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THE CLUB AT BRIAR'S CREEK PROPERTY OWNERS ASSOCIATION

AUTHORIZED RECORDING OF
ARCHITECTURAL REVIEW BOARD GUIDELINES

The undersigned, having been duly authorized, hereby submits for recording the within Architectural Review Board Guidelines of The Club at Briar's Creek Property Owners Association.

The Club at Briar's Creek Property Owners Association

By: 

Robert J. Licato
President of the Board of Directors

Date: 1/16/25

The Golf Club at Briar's Creek Property Owners Association, Inc.

Architectural Review Board Guidelines

Effective Date

November 21, 2024

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Hours of Operation

Working hours will be as follows:

Monday – Friday: 7AM – 6PM

All workers must be off property no later than 6PM.

Saturday: 8AM – 5PM

All workers must be off property no later than 5PM.

No work will be permitted on holidays unless given express written permission by the ARB.

Construction Entrance

All workers must use the Construction entrance. (Second entrance – past the Main Entrance)

**BRIARS CREEK HOME DESIGN GUIDELINES
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INTRODUCTION

The purpose of the Architectural Review Board (ARB) at Briar's Creek is to ensure the creation of a premier and harmonious community that complements the natural beauty of Johns Island. Each of the homes at Briar's Creek should represent design ideals that align with and respond to each site and the neighborhood as a whole. We encourage exclusive, custom, estate-style homes nestled into a Low Country setting.

Just as The Golf Club at Briar's Creek is a retreat for passionate golfers, the Briar's Creek Community will continue to be a haven for residents to enjoy the area's many natural amenities and Lowcountry lifestyle.

While each home may express the individual preference and character of the homeowner, great care as to size, form, materials, color, and other design elements will be paramount. The composition of existing and supplemental vegetation should join the architecture together with its forested setting. This objective can usually be accomplished by having the home's ground level well-anchored to the grade. Where flood elevation permits, the first-floor elevations should be kept reasonably close to grade. Massing and height parameters should minimize development of each home site.

Briar's Creek offers extensive views of salt marshes, freshwater wetlands, ponds, and the 50+ acre lake without positioning the first floor any higher than required by floodplain regulations.

Briar's Creek has a wide variety of lot sizes and locations. Lots vary in acreage from one acre to over seven acres. Due to this variation, many issues will differ depending upon the size and location of the lot.

In addition to all new home construction requiring approval by the ARB before work can start, any external modifications or additions also require ARB approval before work can start.

Many other items and requirements are addressed in the recorded Declaration of Covenants, Conditions and Restrictions (the "Declaration") and Bylaws, which are publicly available at the Charleston County Records of Mesne Conveyance Office and in the Sentry Owner Portal-Information Center. The Declaration and Bylaws, together with all amendments thereto, should be carefully reviewed in connection with any planned improvements

Briar Creek's Declaration of Covenants, Conditions and Restrictions, Bylaws, Articles of Incorporation and the South Carolina Nonprofit Corporation Act (the "Act"), and any amendments thereto are incorporated herein by reference. In the event that any provisions of these guidelines conflict or are inconsistent with the provisions of the Act, Declaration, Bylaws, or Articles, the provisions of the Act, the Declaration, the Articles, the Bylaws, and these guidelines, in that order, will prevail.

These guidelines can be modified from time to time at the sole discretion of the POA Board of Directors to promote quality architecture and landscape designs for the community.

SECTION 1 ARCHITECTURAL GUIDELINES

1.1 Design Philosophy

The vision of the Briar's Creek Community is to create a community that represents design ideals that align with and respond to the site and the neighborhood as a whole. Most of the houses originally built in the community were designed to resemble that of the early 1900's. Timeless designs are encouraged, and each home should be a compliment to the feeling and culture of the community. Homes should blend into the natural wooded settings, where applicable. To better ensure that highly custom design solutions are carried out, the ARB requires that all plans be designed by an Architect and Landscape Architect registered in the State of South Carolina. Due to the unique setting of Briars Creek, stock plans or plans designed for another community will not be approved. Designs should be customized for the views and individual characteristics of each site to maximize views and thus property values.

1.2 Building Sizes and Dimensions

The Charleston County definition will be used to determine height calculations of buildings at Briar's Creek, and the following guidelines should be adhered to:

- All requests for building height are reviewed on a case-by-case basis.
- Buildings should nestle into the trees, not tower over surrounding trees
- Please refer to the Declaration of Covenants, Conditions and Restrictions for minimum house sizes. Second floors should have less square footage than first floors
- Second floors should be nestled into the roofline so that the home appears to be 1-½ stories in appearance.
- Third floors can be allowed on a case-by-case basis, provided the massing is less than lower floors and height restrictions and preferences of the ARB are met. A third level will not be allowed on a park beneath home.

1.3 Relationship of Homes to Grade:

Due to the size of lots within Briars Creek, the use of a park beneath plan is discouraged as this creates an awkward transition and proportion as to how a home meets grade.

The ARB will require a site/building section showing existing and proposed topography, site retaining walls, building height and mass, FEMA (Federal Emergency Management Agency) flood elevation requirement, and proposed first floor height for conceptual review. The purpose of this site section is to clearly show how altering existing grade (by cutting the existing grade or by adding fill can visually minimize foundation height. This building site section will also be required to be in the permitted construction drawings so that the builder will be informed as to not place fill arbitrarily on the lot.

