a space that was not part of the permanent living area into a part of the living area – such as converting a garage to a man cave or enclosing a porch or patio – harmony with the existing structure is key. Doors, windows and window treatments, exterior finish and colors, should match the existing building. Emphasis is on making the newly enclosed or newly purposed area look like part of the original.

Areas beneath waterfront homes cannot be enclosed for use as living or working space, e.g. family room, guest quarters, office. If the area under a waterfront home is used for storage, the area should be appropriately screened with vegetation or lattice. See II.P, Screening from View, on page 8.

C. Porches, Decks and Balconies

Porches are among the most visible contributors to the “look” of Port Royal Landing. Porch and deck styles are depicted on our website (www.portroyallanding.org) in the drawings accompanying the Original Sales Materials. In general, porch overhangs are an integral part of each home. (See Section II.D, Roofs.) Overhangs are supported by white columns, which may be connected by railings and balusters on waterfront homes only. Railings will be painted white.

Balconies are included in some home styles; an added balcony should mimic the appearance of existing ones.

Screening and privacy screens - See Section II.P, page 8, Screening from View.

Roll-down blinds on the outside of a window or in an open space, e.g. on a front porch, are not permitted. (See II.F on page 4, Doors and Windows, for more.)

D. Roofs, gutters, solar devices and wind generators

Roofs shall be of composite asphalt shingle. DRC approval is required if the color is different from the previous roof. The roof color should be similar to that of other roofs in the neighborhood. Most PRL roofs are 12:12 pitch, with porches being either 4:12 pitch or occasionally 6:12. Dormers should be compatible with rooflines in which they are placed.

Roof overhangs are important to Port Royal Landing's architectural character. Their use should be maximized to provide protection from sun and rain. These overhangs should be a feature of balconies, decks and screened porches. Minimum depth of a roof overhang is 12 inches with gable ends of 12 inches.

Roof accessories such as vent stack flashing and roof vents shall be painted to match roof color. Where possible, vents shall be located away from doors and windows. No raw aluminum or galvanized flashing is allowed where it might be visible.

Gutters and downspouts should be white. Runoff from downspouts cannot be shed on neighboring property. A request for new guttering must include a drainage plan for the water. The homeowner should consult an expert if necessary.

Solar energy-producing devices may be installed on non-street-facing roofs only, with DRC approval before installation. They should be as inconspicuous as possible, and they must comply with state and federal regulations.

Wind generators on roofs or other parts of a property are not allowed.

E. Exterior Siding, Colors and Trim

Acceptable exterior finishes include lapped siding or shake shingles. Shingles may not be made of vinyl or aluminum. HardiBoard or HardiPlank is acceptable. Similar cement-based siding may be approved if it matches the look and feel of existing approved siding.

Colors – The color scheme for homes' exteriors should complement rather than contrast with the environment. Topography, vegetation and colors of neighboring structures should be considered; softer tones that blend in are preferable. The DRC can provide a palette of pre-approved colors.

No more than four colors should be used on the exterior of a home (including the roof). House trim, window and door trim and garage doors must be white.

F. Doors and windows

Front doors may be painted a color with DRC approval. Doorframe will be white. Replacement of any exterior door requires DRC approval. Full-light front doors (entire area inside the frame is glass) are discouraged. Front doors should be no more than $\frac{3}{4}$ light with obscured glass.

French and sliding doors are permitted on balconies or back porches only, with DRC approval. Single-pane and two-panel storm doors are permitted. Door frames must be white.

Garage doors will be white, solid-panel doors without external ornamentation. A row of four square-paneled windows at the top of the door is permitted.

Window and door frames are to have anodized aluminum, vinyl, fiberglass or painted finishes. Frames, sashes and all trim shall be white.

Six-over-six windows, or the appearance of same, are required, except on the water side of waterfront homes. Rectangular single-hung or double-hung windows are acceptable. Polygon, oval, round and half-moon windows are acceptable on non-street-facing facades with DRC approval.

