



Design Guidelines

This document is the property of Pulte Home Corporation, the Declarant under the Covenants, Conditions and Restrictions for Baynard Park. It is not intended for distribution other than to provide information for Baynard Park home considering modifications to their homes or Lots. It may only be changed or altered by the Declarant.

BAYNARD PARK
DESIGN GUIDELINES

1. INTRODUCTION	1
1.1. Welcome to Baynard Park	1
1.2. Governmental Requirements	1
1.3. Required Approvals for Modification Activity	1
1.4. Final Appeal	2
1.5. Completion of Approved Projects	2
1.6. Modification Compliance Reviews	2
1.7. Conditions for Commencement of Work	3
1.8. Applying for Approvals from Government Agencies	3
1.9. All Applications.....	4
1.10. Required Application Fees	4
1.11.1. Owner Information	4
1.11.2. House Information	4
1.11.3. Modification Information	4
1.11.4. Neighboring Property Signatures.....	Error! Bookmark not defined.
1.11.5. Work Performance Information	4
2. Landscaping or Site Work Affecting Landscaping.....	4
2.1. Landscape Designer.....	4
2.2. Landscape Plans	4
2.3. Changes or Additions to Structures	5
Architect/Builder	5
2.3.1. Proposed Plans.....	5
2.4. Community Management Review of Selected Modifications	5
2.5. Review Procedure and Notice of Pending Application	5
2.6. Notice of Decision of Architectural Control Committee.....	6
2.6.1. "Approved."	6
2.6.2. "Approved as Noted."	6
2.6.3. "Not Approved."	6
2.7. Effect on Building Permit or Other Government Approval.....	6
2.8. No Liability for Approved Plans	6
2.9. Effect of Modifications on House Warranties	6
2.10. Owner Responsibilities.....	7
RESIDENTIAL DESIGN GUIDELINES.....	8
3.1. Architectural Impact on Nearby Property.....	8
3.2. Size Considerations for Additions	8
3.3. Standards May Vary	8
3.4. Waiver of Standards	8
3.5. House Modifications	8
3.5.1. Architectural Design.....	8
3.5.2. Wall Height.....	9
3.5.3. Height of Building	9
3.5.4. Building Setback Lines	9
3.5.5. Allowed Materials.....	9
3.6. Lot Drainage/Roof Drainage	9
3.6.1. Lot Drainage	9
3.6.2. Roof Drainage.....	9
3.6.3. Slope of Roof.....	9
3.6.4. Covered Patios	9
3.6.5. Exposed Rafter Patio Cover.....	10
3.6.6. Front Door	10
3.6.7. Wall Hangings	10
3.6.8. Decorative Outdoor Furniture.....	10

3.6.9.	Pergolas/Gazebos.....	10
3.6.10.	Fence/Gates.....	10
3.6.11.	Outdoor Playground Structures.....	10
3.6.12.	Roof Top Decorations.....	11
3.6.13.	Outdoor Kitchens.....	11
3.6.14.	Shutters and Window Boxes.....	11
3.6.15.	Hurricane Protective Systems (Hurricane Shutters).	11
3.6.16.	Flags.....	11
3.6.17.	Shade Devices.....	11
3.6.18.	Pergolas/Gazebos.....	11
3.6.19.	Yard Furniture.	12
3.6.20.	Water Features.....	12
3.6.21.	Exterior Repainting.....	12
3.6.22.	Applications for changes shall consider:	12
LANDSCAPE AND HARDSCAPE GUIDELINES.....		13
4.1.	Landscaping by the Association.....	13
4.2.	Landscaping for Lots.....	13
4.2.1.	Planting Beds.....	13
4.2.2.	Plantings.....	13
4.2.3.	Commonly Used Plant Material.....	13
4.2.4.	Irrigation Systems.....	13
4.2.5.	Landscape and Lawn Maintenance.....	13
4.2.6.	Swales.....	13
4.3.	General Landscaping Criteria.....	14
4.3.1.	Approvals.....	14
4.3.2.	Permitted Ground Cover.....	14
4.3.3.	Dead or Diseased Plantings.....	14
4.3.4.	Restrictions on Paved Cover.....	14
4.3.4.1.	Driveways.....	14
4.3.4.2.	Walkways.....	14
4.4.	Landscape Accessories.....	15
4.4.1.	Arbors.....	15
4.4.2.	Trellises.....	15
4.4.3.	Ground Mounted Landscape Accessories.....	15
4.4.4.	Fountains.....	15
4.4.5.	Bird Houses/Feeders.....	15
4.4.6.	Holiday Decorative Accessories.....	16
4.4.7.	Fire Pits and Outdoor Fireplaces.....	16
4.4.8.	Permanent Fire Pits.....	16
4.4.9.	Outdoor Fireplaces.....	16
4.4.10.	Plastic Sheeting.....	16
4.5.	Fencing/Privacy Hedging.....	17
4.5.1.	Fence Guidelines.....	17
4.5.2.	Perimeter Fences.....	17
4.5.3.	Privacy Hedging.....	17
4.6.	Ancillary Equipment.....	17
4.6.1.	Window and Roof Mounted Equipment.....	17
4.6.2.	Exterior Appliances.....	17
4.6.3.	Interior Water Treatment.....	18
4.6.4.	Antennas, Aerials, and Satellite Dishes.....	18
4.6.5.	Visual Impact.....	18
4.6.6.	Compliance.....	18
4.6.7.	Mechanical Equipment.....	18
4.7.	Lighting.....	18
4.7.1.	Landscape/Walkways.....	19