Should a park beneath home be approved at the Conceptual Design submittal, the following should be incorporated into the design:

- If 8' garage doors are used, the ARB will require that the maximum height between the garage slab and the underneath side of the first-floor structure not exceed 10'-2". This would allow for 8' doors, a 9' garage ceiling height, and a maximum of 14" for ductwork within the first-floor structure.
- Should you and your design team desire to park beneath your home, the ARB will require that the following three requirements be incorporated into the home design:
 - a. CUSTOMIZED FOUNDATION TREATMENTS: The intent of these design details is to make the house appear to be closer to the ground. These treatments may include lowering the siding and band board, deleting the band board, darker foundation colors and materials and/or open pier porches with plants beneath. Additional details will be considered on a case-by-case basis.
 - b. CUSTOMIZED LANDSCAPING: The intent of these design details is to effectively raise the foundation planting to make the house appear to be closer to the ground. These treatments may include planting climbing vines (fig vine, etc...) on the foundation wall, additional large foreground shrub massing or hedges, and an increase of the height of trees and shrubs in the front yard at the time of installation. Site fill will also be considered on a case-by-case basis where such fill does not adversely affect the existing trees and vegetation. The ARB now requires that all foundation plantings be 1/2 the height of the foundation wall at the time of installation. For park beneath homes, the minimum foundation planting size is 15 gallon and half the height of the foundation.
 - c. ONE OR MORE OF THE FOLLOWING: design details must also be required in the home design:
 - Require site fill to elevate front yards to lessen the amount of porch steps to grade. This solution would not be appropriate on lots where existing trees would be adversely affected. Site walls may also be required.
 - Require changes in floor plan elevations. These changes could include changes in floor plan elevations or adding steps at the exterior doors so that the porches appear to be lower to the ground. Minor variations of floor levels within a home are permitted and may be encouraged to create a better relationship, between the first floor of the home to existing grade.

1.4 Materials and Textures

The following are guidelines for materials and textures to be used for homes, but all require ARB approval. All materials will be required to be represented on a sample panel at the time of final review.

- Natural materials that complement the landscape are encouraged

- Brick exteriors are accepted and may be required for foundations on park beneath homes to increase the detailing of the foundation wall height
- No wire cut or smooth brick is allowed
- Tabby will not be allowed for foundations of park beneath homes. In the ARB's opinion, the reflectivity of the shell creates a foundation color that is not compatible with the dark foundation required to meet these guidelines. If a building foundation is taller than 5' a dark stucco or brick foundation is required.
- Some use of stonework on the exterior is acceptable
- Natural wood siding is encouraged.
- Cementitious or alternative siding or shingles can be acceptable subject to specifications review and at the sole discretion of the ARB.
- Aluminum and vinyl siding and trim are not acceptable
- Windows will be consistent with the period style of the house
- Exterior siding materials must be submitted to the board prior to final approval.

1.5 Colors

Natural or prefinished exterior colors that arise from the inherent colors of the environment are encouraged. For painted surfaces visible from neighboring houses, roadways or public spaces, colors should be drawn from features in the landscape such as the colors of the earth and surrounding flora. Bright or light colors are discouraged for the main mass of the structure and will not be approved.

1.6 Roof Style and Materials

In regard to roofs, builders should abide by these guidelines. All require ARB approval.

- Exposed fastener roofs are not allowed.
- The following architectural elements are prohibited: mansard, gambrel, chalet style and flat roofs
- Copper and slate roofs are encouraged
- Non-copper metal roofs (i.e. painted metal roofs) are subject to ARB approval
- Wood roofs are acceptable provided they have fire retarding treatment applied
- Gutters are allowed but should blend into the general color scheme of the house. Unless copper, all downspouts should be painted the color that they are adjacent to so that they do not stand out.
- Copper gutters are encouraged as the preferred material
- Barrel-tile roofs are not acceptable, except roofs with pantile S-shaped tiles
- Asphalt roofs are no longer allowed.

1.7 Garages and Garage Doors

Attached or separate garage structures are encouraged on estate-sized lots, while garages under the house are discouraged for this type of lot. However, under building parking is acceptable on smaller lots (i.e., Golf Cottage Lane)

Custom wood garage doors are encouraged and may be required if visible from a public right of way. Composite garage doors are considered on a case-by-case basis and will require the

submittal of a manufacturers cut sheet and material sample as part of the final ARB review. No metal faced doors are allowed.

1.8 Foundations

The ARB will require a minimum of a 30" foundation height above finished grade.

All foundations should be designed to be enclosed. A masonry foundation is required for elements of the home that are heated space. Porches and open decks should be enclosed with angled louvers that overlap enough so that light cannot transmit through them at night. Open areas of a foundation should not be visible from Community open space or the road right of way. Visible post or pilings are not acceptable. All vertical structural elements of the home foundation should be masonry.

Foundation colors should be darker than the main mass to visually anchor the structure to the ground. Darker color foundations provide a better backdrop for foundation planting to be more visible and expressed. All exterior colors require ARB approval.

Brick or dark stucco foundations with detailing may be required on park beneath homes to increase the detailing of the foundation wall height.

Tabby will not be allowed for foundations of park beneath homes. In the ARB's opinion, the reflectivity of the shell creates a foundation color that is not compatible with the dark foundation required to meet these guidelines

1.9 Lake Docks

All dock designs and improvements must be approved by the ARB before installation, including Lake Sharon and all creeks All docks must be located within an extended property line so as to not adversely affect a neighbor.

Lakeside platforms and bulkheads are permitted on Lake Sharon and must be approved by the ARB on a case-by-case basis. They will consist of structures running parallel to the lake shoreline of the owner's property. The length of the landing/platform or bulkhead and the extent to which it protrudes into the lake must be approved by the ARB which has sole discretion on this matter.

A traditional pier protruding into the lake with an attached dock is not permitted. All owners are required to follow county, state and federal law.