Awnings are appropriate sun-screening devices on the waterside porches of waterfront homes only, with DRC approval. Roll-down fabric shades on the outside of a window are not acceptable. Tinted glass is acceptable with DRC approval, but no foil or reflective material shall be used. Retractable hurricane shutters are permitted. If framing is visible, it must be white as other trim.

G. Auxiliary structures and spaces

Back yard storage sheds and other auxiliary structures require DRC approval for placement and appropriate screening. Such structures should not be visible from any street or neighbor's home. If behind a fence, they must be of a height that is concealed by the fence. They should have a neat appearance and doors should be kept closed when not in use. Plastic structures are discouraged.

Areas beneath waterfront homes cannot be enclosed for use as living or working space, e.g. family room, guest quarters or office. If a storage structure is placed beneath a waterfront home, the area should be appropriately screened with vegetation or lattice. See II.P on page 8, Screening from View. Structures should have a neat appearance and doors should be kept closed when not in use. Plastic structures are discouraged.

H. Fences and gates

Fencing material will be approved by the DRC before installation or replacement. Material shall be natural, unpainted treated wood. Steel cables and wood are acceptable fencing material for waterside deck railings on waterfront homes only.

The **perimeter fence** is community property and is maintained by the Port Royal Landing Owners Association (PRLOA). This fence is natural wood, six feet tall, and of solid board-on-board construction for privacy, with no more than a 1/8-inch space between boards to accommodate swelling. Homeowners whose property is bounded by the perimeter fence are responsible for keeping both sides of the fence clear of vegetation, or contacting the PRLOA Landscaping Committee to have it cleared at the owner's expense. This provides a neat appearance and extends the life of the fence.

Any changes to **interior fencing** (including fencing between Mariners Court homes and the marina parking lot) require DRC approval. Interior fencing is installed and maintained by individual property owners. Material will be natural, unpainted, treated wood, four to six feet tall (with adjacent fences matching in height), and of shadowbox construction, i.e. vertical boards placed alternately in front of and behind the fence line. This increases ventilation and minimizes wind damage from storms. Keeping interior fences free of vegetation is the responsibility of the homeowners residing near them.

Interior fences must be set back at least 6 feet from the front corner of both homes involved. Owners who need a smaller setback are welcome to discuss the matter with the DRC. Interior fences between neighbors should have any exposed posts facing the side of the neighbor who is installing or replacing the fence.

Gates may be placed in interior fences only, not in perimeter fences maintained by PRLOA. Gates will match fences: of natural, unpainted, treated wood, and the same height as the fence.

Backyard fencing between homes on the waterfront is prohibited by the Covenants (Section 5.17, View Easements).

I. Fireplaces

Chimney dimensions shall be visually compatible in scale to the structure. Exposed surfaces of the chimney shall be covered in the same materials as the residence.

Prefab metal fireplaces are acceptable within a residence, but the metal flue must be totally enclosed by approved materials. Prefabricated metal spark arresters or flue tops may not be visible.

Outdoor fireplaces and firepits: See II.O on page 7, Outdoor Features.

J. Hardscapes: Driveways, pathways, patios and stepping stones

Driveways must be paved with poured concrete and provide a minimum of two parking spaces. **Primary walkways** (those leading to the home's main entrances) must be paved with poured concrete. A wooden bridge is allowed as a walkway to the front door of waterfront homes. Driveways and walkways may not be painted or decorated in any way.

Hardscapes are manmade features used in landscape architecture, e.g. paths, patios or walls, as contrasted with vegetation. Hardscapes can increase rainwater runoff and soil erosion. Excess rainwater runoff taxes municipal treatment systems and washes toxins into waterways like our nearby Beaufort River. Sustainable hardscapes use permeable (pervious) hardscaping materials that allow water to drain into the soil, not the sewer.