4.7.2.	Large Bushes/Trees.....	19
4.7.3.	Spotlights/Floodlights.....	19
4.7.4.	Lampposts.....	19
4.7.5.	Fence/Building Mounted.....	19
4.7.6.	Landscape Requirements.....	19
4.8.	Pools, Spas, and Water Features.....	19
4.8.1.	In-Ground Swimming Pools.....	19
4.8.2.	Security Fence/Enclosure Mandatory.....	19
4.8.3.	2.Location.....	19
4.8.4.	Pool Mechanical Equipment.....	19
4.8.5.	Maintenance Equipment Storage.....	20
4.8.6.	Excavation Safety, Erosion and Drainage.....	20
4.8.7.	Spas and Hot Tubs.....	20
4.8.8.	Security Fence/Enclosure Mandatory.....	20
4.8.9.	Pool Mechanical Equipment.....	20
4.8.10.	Maintenance Equipment Storage.....	20
4.8.11.	Excavation Safety, Erosion and Drainage.....	20
4.9.	Spas and Hot Tubs.....	21
	ARCHITECTURAL CONTROL COMMITTEE SUBCOMMITTEES.....	21
6.	ENFORCEMENT OF GUIDELINES AND ARCHITECTURAL CONTROL COMMITTEE ACTIONS.....	21
	AMENDMENTS TO DESIGN GUIDELINES.....	21
	DECLARANT IMPROVEMENTS.....	22
	AUTHORIZATION BY DECLARANT.....	23
	EXHIBIT A - BUILDING SETBACKS.....	A
	EXHIBIT B – DEFINITION OF FRONT, REAR & SIDE YARD.....	B
	EXHIBIT C - COMMONLY USED PLANT MATERIALS.....	C
	EXHIBIT D - APPROVED INERT MATERIALS.....	I
	EXHIBIT E – LANDSCAPE ACCESSORY GUIDE.....	J
	EXHIBIT F – RECOMMENDED LANDSCAPE AND PATHWAY LIGHTING GUIDE.....	K
	EXHIBIT G – EXTERIOR PAINT PALLETS.....	L
	EXHIBIT H –NEW CONSTRUCTION GUIDELINES.....	M
	APPLICATION PROCESS AND FEES:.....	M
	ELEVATION PLANS.....	M
	ROOF PLANS.....	M
	HOUSE FLOOR PLANS.....	N
	FOUNDATION AND STRUCTURAL PLANS.....	N
	TREE PROTECTION.....	N
	LANDSCAPING PLANS.....	N
	GRADING AND DRAINAGE PLAN.....	O
	SITE PREPARATION.....	O
	GENERAL REQUIREMENTS.....	P
	INSPECTIONS.....	P

1. INTRODUCTION

1.1. Welcome to Baynard Park.

Baynard Park is a Property Owners Association designed to respect the visual character of its site, alleviate environmental impacts and maximize water and energy conservation principles, all to the extent feasible. In order to preserve and enhance these principles, these Design Guidelines are established to maintain certain standards by which the community may grow and develop.