1.10 Exterior Lighting

While exterior lighting usage should be minimal and limited, the following are general guidelines for lighting that may be approved by the ARB. A minimum height of 4' and a maximum height of 6'.

- Period style light designs should be used
- Uncovered spotlights are not accepted
- Mercury vapor exterior lights are not accepted

- All exterior lighting should be designed so that the source of the light (the bulb) is screened from view.
- Low voltage landscape lighting should be considered for illuminating pathways.

1.11 Satellite Dishes

Satellite dishes are allowed, but location must be approved by the ARB. Size of dishes is limited to 18" – 24" in diameter and location should be as inconspicuous as possible.

1.12 Swimming Pools and Spas

Swimming pools and spa plans must be approved by the ARB, whether they are part of new construction or a stand alone project. Plans should be submitted as part of the design review process. Only formed-in-place custom pools are allowed.

1.13 Barbeque Grills

Freestanding grills are permitted only if they are stored and used in a location that is not visible from street or adjacent properties. The use of built-in-grills is encouraged.

1.14 Fencing

Fencing should be limited and must be approved by the ARB. If used, fencing should disappear into the surround vegetation and be contained within building setbacks where possible. Informal evergreen landscaping should be considered so that views of fencing are not seen from adjoining property. Fences can be a minimum height of four feet (4') and a maximum height of six feet (6'). No electronic fencing is allowed.

1.15 HVAC Units, Pool Equipment and Other Structures

All HVAC units and pool equipment shall be screened from the street and neighboring residences with structural screening to match the house's exterior. They should be painted a dark color so that they are recessive behind landscape screening. Landscaping will also be required to help soften the structure.

Utility connections should be noted on the Architectural drawings and should not face the street. They must also be screened by evergreen vegetation and/or fencing.

1.16 Play Structures and Basketball Goals

All play structures must be approved by the ARB and must be located within the buildable area of the lot. Additional landscaping may be required to provide a filtered view of these structures. Basketball poles must be a dark color and back boards must be clear. Basketball backboards will not be allowed to be attached to a building.

1.17 Mailboxes

Mailboxes will be the standard style approved for all sites. Mailbox maintenance is the responsibility of the homeowner. See Appendix.

1.18 Propane Tanks

Propane tanks will be buried according to the National Propane Gas Association codes.

SECTION 2 LANDSCAPE GUIDELINES

The goal of the landscape guidelines is to ensure that the developed areas of Briar's Creek harmonize and blend with the natural environment rather than dominate or significantly change its color, texture, or shape. The natural or existing mix under-story, growth, oaks, magnolias, other trees and native grasses that give the Lowcountry its color and texture are to be harmonious partners with man-made features. The goal of these guidelines is first to limit the amount of natural vegetation that is destroyed and second to restore the undisturbed areas in a manner that is compatible with the natural vegetation. Landscape restoration is the reintroduction of native grasses, shrubs, vines, perennials, and trees. It also includes the reintroduction of native solids and mulches. Briar's Creek seeks landscape designs that restore the land as they improve the underlying beauty of the Lowcountry.

2.1 Design

The property owner must enlist a certified landscape architect licensed in South Carolina. Owners are encouraged to hire a landscape architect who has experience in the Low country area.

The use of native plants is required. Native plants, when properly planned, can not only be colorful, but also strong and effective design elements as well. Use of non-native plants must be approved in writing by the ARB.

Landscape plans are to be designed to provide a layering of plantings from the house façade outward. This is achieved by using plants of differing heights starting with shade and/or ornamental trees closest to the home, graduating in size from large shrubs to medium shrubs, small shrubs and groundcovers as one moves farther away from the house. All foundation area is to be planted and plant material must be at least one-half the height of the foundation at the time of installation. This is especially critical for elevated homes.

Rear and side property lines of lots abutting the golf course shall provide planted buffers varying from 10'-15' in width designed in a naturalistic manner. Within the buffers, view corridors are permitted to provide filtered views to and from the home and course. A view corridor shall not be wider than 25' as measured along the property line. One-third of the overall golf frontage shall be a view corridor with low shrubs (3 gal. min.) and grasses (1 gal. min.) 1'-3' in height max. at maturity. The balance of the buffer will be required to be planted with large shrubs 4'-6' (7 gal. min.) in height at maturity, as well as one 3.5" caliper canopy tree per 50' of overall golf frontage.

Landscape Plans are submitted for review during the home's Preliminary Review Phase. These plans shall include:

- All areas of proposed lot clearing
- Location of all structures, driveways, pool and related decking, and walks
- Diagrammatic plantings that illustrate how the proposed concept integrates the building with the environment.

- Diagrammatic drainage plan
- Diagrammatic lighting plan

To give the homeowner a better understanding of actual site conditions (house site, scale, views clearing, etc.) Final Landscape Plans are to be submitted 90 days before substantial completion. Submittal requirements are the same as Preliminary Plans, except that all plant material is to be identified as to size, quantity, common and scientific name and variety.

The contractor and landscape architect are then to contact ARB to schedule a site visit walk through to review approved Final Landscape plans and make field adjustments as needed. The ARB reserves the right at this meeting to require additional plantings for screening, framing house, etc.

2.2 Lot Clearing

All lot clearing shall be included on the initial site plan/survey as submitted. Homeowners of Briar's Creek should preserve and enhance the natural habitat and rural character of the community. To help achieve this, clearing should be minimize to within 10 feet of the house. Clearing, including all trees to be removed, should be indicated on the site plan.

2.3 Irrigation Requirements

Pond and lake water may not be used for irrigation purposes.

2.4 Drainage

Site alteration for drainage should be minimized. Drainage by swales should not affect existing vegetation. Berms should be placed outside existing vegetation's dripline to minimize impact on existing roots. Grading shall not negatively impact adjacent properties.