In Port Royal Landing, **pervious pavers** must be used for any hardscape additions. Pervious pavers, which are engineered to allow water to pass through, are available in many styles, textures and colors. Other hardscape guidelines:

- Limestone screenings may not be used under hardscape pavers.
- Pavers will be spaced at least 1/4 inch apart on all sides to allow for drainage.
- Weep holes will be placed through patio border walls to further disperse rainwater into surrounding soil.
- Dry wells will be placed as needed, within 5 feet of vertical downspouts, to disperse water flow from gutters and downspouts.
- **Stepping stones** may be used as secondary pathways (to back yards etc.) with DRC approval, but may not be used to expand the size of a driveway. As with other hardscape elements, stepping stones must be made of pervious pavers and must have space between them to provide drainage. These rules apply to front, back and side yards of a home. Stepping stones and any smaller background stones should be a **natural color**, not white. A color sample should accompany the Request for Review.

K. Automotive charging stations

Charging an electric vehicle requires a cordset between the vehicle and an electrical source. Where that source is positioned and how it is styled, if outside the home, must be approved by the DRC for safety and appearance. The distance from the charging station to the vehicle shall be no more than 15 feet. If the electrical source and the vehicle are inside the garage (door closed) when charging, DRC approval is not required.

L. Mailboxes

A mailbox shall be provided at each home in accordance with U.S. Postal Service requirements. Mailboxes should be rural style, white metal, mounted on a wooden post. House numbers should be in large (at least 3-by-1-1/2-inch) numerals, black on reflective background, mounted on the front of the mailbox. Boxes will be maintained by the homeowner for a neat appearance. Posts are maintained by the PRLOA Grounds Committee. Mailbox posts are painted white for Shipwright Court and Shipwright Circle homes; they are left natural on Mariners Court. **Owners will be asked to replace non-compliant mailboxes. On second notice, the PRL Grounds Committee will replace the box and PRLOA will bill the owner.**

M. Outdoor stairways and retaining walls

Outdoor stairways at waterfront homes should blend with the home and the natural environment as much as possible. They can be painted white if they are near the porch or stained a darker shade if they are surrounded by vegetation. The DRC will provide guidance based on visibility and surroundings. Natural wood weathers in the salt air and quickly becomes unattractive.

Retaining walls of 4 feet or less in height should be made of 6x6-inch treated lumber with deadmen and posts used to ensure stability. Walls higher than 4 feet require an engineering assessment and suitable materials to ensure stability, safety and attractiveness. Railings need to be installed for safety. Staining to blend the walls into the environment is preferable. Vegetation can be used for screening with DRC approval before planting to avoid use of invasive species. (See Section II.Q on pages 8-10, Landscaping.)

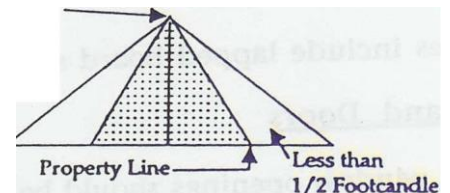
N. Exterior lighting

All new permanent lighting must be approved by the DRC with consideration for use, style and necessity. Replacement lighting, if different from the original, also must be approved.

Light fixtures must conform to the architectural design style of Port Royal Landing.

Landscape lighting systems must be approved by the DRC for appropriate brightness and lack of spillage onto neighboring properties.

There shall be no light spillage of more than ½ footcandle (5.386 lumens or 6 lux) onto neighboring properties from any exterior lighting. The DRC can provide a meter for measuring footcandles, and exterior lights should be adjusted for compliance. Light should not intrude into neighbors' homes.



O. Outdoor features

Outdoor swimming pools, plunge pools and hot tubs are not allowed. Neighbors are too close and a safety hazard exists.

Outdoor fireplaces and firepits: Open fires are prohibited by PRL Covenants (Section 8.17).