The Design Guidelines have been prepared by Pulte Home Corporation, as the Declarant pursuant to the Declaration of Covenants, Conditions and Restrictions for Baynard Park, as amended from time-to-time, ("Declaration") recorded in the Register of Deeds Office for Beaufort County, South Carolina. The Design Guidelines may be changed and amended to serve the needs of an evolving community pursuant to the procedures set forth in the Declaration and in these Design Guidelines.

The Design Guidelines provide an overall framework to allow the community to develop and progress in an orderly manner, implementing planning concepts and philosophy and any requirements of regulatory agencies. The Design Guidelines include minimum standards for the design, size, location, style, structure, materials, color, mode of architecture, mode of landscaping and relevant criteria for the construction and modification of improvements of any type. They also establish a process for judicious review of proposed new developments and changes within the community.

For purposes of these Design Guidelines, the "Architectural Control Committee" refers either to the Declarant, the Architectural Control Committee or the Architectural Review Committee, as applicable. (The Board of Directors of Baynard Park Owners Association, Inc. may establish the Architectural Control Committee.)

1.2. Governmental Requirements.

It is the responsibility of the Owner to comply with all Governmental Requirements and obtain all necessary permits and approvals from the appropriate federal, state, county or municipal governmental agencies ("Governmental Agencies") before beginning approved work on a project. For example, Beaufort County or the Town of Bluffton may require certain permits, depending on the proposed change, alteration, or addition. The Owner shall provide copies of any such required permits or approvals to the Architectural Control Committee if so requested.

To the extent that any Governmental Requirement requires a more restrictive standard than those found in these Design Guidelines or the Declaration, the Governmental Requirement shall prevail. To the extent that the Governmental Requirement is less restrictive than these Design Guidelines, or the Declaration, the Declaration and Design Guidelines shall prevail.

1.3. Required Approvals for Modification Activity.

The Owner is required to submit an application to the Architectural Control Committee and request review of plans for any Modification Activity prior to beginning the Modification Activity. Modification Activity, includes, but is not limited to:

- Removing of any tree.
- Constructing improvements on a Lot.
- Modifying or adding to existing improvements.
- Installing a fountain, pool, spa or other water feature.

- Constructing or installing fences, walls, decks, outdoor fireplaces, permanent outdoor barbecue, or other hardscape, such as walks, driveways, paving, brick, masonry, railroad ties, wood trim, concrete, rocks, flagstone or any inert material. Refer to the Exhibit regarding APPROVED INERT MATERIALS found in this document for a list of approved inert materials.
- Landscaping, alteration of grades or drainage.
- Modifying planting bed configuration or expanding size of planting bed.
- Placing any object, ornament, monument, statue, sign, or similar accessory on a Lot that is visible from the street or by neighbors, including lighting, flags or lawn ornaments. These guidelines may identify permitted exceptions.

Owners may request a waiver of standards (See Section 3.5) if special conditions or factors not commonly encountered exist.

All applications shall be submitted to the Architectural Control Committee for approval prior to work commencing on the Modification Activity. **The fact that similar Modification Activity may exist or have been approved for another site does not automatically set a precedent for other Modification Activity. Modifications will be reviewed with the style of the model, home, the lot size, and if proposed request is harmony of the neighboring properties.** Beginning or completing the Modification Activity prior to approval by the Architectural Control Committee does not mean that the approval requirement is waived. An Owner may be required to remove or correct any Modification Activity if not approved.

1.4. Final Appeal.

Homeowners may appeal decisions of the Architectural Control Committee, in writing, to the Board of Directors in accordance with procedures established by the Board. Such appeals may be submitted to the Community Manager for Board of Directors consideration.

1.5. Completion of Approved Projects.

On-time completion of approved work is essential to minimize neighborhood disruption and lingering “construction zone” appearance. Projects must be completed within 120 days after initial approval of the modification application unless an extension request has been approved.

Approved modifications that are not completed within 120 days from the date of approval must be extended by obtaining an approved one time 60-day extension from the Community Manager.

Projects uncompleted in the prescribed time and projects with unapproved changes will be deemed a violation and referred to the Community Manager.

Architectural Control Modification will perform Compliance Reviews.