2.5 Landscape Installation

All landscaping shall be installed before a final inspection is requested by the ARB. Upon approval of the final inspection the construction deposits will be returned.

2.6 Minimum Plant Size

Minimum shrub size is 7 gallon. Minimum canopy tree size is 4" caliper measured one foot above the root ball. Ornamental trees 12'-14' height at installation.

SECTION 3 SITE DESIGN GUIDELINES

To ensure the natural setting of the Briar's Creek Community is maintained, each site will be evaluated individually. The evaluation will determine the amount of clearing allowed for each site. The following general guidelines will be used during this evaluation. Allowed and necessary lot clearing must be approved by the ARB and is not allowed prior to plans being approved for building permit.

3.1 Open Spaces and Trees

- Open spaces will be minimized. Existing open spaces shall be planted.
- Charleston County Tree Ordinance will be used as a minimum to determine what trees may be removed for residence placement.
- Removal of hardwood trees will be limited. All trees greater than 15" proposed for removal shall require the submittal of a report from a certified arborist citing the reasons for the tree removal.
- Open lot areas outside the building setback area should be revegetated with native trees and understory.

3.2 Buffers, Borders, and Drainage

Certain lots include or border buffered wetlands. Ocean Coastal Resource Management (OCRM) requirements prohibit clearing of these buffers

Buffers along the side of lots should be maintained where possible to avoid views from neighboring homes and community green spaces. Additional landscaping should be considered in these areas to assure privacy.

Drainage of property to adjacent sites is not allowed. Drainage concepts should be expressed on a drainage plan prepared by the Landscape architect of record. Connections to the community street storm drainage system are not allowed.

Certain lots on Golf Cottage Lane have rear yard site drains pre-piped. The use of these drains is encouraged (lots 5-7)

3.3 Guesthouses

Guesthouses are allowed for homes located on the lake. This structure can serve as a guest house, pool house or other approved use. It should not be used as a primary garage. This structure is limited to 1500 heated square feet or less in size. The minimum set back from the rear property line (the property line near lake edge) is 50 feet.

3.4 Driveways and Overhead Utilities

Driveways must include an apron comprised of impervious materials. Distance between the curved radius taper measured at the edge of the street should not exceed 20' at the widest point. The apron distance between the edge of the street and the beginning of the driveway must be a minimum of 20 ft.

- Driveway width should not exceed 10'-12'

- Entrance piers without fencing or gates are allowed at the driveway apron
- Radius taper at the edge of the street should not exceed 10'
- One driveway curb cut per property is allowed unless an exception is granted by the ARB.
- Driveways should not be placed within 20' of an adjoining property or directly across the street from another driver. .

Regarding driveways, the following materials may be used:

- Concrete: broom finish, aggregate or oyster shell
- Brick borders in driveways are encouraged
- Natural impervious materials for driveways, such as shell-sand or clean, crushed granite, are encouraged. These types of materials will require an edge restraint such as steel edgings or brick borders.
- Large expansive asphalt drives are discouraged
- All driveway gates must be approved by the ARB
- Driveway gates and fencing, if desired, must be located behind the building setback line
- No overhead utilities are allowed per Covenants.
- Street piers at the driveway apron without fencing or gates are allowed at the front property line only review and approval by the ARB.

3.5 Building Setbacks

Homes must be set back from roads and provide limited views of structures from the road. Briar's Creek minimum setbacks are as follows:

- Front setback- 50 feet
- Rear setback- 50 feet
- Side setback- 20 feet
- Critical line setback- 50 feet
- Lake setback- 100 feet from property line (at lake side) for main structure. 50 feet from property line for guesthouse
- Driveways- 20 feet from property line

SECTION 4

ARCHITECTURAL REVIEW BOARD STRUCTURE

4.1 Board Members

The ARB consists of three to five members, including design professionals, appointed by the POA Board of Directors.

4.2 Meetings of the Board

Regularly scheduled meetings will be held on the last Thursday of each month. Drawings must be submitted 7 days in advance of the meeting, Friday at noon. Late submittals will not be reviewed until the following month.

All approvals by the ARB must be in writing. No verbal approvals or representations by the ARB shall be valid or enforceable.

SECTION 5

REVIEW AND APPROVAL PROCESS

The approval process is interactive. The ARB hopes to work with the owners and their Architect and Landscape Architect to ensure that final design is appropriate for each home site. Meetings are typically held monthly or as needed depending on the frequency of submittals. To schedule an appointment, see contacts on cover.

5.1 Design Professionals required:

- All homes must be designed by an Architect registered in South Carolina.
- All landscaping must be designed by a Landscape Architect registered in South Carolina.
- A Tree and Topographical Survey must be conducted by a licensed surveyor. All trees, including Pines, having a caliper of 8" or greater must be included on the survey.

The design team must complete a thorough analysis to understand the property, the owner's needs and these guidelines. Also, it is important that the Architect be able to convey to the ARB the concept and design of a proposed residence, particularly in terms of its site specificity, site inventory and analysis.

5.2 All Approvals in Writing

All approvals by the ARB shall be in writing. No verbal approvals or representations by the ARB shall be valid or enforceable.

5.3 Variances and Approvals

Because each property is different, a variance granted or previously approved/constructed house plan shall not set a precedent. All house plans are approved or rejected on a project-by-project basis.

Any variances to the Briar's Creek Home Design Guidelines must be submitted in writing and should be addressed with the ARB during the On Site or Preliminary Design meetings. All variance approvals from the ARB must also be in writing. No verbal approval or representation concerning a variance by the ARB or anyone else associated with Briar's Creek shall be valid or enforceable.