Outdoor fireplaces may be approved if (1) they are fueled by propane or natural gas, (2) the surrounding area is clear of vegetation and (3) the fireplace sits on a heat-resistant surface.

Existing wood-fueled fireplaces/firepits, such as portable metal bowls or masonry-walled structures, must be fitted with a mesh cover to keep embers from blowing.

Portable gas and charcoal grills are allowed. Residents are encouraged to take extra care when using grills in our heavily wooded neighborhood.

Site ornamentation: Topiary and fountains are not allowed. A single yard flag is permitted. Features such as sculpture, birdbaths and bird feeders must be approved by the DRC before installation. These features, as well as outdoor furniture, should be used sparingly and should conform to the character and ambience of Port Royal Landing and the Lowcountry.

Wind generators are not allowed.

Satellite dishes may be installed per cable company requirements, with DRC approval for appearance and effect on neighbors' view.

P. Screening from view

Trash receptacles, fuel tanks and HVAC equipment should be screened from public view. Lawn care equipment and tools etc. should be screened or kept out of view in a closed storage area.

If the area under a waterfront home is used for storage, the area should be screened with vegetation or lattice. If lattice is used, it should be made of natural, unpainted treated wood. Any framing should be natural, unpainted treated wood to match the lattice. The lattice should be installed on both sides of the space and should cover the entire opening, from the bottom of the first floor to the ground beneath the house. DRC approval of the screening plan is required before installation.

Q. Landscaping

Port Royal Landing has a unique organic environment that includes specimen and landmark live oak trees, heritage azaleas and Spanish moss. Individual homes should be landscaped to complement their surroundings and should be maintained for appearance and health of the outdoor growth. Significant alterations to existing landscaping such as specimen and landmark trees, other large trees, foundation plants and hedges, must be approved by the DRC. Major alteration plans should be prepared by a qualified landscape designer or contractor. Guidelines for landscaping in New Home Construction shall apply to existing homes as well.

Alterations to existing landscaping, whether in front, side or back yards, must be approved by the DRC. Decisions about perennials, shrubs and trees should be guided by the following considerations:

1. Invasive plants are not allowed. Many common plants that are invasive in the Lowcountry are not allowed to be newly planted in PRL, even though they are offered for sale in local nursery centers. Existing invasive plants should be strictly contained to the homeowner's property

and not allowed to spread to neighboring properties or common areas. For example, wisteria, honeysuckle and English ivy are considered invasive in PRL. For a complete list of South Carolina invasive plants, see <https://www.se-eppc.org/southcarolina/Publications/InvasivePlantsBooklet.pdf>.

2. Toxic plants – English yew, rhododendron, lily of the valley, hydrangea, narcissus, daffodil, foxglove, larkspur, oleander, poinsettia, purple nightshade, mountain laurel, mistletoe, water hemlock and sago palm are a few examples of plants considered toxic, by virtue of the foliage, flowers or berries. Plants like these should be avoided or used with great care around children and pets. For more information, go to <https://www.americanebuilder.com/toxic-landscaping-plants>.

3. Recommended plants – For those new to the area or new to gardening, the PRLOA Landscape Committee has prepared a detailed list of recommended trees, plants and shrubs that are likely to do well in Port Royal Landing. Go to www.portroyallanding.org to view the list.

4. Vines - Undesirable vines grow rapidly in the Lowcountry and need to be kept off existing shrubs and trees or removed completely, to avoid smothering the desirable plant life or becoming a nuisance to other property.

5. Maintenance – Perennials, shrubs and trees in front, side and back yards must not be allowed to encroach on neighboring properties, damage fences or cause maintenance issues for neighbors. Weed control is the responsibility of each homeowner. All trees and shrubs should be maintained to prolong the life of the plants. This includes periodic pruning of limbs and Spanish moss (weight removal) from live oaks on each property, which must be supervised by a licensed arborist and tree service.