The homeowner shall notify the Architectural Control Committee per the requirement specified in the Notice to Proceed document when the modification scope is completed and ready for the modification compliance review. The Architectural Control Committee shall appoint members or representatives to conduct visual modification compliance reviews in order to ensure that the completed scope complies with the latest edition of “Baynard Park Design Guidelines” and is as described in the approved modification application. . **The Architectural Control Committee has no obligation to ensure that the modification scope complies with the requirements of the Town of Bluffton, state or federal government codes or requirements.**

1.6. Conditions for Commencement of Work.

NO WORK SHALL COMMENCE ON ANY MODIFICATION ACTIVITY UNTIL AN APPLICATION FOR THE WORK HAS BEEN SUBMITTED TO AND APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE.

1.7. Applying for Approvals from Government Agencies.

Unless otherwise expressly approved in writing by the Architectural Control Committee, **prior** to submittal of a request for a permit or approval from any Government Agency, the Owner must obtain the approval of the Architectural Control Committee for the Modification Activity for which the permit or approval will be requested. If the permit or approval from the Government Agency differs from the approval by the Architectural Control Committee, the Owner must re-submit the proposed change to the Architectural Control Committee. Unless required by applicable law, approval by a Government Agency shall not bind the Architectural Control Committee with respect to a permit or approval from the Government Agency which differs from the approval by the Architectural Control Committee.

PROPERTY MODIFICATION APPLICATION REQUIREMENTS

1.8. All Applications.

All applications shall include:

1.9. Required Application Fees

1.11.1. Owner Information.

Name of Owner, Lot number, Street Address.

1.11.2. House Information

Model and House Color Pallet and any previously approved color modifications.

1.11.3. Modification Information

Appropriate information for particular type of Modification Activity and description of proposed work. Recommend inclusion of no more than three Modification Activities per Modification Application to assist in Application review. Multiple Modification Applications may be submitted at the same time with only a single Application Fee.

1.11.4. Work Performance Information

Identify if work to be performed by the Owner or a contractor. If contractor, provide name and Town of Bluffton License number if known.

2. Landscaping or Site Work Affecting Landscaping.

Such applications shall include:

2.1. Landscape Designer

Name of any landscape designer or Landscape Design Company involved in preparing the landscaping plans, including street address and contact information, if any.

2.2. Landscape Plans.

- One copy of the landscape plans, including (unless otherwise expressly approved by the Architectural Control Committee):
- North Arrow; if plans by contractor, indicate scale of drawing (minimum scale of drawings to be 1 inch = 20 feet) or a note that drawing is Not To Scale; existing trees (type and diameter at five feet above existing grade); significant shrubs; property lines and easements; adjacent land uses; (examples: residential Lot, common area, lagoon, etc.); and location or edge of streets, walks, walls, fences, houses, service areas, decks, patios, and driveways.
- Proposed changes to items listed above, including any additional hardscape that Owner desires to install, such as brick, masonry, wood edging, concrete, rocks or other inert materials; and existing plantings to be removed. (Proposed changes should be clearly identified by color, shading, or other contrasting technique). Color pictures, brochures, and color samples of products shall be submitted with application to assist the Architectural Control Committee in understanding the application.

- Existing drainage structures and the direction and slope of flow for any proposed alterations to the existing drainage.
- Proposed plantings, with plant list and plant key for any abbreviations used, varieties, quantities, sizes and spacing. Locations of proposed trees, shrubs, ground covers, mulching and grassing (clearly labeled). Indicate center of proposed plant with a “+” and the center of an existing plant with an “o”.

2.3. Changes or Additions to Structures

Architect/Builder.

Name of any architect or builder involved in preparing the proposed plans, including street address and contact information.

2.3.1. Proposed Plans.

One copy of the proposed plans, including (unless otherwise expressly approved by the Architectural Control Committee):

- Site drawings showing North arrow; indicate scale of drawing (minimum scale of drawings to be 1 inch = 10 feet); trees (type and diameter at five feet above existing grade); significant existing shrubs; property lines; adjacent land uses (examples: residential lot, common area, lagoon, etc.); and location or edge of streets, walks, walls, fences, houses, service areas, utility equipment, decks, patios, and drives..
- Existing and proposed floor plan.
- Existing elevation (photograph acceptable) and elevation of any proposed exterior modification. (If Owner has a photograph of another house or a picture from a magazine or brochure such photo does not replace the requirement for plans and details of changes to Owner’s property.)
- Proposed material and color samples, including location of proposed use.
- If the change or addition affects the roof or roofline, a roof plan should also be submitted. A building section may be requested depending on the complexity of the change or addition.
- Minimum scale of floor plan, elevation, and sections shall be ¼ inch = 1 foot.