Applicant to include information about any zoning/tree removal variances obtained through Charleston County with submittal documents to the ARB.

5.4 On-Site Meeting

The On Site Meeting is intended to offer guidance and education before the design process starts. The ARB requires that the Architect and Landscape Architect of Record along with the builder (if selected) attend this on-site meeting. It is encouraged that the owner attends, though

not a requirement due to the number of property owners who do not live locally. The design team should plan to discuss any questions about the guidelines or present ideas about the proposed residence location and discuss proposed architectural style to insure compatibility to the neighborhood. The Architect and Landscape Architect of Record are required to be registered in South Carolina. The builder is required to be licensed in South Carolina.

A site analysis plan drawn to scale must be prepared by a Landscape Architect registered in the State of South Carolina. Once prepared, this site analysis must be submitted to the ARB before the On-Site meeting can be scheduled. The site analysis drawing must include:

- Current tree and topographical survey information. The survey must not be more than one year old.
- Utilities and drainage
- Setbacks, flood zone, and buffers (for both Briar's Creek and Charleston County compliance)
- Orientation of the proposed residence, pool, driveway, and any other structures
- Location of adjacent residence (if applicable)
- Location of dock
- The desired view corridors
- Significant vegetation

After discussion on site the ARB will forward a brief narrative of the issues discussed to members of the design team and the owner to assist in their Preliminary Design process.

5.5 Preliminary Design Review

After the on-site meeting, preliminary plans must be submitted to the ARB. These plans may be submitted in a PDF format scaled to 1/8"=1'-0". The purpose of the preliminary review is to ensure that the proposed design conforms with these guidelines before expensive construction drawings are produced. Submittals must be accompanied by a completed "Preliminary Plan Review Application." The application must be accompanied by a check made payable to Briar's Creek ARB, for design review fee, as defined in the attached fee schedule. The check should be sent to the Community Manager, Owen Gudgridge, at Ravenel Associates, 3730 Betsy Kerrison Parkway, John's Island, SC 29455.

The preliminary design review submittal shall include a PDF copy of the following:

- Design Review Form (See Appendix)
- Design review fee and copy of check (see Appendix for all fees)
- Cover letter by the design team that expresses how the items discussed at the On-Site meeting are incorporated into the design and, if a resubmittal, how the previous Board comments have been addressed.

- A tree and topographical survey, conducted by a registered land surveyor, must include dimensions and species of trees. Areas not being disturbed on lot do not need to be surveyed. All tree canopies should be indicated with actual canopy for all live oaks 15" or greater shown scaled at 1"=10' or 1"=20" for larger lots.
- Site plan showing building footprints, driveway layout, tree protection zones, mechanical utilities/trash, etc.
- Exterior elevations showing finish floor elevations scaled at 1/4"=1'-0"
- Floor plans scaled at 1/4"=1'-0"
- 3D renderings
- Road right-of-way protection plan
- Building site sections
- Conceptual, diagrammatic landscape plans, showing preferred views to be enhanced, views to be screened or mitigated such as the screening of utilities and screening to afford privacy from the street or from neighbors. Plans will delineate:
 - All proposed lot clearing
 - Location of all structures, driveways, and walks
 - Diagrammatic plantings that illustrate how the proposed concept integrates the building with the environment.
 - Diagrammatic drainage plan
 - Diagrammatic lighting plan
 - Diagrammatic plan for connection to waste water treatment/force main treatment facility lines, including grinder pump

SEWAGE SYSTEM AND GRINDER PUMPS

Ryan Hawhee of Superior Environmental Solutions is the approved installer of grinder pumps. Other installers must be approved in advance by the ARB.

5.6 Wastewater Treatment Facility (WWTF)

The Golf Club at Briar's Creek POA, Inc. owns its own Wastewater Treatment Facility (the "WWTF") located on Blackground Road. The POA operates the WWTF on behalf of the POA and the Golf Club. To facilitate waste being transported from each homesite through underground infrastructure to the WWTF, each homesite must have a grinder pump and holding tank. The size of the grinder pump and holding tank is contingent upon the size of the home and the distance of the home from the WWTF. Such grinder pump, as well as the proper specifications, design and installation must be approved by the POA Board and/or the ARB. (Declaration, Section 6.8.4).

5.7 Grinder Pump Brand/Type per lot

Grinder pumps manufactured by Piranha are to be used. One of the following sizes will be appropriate:

Wastewater Pump Type	Lot Numbers
ABS Piranha S-16/2W	19-38, 46-39
ABS Piranha S-26/2W	5-12, 39-45
ABS Piranha M50/2W	Lots 1-4, 62-89, Clubhouse

The pump type and size should be verified by the licensed and qualified vendor hired by the owner to purchase and install.

The Golf Club at Briar's Creek POA Inc. and/or The Golf Club at Briar's Creek and any associated agents or owners will not be held accountable for purchase or installation of a grinder or pump of incorrect size or type.

6.3 Installation and Maintenance

Owners may elect to contact Superior Environmental Solutions to purchase and install a grinder pump and holding tank. (The Briar's Creek POA works with Superior Environmental Solutions for wastewater system infrastructure repair and maintenance. Superior Environmental Solutions is also available to maintain and replace existing grinder pumps in addition to installing new grinder pump systems). Owners may use other qualified, licensed contractors at their discretion for this work if they choose so long as all work is performed in compliance with these guidelines, the governing documents, and local law. Sewer system parts that connect to the Wastewater Treatment lines at the street require at a minimum an annual inspection to assure proper operation which is the owner's responsibility.

An owner's personal property—and responsibility—includes the holding tank and grinder pump plus the force main line that connects each home to the Waste Water Treatment lines at the street.