6. Berms/elevation changes – Any proposed changes to elevations, building of berms or significant dirt removal need to be approved by the DRC before the changes are made. Excavation for any purpose is limited to 18 inches without DRC approval and Arcadis notification. (See II.S on page 10, Arcadis soil remediation.) Elevation changes, new berms or dirt removal may affect the drainage of neighboring properties. Buildup around tree trunks may damage the trees.

7. Safety - Plantings within 5 feet of the road on either side of parking spaces or driveways must be kept under 40 inches in height. This allows drivers to see other cars and the numerous walkers in the neighborhood when exiting a residence. No fence, hedge, wall, shrub, bush, tree or similar structure – natural or artificial – shall be placed on any lot or area if the location of such structure obstructs the vision of the motorists on any adjacent street and creates a traffic hazard.

8. Irrigation – Drip irrigation (tubing under mulch) is preferable for watering flower beds. It is a more efficient, water-conserving, way to water plants than spray heads. If spray heads are used, they should be adjusted as much as possible to water homeowner property, not neighboring properties or PRL roadways.

9. Bird Friendliness – Birds are a significant part of the Lowcountry ambience. Some plants have been designated as harmful to the bird population and as a result are not encouraged. Nandina is such a plant. Its bright red berries do not provide the nutrition necessary for bird migration; thus it has been deemed a hazard to birds and is not recommended. For more information on plants

that are not friendly to birds, go to www.thesprucepets.com/common-plants-that-are-toxic-to-birds-390817 and <https://ncbg.unc.edu/2022/05/04/nandina-toxic-to-birds/>

10. Seasonal plants do not require DRC approval. They should, however, reflect the character and ambience of the neighborhood. Excessive or unsightly annuals, hanging baskets or flowerpots may be subject to a request for removal.

R. Trees and Shrubs

Trees make Port Royal Landing the place it is. Many of our trees are classified “specimen” or “landmark” trees by the Town of Port Royal Code of Ordinances. They include live oak, white oak, Southern red oak, flowering dogwood, Southern magnolia, red maple and longleaf pines among many others. Heavy pruning or removal of specimen and landmark trees requires a statement of necessity by a certified ISA (International Society of Arboriculture) arborist as well as DRC approval. The DRC can provide a list of certified arborists in our area. NOTE: Trimming of specimen or landmark trees will be approved only if the arborist confirms the tree is diseased or endangering the home, NOT to “open up” an area to allow more sun, air flow etc.

In Port Royal Landing, no trees with trunks six inches or more in diameter at 3 feet above the ground, or shrubs with stems 3 inches or greater, shall be removed without written approval of the DRC and a statement of necessity by an ISA-certified arborist.

S. Arcadis soil remediation

Some years ago our neighborhood was the site of an EPA excavation designed to remove contaminated soil that remained from a circa-1900s phosphate plant on the riverbank. Many PRL lots were affected to varying degrees.

As a result, any property owner who plans an excavation – for a fence post, a tree with a root ball more than 2 feet in diameter, or any large shrub – needs to contact Corrie Chwalek at Arcadis, 919-415-2286 or corrie.chwalek@arcadis.com before digging. Arcadis will send a crew to excavate, test and replace your soil if needed.

If you dig a hole and encounter some orange netting, this is the boundary between the soil that was replaced and the original soil (which might be contaminated).

T. Exterior Maintenance

Homes in Port Royal Landing need regular maintenance in several areas:

- Wood siding – needs periodic power-washing between repainting
- Wood trim and soffits – need painting and minor repairs
- Fast-growing, spreading plants and shrubs – need pruning, growth control
- Trees – need removal of dead branches, Spanish moss and vines
- Gutters – need to be kept clean for reliable drainage
- Roofs – need to be kept clear of leaves and other debris

Whether homegrown or handled by a landscaping company, this regular maintenance is the homeowner's responsibility. Homeowners who are not maintaining their property to Port Royal Landing and DRC standards will be notified by the PRLOA Board of the work that is needed. Upon repeat notice, the work may be done by a local contractor and the Board will bill the owner.