2.4. Community Management Review of Selected Modifications.

The Architectural Control Committee may delegate authority to the Community Manager to review and approve specific routine modifications for the convenience of Owners. Should this occur, a written list of delegated modifications will be available from the Community Manager. If the approval decision is not clear-cut, the Community Manager will forward the application to the Architectural Control Committee for decision.

2.5. Review Procedure and Notice of Pending Application.

Unless otherwise expressly approved by the Architectural Control Committee, the Architectural Control Committee shall review each application without a hearing and based solely on the information contained within the application. An Owner or another Owner affected by the

proposed application may request a hearing, but the decision as to whether a hearing shall be granted and the form of such hearing shall be determined solely by the Architectural Control Committee. If the Modification Activity is, in the opinion of the Architectural Control Committee, likely to be controversial or a matter of substantial community interest, the Architectural Control Committee may require that a notice or sign in form approved by the Architectural Control Committee be placed on the property for a reasonable time to give notice of the pending application.

Reasonable efforts shall be made by the Architectural Control Committee to respond to an application within 45 days of receipt of all required information. The decision of the Architectural Control Committee shall be final on all matters submitted to it. Owners have the right to appeal to the Board of Directors any application that was “Not Approved” by the Architectural Control Committee. Owner should contact the Community Manager to initiate the appeal process.

2.6. Notice of Decision of Architectural Control Committee.

Upon completion of review by the Architectural Control Committee, correspondence, shall be returned to the Owner indicating the Architectural Control Committee's decision. Approvals will include a “Notice to Proceed”. The action of the Architectural Control Committee shall be stated in the following manner:

2.6.1. "Approved."

The entire application submitted is approved in total.

2.6.2. "Approved as Noted."

The application submitted is partially approved, approved with conditions or approved with pertinent comments/information the Architectural Control Committee feels is important to the Owner. An Owner may only proceed with the work to be performed if it complies with all conditions set forth in the letter from the Architectural Control Committee, or on or in any document enclosed with the letter.

2.6.3. "Not Approved."

The entire application submitted is not approved and no work shall commence.

2.7. Effect on Building Permit or Other Government Approval.

If the application for Modification Activity submitted by an Owner requires a building permit or other Government Approval, approval by the Architectural Control Committee is not a guarantee that such permit or other Government Approval will be approved by the appropriate Governmental Agency. If the appropriate Governmental Agency requires modification to the plans approved by the Architectural Control Committee, such modifications must also be approved by the Architectural Control Committee in order for the Owner to proceed with the Modification Activity.

2.8. No Liability for Approved Plans.

Article XI, Paragraph 7 of the Declaration contains a disclaimer by the Architectural Control Committee for any liability or responsibility for the approval of plans and specifications contained in any request by an Owner.

2.9. Effect of Modifications on House Warranties.

Owners are responsible for verifying the effect of any proposed modifications against any existing warranties for nullification concerns.

2.10. Owner Responsibilities.

It is the responsibility of each Owner to comply with all requirements of these Design Guidelines in addition to the Declaration and any applicable Supplemental Declarations.

RESIDENTIAL DESIGN GUIDELINES

The Declarant has developed each area of Baynard Park and each model home with a different elevation style. These original home and elevations are to be maintained except as approved by the Architectural Control Committee.

3.1. Architectural Impact on Nearby Property.

Applications for additions to a structure shall be reviewed for proximity to setback lines, easements, impact on drainage and significant buffering foliage, and access for drainage and utilities. Where the Architectural Control Committee determines that there is a significant adverse impact, the application will be “not approved” or “approved as noted”.

3.2. Size Considerations for Additions.

No room addition shall exceed 25% of the total heated square footage of the home as originally constructed by the developer. However, if the roof structure is preexisting from the original construction by the developer, and space under the roof structure is simply to be enclosed by the Owner (while retaining needed roof overhangs), this enclosed footage will not be considered as a part of the 25% maximum. Notwithstanding, all requests for room additions must meet the parameters set forth in this Article 3. As a result, some proposed additions may still be deemed inappropriate by the Architectural Control Committee even though the proposed addition appears to meet the 25% parameter.