Owners are required to maintain the sewage infrastructure located on each property -- the force line, holding tank and grinder pump.

5.6 Final Design Review

Submittal of the final design shall be delivered to the ARB one week before the scheduled meeting. The final design shall be substantially the same as the preliminary design approved in writing by the ARB. If substantial changes are made between the preliminary and final review, it is recommended that the preliminary design be resubmitted. The final review submittal shall include a full size set of printed and bound plans and a PDF copy. These plans shall include:

Drawings required for the Final Review meeting include:

- Design Review Form (see Appendix)
- Cover letter by the design team that expresses how comments from Preliminary Design meeting are incorporated into the design and if a resubmittal, how the previous Board comments have been addressed.
- Site plan at 1"=10' or 1"=20' to include: easements and setbacks, utility trenching, connections and meters, impervious cover calculations, existing trees to remain or to be removed, man-made features and grading.

- Final set of architectural drawings including site plans, elevations, and floor plans. These drawings should include the previous and current submittals and highlight any changes since the previous submittal.
- Building site section
- Wall sections to show the proposed materials and exterior details as necessary.
- Plans for connection to waste water treatment facility lines, including connection details and grinder pumps specifications and location.
- Pool plans (if applicable) showing any required fencing design and details
- Tree protection and site grading plan showing existing and proposed contours at 1' intervals. This plan should also note the location of job site material laydown areas, subcontractor parking, jobsite toilet and the construction dumpster location.
- Final Landscape, Grading and Drainage, Landscape lighting plans.
- The construction of an on-site sample board showing all the exterior materials and colors proposed for the home.

Following each meeting, a letter of approval/denial will be sent to the architect and owner from the ARB in approximately 3 weeks. An approved Briar's Creek Construction Sign for the project can be installed once Final Design Approval has been granted. Contact ARB for details on ordering from the approved sign vendor.

5.7 Final Construction Compliance Deposit

Prior to actual construction, a deposit for the amount as defined in the appendix fee schedule will be provided to the ARB. Both owner and contractor must submit a deposit in the form of a check made payable to Briars Creek ARB. These deposits are to ensure compliance with the approved plans.

5.8 Construction Process Steps

ARB reserves the right to conduct periodic inspection of the construction site to ensure guideline compliance. Upon request, the ARB will conduct a final inspection at the end of construction. Deposits will be refunded if all requirements of compliance of the submitted plans are met.

5.9 Review and Approval Appeal Process

All appeals to the review and approval process must be submitted in writing to the ARB. This will be added as an addendum to a subsequent ARB meeting.

SECTION 6

CONSTRUCTION REVIEW PROCEDURES

The Construction Review Process is broken into two distinct steps, a Construction Application and several Inspections during construction.

6.1 Construction Application:

Once the ARB has approved any outstanding items, and the Final Design review letter has been issued, the building plans will be ready for permitting. All ARB approvals are valid for one year.

The following items are required:

- A Construction Application Form and Agreement (see Appendix)
- A letter by the landscape architect and photographs showing that all required silt and tree protection fencing has been installed according to the plans prepared by the Landscape Architect. A site inspection may be required.
- Photos of the existing edge of pavement
- A permit set of drawings will be submitted, reviewed, and stamped for permitting by the Briar's Creek ARB before submittal to Charleston County
- A Compliance Deposit must be submitted from the owner and builder as separate checks (see Appendix for all fees)
- Proof of insurance from builder and all sub-contractors

6.2 During Construction inspections:

- Once the foundation has been built, a foundation survey must be submitted to the ARB to ensure the home is being built in the location where approved including top of concrete block to verify the home is in compliance with approved plans. This survey should be submitted and approved by the ARB before framing begins. Should there be discrepancies, fines will be issued according to the Fine Schedule.
- The ARB will require a site meeting to review the final landscape plan on site after framing has been completed to ensure that there has not been over clearing and to ensure that the proposed plan provides adequate screening of the home from the right of way and neighboring properties.
- Please be aware that periodic site inspections will be made by ARB to ensure design and environmental compliance.
- The ARB requires that the Final inspection for ARB compliance be initiated prior to the request for the Certificate of Occupancy from Charleston County.

SECTION 7 BOAT POLICY

The ARB exists to assure that the property known as Briar's Creek shall be maintained in an attractive, high quality, residential subdivision condition, and its interest is to encourage and foster appropriate community-view aesthetics. To that end, the ARB believes the following restrictions, rules and regulations regarding watercraft will be in the best interest of the Community.

1. Owners are asked to remember that the lakes, ponds, lagoons and waterways in the Community contain significant wildlife, including, without limitation, alligators, venomous snakes and snapping turtles. As such, caution in and on the water should be used at all times. Stable watercraft are recommended over canoes, for example, which can tip easier.
2. The Club/Declarant (in regards to Lake Sharon), shall have the right to approve or disapprove requests for watercraft to be used in and on the lakes, ponds, lagoons and waterways in the Community. Owners must receive written approval for all watercraft prior to use.
 - a. Other than Lake Sharon, Watercraft size shall be approved by the ARB, in its sole discretion. Owners are asked to consider size of watercraft in relation to both lake and pond sizes, as well as the significantly smaller connecting waterways and the size of the tunnel/bridge under Briars Creek Lane.
 - b. **Boating and Other Uses of Lake Sharon.** The [Declarant] owns Lake Sharon, a 65-acre freshwater lake located on the Property, and allows certain boats to operate on the lake provided that such boats meet all restrictions, rules, and regulations set by the Club and the Golf Club at Briar's Creek Property Owners Association ("Association"), or any successor thereto or sub-entity or committee thereof. Gas powered boats, high performance boats, pontoon boats, cabin cruisers, house boats, or any boats over fifteen (15) feet in length are prohibited without written permission from the Association and the Club. Paddleboards, kayaks, and swimming are also prohibited.
 - c. For environmental and noise disturbance and pollution purposes, only electric motors shall be permitted.
 - d. If motorized watercraft, then motors may not exceed fifteen (15) horsepower.
3. When not in use, watercraft must be stored either on the Owner's Lot in a location and with adequate screening approved by ARB, or at the water's edge of the Owner's Lot in the manner and location dictated by the ARB.
4. Watercraft used by individuals or entities performing maintenance,

improvements or other services to and for the lakes, ponds, lagoons and waterways for the Association or any governing entity are excluded from the Restrictions, Rules and Regulations regarding Watercraft.