III. Request for Review Procedures and Policies

Property owners should read the PRL Covenants and Association Rules for Port Royal Landing, as well as these Guidelines, before submitting a DRC Request for Review. Considerations might include site views, drainage, utility easements, setbacks and appearance. Some requests may require neighbors' approval. Others might need a Town of Port Royal building permit, which is the owner's responsibility.

Any Request for Review shall be subject to the DRC policies that are in effect at the time. Minor repairs such as touch-up painting, replacing damaged siding etc. do not require a DRC review if there is no change to the appearance of the property.

Our DRC Request for Review form is available on the PRL website (<https://www.portroyallanding.org>) and at the end of this document. If requested, the DRC will assist the owner in completing the form.

If a Request for Review involves a change in color, color samples must accompany the completed form. More detailed plans and samples may be requested by the DRC.

IV. Appeals

Applicants receiving a negative decision from the DRC are encouraged to consider revising their plans and resubmitting them. The DRC will provide recommendations for revisions.

Applicants who are unable or unwilling to revise their Request for Review may appeal a negative DRC decision to the Port Royal Landing Owners' Association (PRLOA) Board of Directors. Appeals must be submitted in writing within 30 days of receiving notice of DRC disapproval. The Board will provide a hearing and its decision will be final.

V. New Home Construction

In 2023 Port Royal Landing has two remaining lots on which to build a new home. As a result, this section is brief and is focused on how a new home would fit the "look and feel" of the PRL environment and existing homes.

- A. Town of Port Royal requirements for building permits, code compliance and inspections must be followed.**
- B. Basic requirements for building a new home in Port Royal Landing include:**

1. Find “Port Royal Landing Original Sales Materials” on the Port Royal Landing website at <https://www.portroyallanding.org>. This document features drawings that show elevations, floor plans and specifications original to the Port Royal Landing development. These should be the basis for designing a new home in PRL.

2. Review DRC Guidelines for current rules and considerations. The Guidelines for existing homes (Section II of these Guidelines, Changes Requiring DRC Approval) apply to new home construction as well. In addition, all construction must comply with current local building codes for the Town of Port Royal.

3. Schedule a pre-design, pre-construction conference with the DRC to discuss all considerations for the design of a particular residence on a specific lot. This meeting is **required**. The architect and contractor (if identified) also must attend.

4. Submit the following:

a. Preliminary Plan – for DRC review, to ensure the home will fit with existing PRL homes and environment and to identify and resolve potential problems. Note: Preliminary approval does not constitute approval for lot clearance or construction. Preliminary plan should include, but is not limited to:

- **Boundary Survey** with location of existing trees and significant vegetation.
- **Site Plan with Ground Elevations** showing structures and other improvements with distances from neighboring homes. Safety setbacks and heights: street to house 20 feet, side of house to property line 5 feet, back of house to property line 20 feet. The DRC may permit variances to these setbacks to protect trees and privacy. Maximum height is 35 feet above the finished ground floor, except chimneys, which may go higher.
- **Structure materials and colors**

b. Final Plan – must be submitted for DRC approval before site preparation or construction can begin. The final plan should include, but is not limited to:

- **Final Site Plan** – including street access, walkways, drives and other access points; drainage plan; fill plan, including tree preservation method; culvert locations; foundation plan; exterior lighting plan (including all proposed permanent lighting)
- **Service Plan** – water, sewer, natural gas, electric and digital plan (cable, satellite, internet, telephone)
- **Tree Preservation / Mitigation Plan** – which trees will be removed if any and where new trees will be placed
- **Special Features** such as bodies of water, easements, etc.
- **Architectural Drawings** showing:
 - *Floor plans* - door and window openings oriented to afford privacy while taking advantage of special views

- Elevation Drawings* that show facades from street, side and rear views
- Fencing and Retaining walls*, if any
- Samples of construction materials and colors*

- **Landscape Plan** – Plan must include the entire lot and depict all elements of the site. Materials and spatial definitions should be relevant to the natural site conditions and the proposed use of outdoor areas. Design should be prepared by a qualified landscape designer or contractor. The DRC must approve all shaping of land areas and drainage, as well as removal of any tree more than 6 inches in diameter, measured at a 3-foot height, or shrubs with stems more than 3 inches in diameter.