Room additions designed to accommodate pools, spas, and other exterior features shall be reviewed based on how the proposed modification meets the criteria set forth in this article and how the proposed modification blends with its surroundings including neighboring homes, common areas, wetlands, berms, and any other exterior elements developed to beautify Baynard Park.

3.3. Standards May Vary.

Design or exterior changes appropriate for property in one section may not be applicable to another section.

3.4. Waiver of Standards.

The Architectural Control Committee shall have the right, in its sole discretion, to waive, in writing, specific standards as they apply to a particular application if the Architectural Control Committee determines, in its sole discretion, that such waiver is warranted as a result of special conditions or factors not commonly encountered and such waiver will not have a material adverse impact on these Design Guidelines and the community. Any waiver shall be limited to the maximum extent feasible while responding to the special conditions or factors.

3.5. House Modifications.

3.5.1. Architectural Design.

The architectural design of any and all additions, alterations, and renovations to the exterior of an existing home shall conform to, or be compatible with, the design of the original home in style, detailing, materials, and color. Any such addition, alteration, or renovation shall be made only after application to, and written approval by, the Architectural Control Committee.

3.5.2. Wall Height.

All room additions and enclosures shall have a minimum interior wall height from finished floor to the lowest ceiling of 7 feet 6 inches. Exterior doors shall open to a level structural landing if the step down to resulting grade exceeds 8 inches.

3.5.3. Height of Building.

The height of the roof-line of any addition to an existing home shall not be higher than the original roof-line.

3.5.4. Building Setback Lines.

Building Setback Lines (BSL) for Baynard Park are defined by the Declarant and recorded on applicable Plot Plan for the purpose of protecting against overbuilding a property site and imposing improperly on neighboring properties. All additions to homes shall be built within the established setback line (BSL) for Baynard Park, regardless of more lenient requirements of any local Governmental Authority. The minimum setbacks are set forth in part in the Exhibit regarding BUILDING SETBACKS found in this document. If a Lot has more stringent setbacks than those in the Exhibit regarding BUILDING SETBACKS, the more stringent setbacks shall apply.

3.5.5. Allowed Materials.

Unless expressly approved by the Architectural Control Committee, all materials used in maintenance, repair, additions, and alterations shall match those used in the original construction of the Dwelling Unit as to color, composition, type, and method of attachment. When house, storm or hurricane windows are added or replaced with new materials, the description, trim color and glazing specifications on those materials shall be included with the application for addition or replacement to ensure that the long term appearance will be compatible and will not degrade with long term exposure to the elements. The Architectural Control Committee may allow substitute materials.

3.6. Lot Drainage/Roof Drainage.

When any additions, alterations, or renovations are performed to an existing home, the established Lot drainage must be consistent with the following requirements:

3.6.1. Lot Drainage.

As provided for in the Declaration, no Owner or Resident shall alter the drainage on any Lot to increase materially the drainage of storm water onto adjacent portions of the Properties without consent of the Owner(s) of the affected property and the Architectural Control Committee.

3.6.2. Roof Drainage.

All new or altered roofs shall drain to the ground solely within the deeded Lot area. No roof shall drain directly onto a neighboring property. Roof gutter downspouts shall be directed to splash blocks or other impervious surfaces, plastic flexible drain tubes, or to undersurface drainage lines within landscaping.

3.6.3. Slope of Roof.

No alterations or improvements shall be made which provide a roof slope of not less than 3 feet vertical to 12 feet horizontal. All screened areas shall have roof designs with a minimum pitch of 3 feet vertical over a 12 foot horizontal. Pitches can be broken to match the existing house roof, but no screened roof design shall appear as a flat pitched surface from any external elevation.

3.6.4. Covered Patios.

Homes with a covered patio, or homes with an open (uncovered) patio, may later enclose the patio with screening or a combination of windows, doors, and screening approved by the Architectural Control Committee. Any renovation of a covered patio to a screened patio (or a window/screen combination) or patio addition, extension, etc. shall be made only after application to, and written

approval by, the Architectural Control Committee. Similarly, any permanent changes to the exterior of existing screened enclosures must only be made after obtaining approval from the Architectural Control Committee. Conversion to a conditioned living space may void warranties the Owner has from the Declarant or original builder.