APPENDIX

The POA Board of Directors can, at its sole discretion, modify these fees, deposits and fines.

A. Fees/Deposits: Fees are nonrefundable. Deposits are refundable to the extent there are no outstanding fines or violations

Conceptual Design Review Fee: \$5,000 paid when Conceptual application is submitted.

Additional Meeting fee after the 3 required meetings: \$1,500 per meeting. Lot maintenance compliance deposit from the owner: \$10,000. Note: this might then be applied to the Design Review deposit post site inspection if construction is forthcoming soon

Design Review Compliance Deposit from the owner: \$5,000

Final Design Review Compliance Deposit from the licensed builder: \$15,000

Final Design Review Compliance Deposit from owner who is also the licensed builder: \$15,000

Builder Impact Fee: \$2,500, paid before owner seeks to receive a county building permit

Renovation/addition to an existing structure/pools Design Review Fee \$1,500.

B. Fines.

The following list represents a common schedule of fines during construction. These fines will be collected from the builder's construction deposit unless otherwise noted. The ARB will assess fines on a case-by-case basis and may pursue legal action if necessary. The amounts of the fines are subject to periodic increases at the sole discretion of the ARB. The ARB reserves the right to implement fines for construction violations in addition to those listed below. The Builder shall have 48 hours to remedy violation, unless otherwise noted by the ARB, before fines are doubled. Should the amount of the fines deplete the construction deposit to below \$2,500, the construction deposit will be required to be replenished to the full amount.

The ARB reserves the right to add an escalation clause if there is no response to the ARB within 48 hours of receiving a Fine Notice. Fines will be doubled and a stop-work order may be issued for extreme non-compliance.

- Littered site/No dumpster/Dumpster not being emptied in a timely manner/Dumpster overflowing \$250
- Damage to right-of-way hardscaping (asphalt) \$250 plus restoration
- Damage to right-of-way landscaping \$200 plus restoration
- Building Material, Vehicle, or dumpster stored on adjacent property/Damage to adjacent property \$300 plus restoration
- Unsecured (or no) temporary sanitary facilities \$100
- No job sign/nonconforming sign \$100
- Damage to natural areas \$1,500 plus restoration
- Damage to common areas \$1,500 plus restoration
- Unauthorized plan change (minor) \$250
- Unauthorized plan change (major) entire construction deposit
- Unauthorized finishes whole deposit plus restoration
- Silt fences not installed or maintained properly \$300

- Improper egress \$200

- Clearing site without plans stamped & storm water protection measures installed \$1,500
- Damage or Unauthorized Removal of tree(s): (6" to 23") \$1,000 plus mitigation (24" or greater) \$2,500 plus mitigation
- No tree protection \$300
- Working on a Sunday/after hours without permit \$500 . Working on a Holiday \$1,000
- Site fill or installation of landscaping without approval \$1,500
- Dirt/Trash/Debris in the Street \$200 plus restoration
- Failure to maintain site (weeding, mowing) \$100 plus restoration
-
- Final Grading may not negatively impact neighboring Repair and restoration properties
- Accessing the job site from an adjacent property \$1,500 plus restoration
- No proper concrete and/or paint washout station on site/ \$1,000, plus restoration unauthorized concrete and paint washout on site

C. Mailbox Requirement

The following is provided so that your builder or designated agent can properly construct and install your approved mailbox. If your builder cannot furnish the mailbox post as described below or you do not have a designated agent for this work, GoAtlas 843-851-1971 is approved to build and install the mailbox for you. The contact person for GoAtlas is Bill Welch. Email: billwelch@goatlas.com.

Mailbox

- The Mailbox shall be commercially available Joroleman style US Postmaster approved mailboxes.
- The Joroleman style mailbox is dome topped, rectangular shape, incorporating a curved, tunnel-shaped roof, latching door, and articulating semaphore flag. All mailbox posts will display the street address number on the horizontal bracket arm, kept clean and operational at all times. The Briars Creek Association mailbox size is 11.5" wide X 15" high X 25" long.
- The mailbox post shall be constructed of 6"X6" dimensional lumber. (*It is suggested that pressure treated lumber be used). The mailbox posts shall be comprised of one vertical post and one non-bracketed horizontal arm that extends out from the vertical post on one side only and mechanically affixed to the vertical post by the method of both a dato joint of no less than half the thickness of the 6" X 6" vertical post as well as a threaded rod "compression through fastener" going through the center of the horizontal arm and through the dato joint of the vertical post. Alternatively, the horizontal arm may be fastened through the back side of the vertical post into the dato joint with long lag bolts.