- C. **Bonds:** The DRC may request a letter of credit to assure the completion of construction within a 12-month period.
- D. **Inspections:** The DRC may perform inspections to ensure that all construction activity is in accordance with plans approved.
- E. **Appeals:** With new home plans as with plans for renovations, an appeal of a DRC denial may be made to the PRLOA Board of Directors. Please consult the current copy of the PRLOA Bylaws, Article V, Section 5.8, for details. Bylaws are in Village Documents on <https://www.portroyallanding.org>.

VI. Design Review Committee Overview

A. Establishment and Authority of the DRC

Article VI of the Declaration of Covenants, Conditions, Restrictions and Easements for Port Royal Landing establishes a Design Review Committee (DRC) to review and approve/disapprove all plans for structures to be built and exterior changes to be made in the community.

The DRC's jurisdiction, powers, obligations and guidance are specified in Article VI of the Covenants.

The DRC is authorized, with pre-approval from the Port Royal Landing Owners' Association (PRLOA) Board of Directors, to obtain advice and assistance from consulting architects, landscape architects, urban designers, engineers, inspectors and/or attorneys.

The DRC will work cooperatively with the PRLOA Board and its committees to ensure that commonly held areas are maintained in good repair and in the spirit of the Covenants for the safe and enjoyable use of all residents.

B. DRC Guidelines

The DRC develops Guidelines based on the Covenants for its own and homeowners' guidance and to maintain consistency in rules and decisions. Guidelines may be amended from time to time by a majority vote of the DRC, without prior notice or announcement.

1. Variances: Over time, some properties have been modified in a manner that does not reflect the original intent outlined in the Covenants – either approved in error or not approved. Though many of these changes are grandfathered, they cannot be used as precedents. For this reason, it is possible that not every proposed project will be approved even if a similar modification is present in the community.

Previous updates to property and structures, prior to the effective date of these Guidelines and not in compliance, may be grandfathered. However, major repairs or replacement of any grandfathered features made in the future must comply with current Guidelines. Changes made without prior DRC approval may be requested to be removed.

The DRC may authorize reasonable variances from the Guidelines to alleviate practical difficulties e.g. pre-existing structures, location of trees or fences. Variances will be granted only when unusual circumstances dictate, and they must be in writing with appropriate documentation.

2. Severability: This document (the Guidelines) shall not be rendered invalid or unenforceable should any of the provisions of the document or the application or effect thereof be invalid or unenforceable, for any reason and to any extent. Those provisions that are not invalid or unenforceable shall be enforced to the greatest extent permitted by law.

3. Compliance with and enforcement of these Guidelines are covered in the Declaration of Covenants, Conditions, Restrictions and Easements for Port Royal Landing, Article XV, Enforcement of Covenants. This section of our Covenants makes it clear that compliance with all Port Landing documents (including our DRC Guidelines) is required of all who live or own property here. It goes on to say that any failure to comply will lead to corrective action.

4. Violations: When a property owner violates a DRC Guideline, the DRC will notify the owner in writing (with a copy to the non-owner resident in a long-term rental situation) and ask that the violation be remedied. If no positive response is received in 14 days from notification, the DRC chairman will refer the matter to the PRLOA Board. At this point the Board may implement the process outlined in Association Rules for Port Royal Landing, Section 19, Rule Enforcement Procedures.

C. DRC Objectives

1. To help property owners work through changes to the appearance of their property with an outcome that is mutually agreeable to the owner and the community.

2. To ensure that any proposed changes to structures and/or topography are consistent with the Covenants for Port Royal Landing and that such changes strengthen and enhance the character of the community over time.

3. To develop and maintain appropriate guidelines to help owners make desirable improvements to their property; and to provide property owners with a current copy of the DRC Guidelines and the current approved Request for Review form.

4. To update the Guidelines periodically to reflect such elements as environmental changes and new products as they are introduced to local markets, providing owners with greater flexibility in their use of new materials and technology. These may include innovations in construction materials, energy sources and residential systems such as generators and HVAC.

C. DRC Composition

1. Three members and one alternate member are appointed annually to the Design Review Committee by the Board of Directors of the Port Royal Landing Owners Association (PRLOA). As a courtesy and if feasible, the Board will consult with current DRC members before new members are approved.

2. If specific construction/engineering experience or other expertise is required, a consultant may serve as a temporary member of the DRC. This consultant may be a member of PRLOA or may be from outside the Port Royal Landing (PRL) community.

3. The regular term of office for each member shall be one year commencing on January 1. Vacancies resulting from resignation or removal of a member will be filled by the Board to complete the remainder of the vacant term.

D. DRC Administrative Policies

1. Leadership: The DRC elects a Chairman and a Vice Chairman. In the absence of the Chairman, the Vice Chairman will serve as the presiding officer.

2. Meetings and votes: In-person meetings will be held as needed. Virtual meetings and email votes are acceptable in some circumstances, e.g. members are unable to attend in person; request is simple; all materials can be reviewed electronically. If a virtual/email vote is taken, the Chairman will retain all electronic correspondence for DRC records. A quorum consists of a simple majority of members present or represented by proxy. Decisions will be based on a simple majority vote. Minutes of all meetings will be retained, along with Requests for Review and pertinent correspondence.

3. Reports to the PRLOA Board: The Chairman will provide the Board with a monthly report of DRC activities. The Chairman will immediately inform the Board of any disapproved Requests for Review for which an owner Appeal may be pursued. A detailed explanation for the denial will be provided to the Board, either in writing or in person

Port Royal Landing Design Review Committee Request for Review

Name(s): _____ Address: _____

Phone: _____ E-mail: _____

Description of Project (attach drawings, color samples etc.): _____

Date submitted _____ Estimated start date _____ Estimated finish date _____

Town: Does this project require a permit from the Town of Port Royal? Yes ____ No ____ [Call 843-986-2200 to find out.] If so, provide your permit # here _____ and display in your front window when work begins.

[For DRC use] Neighbors: Recognizing that this project could affect a neighbor's view or access, or create a safety issue, the DRC directs the applicant(s) to obtain approval of the project from the neighbors listed below.

Circle one:

Name _____ Address _____ Signature _____ Yes No

Name _____ Address _____ Signature _____ Yes No

(list may continue on reverse)

Request Approved _____ **Approved with Stipulations** _____ **Denied** _____ **Date** _____

DRC Stipulations/Comments: _____

Name _____ Signature _____ DRC Chairman

Name _____ Signature _____ DRC Member

Name _____ Signature _____ DRC Member

Appeals: Owners have the right to appeal a DRC decision to the PRLOA Board of Directors. See **Section VI G** of the DRC Guidelines and Policies for Port Royal Landing – Appeals.

Time limits: Approval is valid for 30 days from the estimated start/finish dates above. If these dates are exceeded, owner(s) will contact DRC for an extension. Owner(s) will notify the DRC of any modifications, i.e.changes to materials, construction methods or scope of project, for further review.

Monitoring: The DRC will review the project during construction and upon completion. Deviations that do not have prior DRC approval will be referred to the PRLOA Board for corrective action.

_____ **Owner Signature(s)** _____ **Date** _____