- The nuts and washers of the threaded rod or lag screws shall be countersunk on both the end grain side of the arm as well as the back side of the vertical post. The horizontal arm shall extend no less than one inch from the length of the mailbox. A mailbox attachment board milled to fit to the bottom of the mailbox shall be mounted center, to the top of the horizontal arm.
- The vertical post shall extend above the height of the mailbox no more than required to fit a simple, 6"X6" "copper topper" or hipped copper cap and skirted directly under the copper cap with a colonial profile molding. The standard height of a rural mailbox is 41" to 45" measured to the top of the horizontal bracket arm. The minimum recommended depth to set the vertical post into the ground is 24" to 26" inches.

Street Number

- The street number shall be either engraved into the horizontal arm on both sides or a black plate with the address numbers may be affixed with fasteners to the horizontal arm displaying the address number on both sides. The address numbers shall be 3" standard block numerals.

Mailbox Colors

- The mailbox shall be gloss black with a manually articulating red semaphore flag.
- The mailbox post shall be Charleston Green.
- Street numbers shall be white.

D. Forms

Briars Creek ARB New Construction Review Form and Checklist

Before a building permit can be issued for a project, Architectural Review Board (ARB) approval must be given. The ARB meets the last Thursday of each month. Submittals to the ARB must be provided no later than 7 days in advance of the meeting. The following items must be included in the submittal to ensure placement on the ARB agenda.

Date Submitted: _____

ARB Meeting Date: _____

ARB Fee Paid: \$ _____ Date: _____

Architectural Review: ☐ On Site ☐ Preliminary ☐ Final

Landscape Review: ☐ On Site ☐ Preliminary ☐ Final ☐ Grading

Property Address & TMS#: _____

Owner: _____

Telephone: _____

Email: _____

Architect: _____

Telephone: _____

Email: _____

Landscape Architect: _____

Telephone: _____

Email: _____

Building Setbacks:

Front: Req: _____ Shown _____

Right Side Req: _____ Shown _____

Left Side Req: _____ Shown _____

Rear Req: _____ Shown _____

Heated Space Square Footage:

First Floor: _____

Second Floor: _____

Accessory Structure: _____

Building Square Footage:

Total: _____

(Including open/covered decks, stairs,
Drives, walks, pool deck, raised planter)

Dimensions:

Max Width: _____

Max Depth: _____

FFE:

Existing Grade: _____

Proposed Finished Grade: _____

Flood Zone Designation:

Checklist for On-Site Meeting

- ☐ Current tree and topographical survey information
- ☐ Utilities and drainage Setbacks, flood zone, and buffers
- ☐ Orientation of the proposed residence, pool, driveway, and any other structures
- ☐ Location of adjacent residence (if applicable)
- ☐ General location of dock if located on lake
- ☐ The desired view corridors
- ☐ Significant vegetation

Checklist for Preliminary Design Review

- ☐ Design Review Form
- ☐ Design review fee and copy of check
- ☐ Cover letter by the design team that expresses how the items discussed at the On-Site meeting are incorporated into the design and if a resubmittal, how the previous Board comments have been addressed.
- ☐ A tree and topographical survey
- ☐ Site plan showing building footprints, driveway layout, tree protection zones, mechanical utilities/trash, etc.
- ☐ Exterior elevations showing finish floor elevations scaled at $\frac{1}{4}"=1'-0"$
- ☐ Floor plans scaled at $\frac{1}{4}"=1'-0"$
- ☐ 3D renderings
- ☐ Road right-of-way protection plan
- ☐ Building site section
- ☐ Conceptual, diagrammatic landscape plans

Checklist for Final Design Review

- ☐ Design Review Form
- ☐ Cover letter by the design team that expresses how comments from Conceptual Design meeting are incorporated into the design and if a resubmittal, how the previous Board comments have been addressed.
- ☐ Site plan at $1"=10'$ or $1"=20'$
- ☐ Final set of architectural drawings including site plans, elevations, and floor plans. These drawings should include the previous and current submittals and highlight any changes since the previous submittal.
- ☐ Building site section
- ☐ Wall sections to show the proposed materials and exterior details as necessary.
- ☐ Plans for connection to waste water treatment facility lines, including connection details and grinder pumps specifications and location.
- ☐ Pool plans (if applicable)
- ☐ Tree protection and site grading plan
- ☐ Final Landscape, Grading and Drainage, Landscape lighting plans.
- ☐ The construction of an on-site sample board showing all the exterior materials and colors proposed for the home.

ARB PERMIT # _____

Company Name: _____

Address: _____

Telephone: _____

Address: _____

Agreement

- ☐ We have read and understand the Covenants and Restrictions applicable to the property and all Architectural Guidelines and will follow and obey the said Covenants, Restrictions, and Guidelines.
- ☐ We are responsible for completing the project as described by the drawings and specifications approved by the ARB
- ☐ We will maintain a clean construction site at all times and install a job sign, commercial dumpster, and job toilet in conformance with ARB guidelines.
- ☐ We are responsible for the conduct of all workers performing services on this project at all times while they are engaged by us.
- ☐ As the Deposit will be held in a non-interest bearing account, I understand that it shall be returned after Final Inspection approval with no interest added.
- ☐ Any monies paid out by the Briars Creek HOA for the correction of changes not approved by the ARB, the cost of work necessary to improve the appearance of untidy sites, or the cost to repair any damage to the road rights-of-way, road shoulders, or utilities will be deducted from the Deposit.
- ☐ The ARB's review and approval are limited to aesthetic considerations. ARB approval does not relieve you and your contractor of responsibility for compliance with all municipal, state, or federal laws that may be applicable. ARB approval does not constitute any opinion or representation by the ARB that the plans comply with these requirements.

This Application, Deposit, and Agreement made this _____ day of _____, 20____.

By _____ (seal) and _____ (seal).
Property Owner Signature ARB Representative

Application approved this _____ day of _____, 20____, by _____

Deposit Amount: \$ _____ Check Date & Number: _____