3.6.5. Exposed Rafter Patio Cover.

Exposed rafter type covers shall be approved by the Architectural Control Committee and shall match the house material and color when the patio is attached or has a common side with the home.

3.6.6. Front Door

Solid color shall be compatible to house colors. Material shall be suitable for front door installations. Storm doors and screens shall be of man-made material (no wood storm doors).

3.6.7. Wall Hangings.

Wall Hangings are subject to approval by the Architectural Control Committee. Decorations attached to exterior walls must not exceed 3 ft width by 3 ft in height and in harmony with the property frontal view

3.6.8. Decorative Outdoor Furniture.

Decorative furniture shall be in harmony with the frontal view in style and color. The maximum height of the furniture is 3 feet and the maximum width is 5 feet.

3.6.9. Pergolas/Gazebos.

Not permitted in front yards.

3.6.10. Fence/Gates.

Refer to Landscape and Hardscape Guidelines

3.6.11. Outdoor Playground Structures

Semi-permanent play equipment, which either constitutes a structure or is appurtenant to an existing structure, requires approval. Examples include sandboxes, playhouses, swing sets, etc. The following factors will govern approval of such equipment.

Location: Generally, such equipment must be placed in rear yards. All elements of the equipment must be within the homeowner’s lot boundaries. Equipment should not be placed within 10 feet of the nearest structure, fence or wall and reasonably distanced from any public property such as greenways and streets. Equipment shall be maintained and positioned in accordance with manufacturer suggestions.

Scale and Design: The equipment must be compatible with the lot size. The design and any individual screening are additional considerations in evaluating whether or not there will be an adverse visual impact.

Height: The equipment must not be readily visible from adjacent roadways and common elements and shall not exceed 12’ at its tallest point. Natural colors are encouraged.

Basketball Backboards: Basketball goals are to be away from curb areas of the street and must be located on the owners property in such a manner so as to not be placed on the common landscape and so that the playing area is not in the street. Backboards may not be attached to garages or the house of single-family homes. The complete apparatus must be kept in a neat and attractive condition at all times. No basketball hoop and backboard shall be erected next to the curb on any road right of way nor should any portable hoop be placed in the street or on common area.

Swing sets: Swing sets may be plastic or constructed of wood and may be no taller than 12 feet high may include sandboxes and large mulched areas around swing sets. . Wood sets may be left natural, stained,

painted white or painted to match the exterior color of the house. Plastic swing sets shall be muted colors browns, black and dark greens only. No bright colors permitted.

Playhouses: Playhouses will be reviewed on a case by case bases.

Tree houses: Tree houses are not permitted.

3.6.12. Roof Top Decorations.

Roof top decorations, cupolas and application of non-functional articles other than lighting, ventilating, and antennas mentioned above are prohibited. Any changes to the rooftop design must be submitted in detail with the application.

3.6.13. Outdoor Kitchens.

Outdoor kitchens and built-in barbeques shall be placed in the rear yard only, and shall not extend laterally past the side wall of the house. The exterior surround shall match the color and finish of the house walls. Homeowners installing cooking equipment under a patio roof or inside a screen or glass enclosure should consider requirements for exhaust ventilation. Installation of roof-mounted equipment is not permitted in accordance with these guidelines.

3.6.14. Shutters and Window Boxes.

Upon approval by the Architectural Control Committee, shutters and/or window boxes may be installed. Shutter design and color and window box design and color shall be complimentary to the home design and overall aesthetic of Baynard Park

3.6.15. Hurricane Protective Systems (Hurricane Shutters).

Hurricane Shutters shall be used as a protection system only in the event of an oncoming storm and are not to be confused with decorative shutters. The system may not deviate from the aesthetic look of the homes. Manufacturers' catalog(s) and the selected design as applicable shall be attached when applying through the Architectural Control Committee.

3.6.16. Flags.

There shall be no permanent stand-alone flagpoles allowed on residential Lots in Baynard Park. Only the American flag may displayed unless prior approval has been granted by the Architectural Control Committee for a flag other than the American flag.

3.6.17. Shade Devices.

Man-made screens and shade devices must appear as an integral part of the building elevation and shall be made of materials that complement the home. Awnings or any other shading devices shall only be applicable to windows and doorways and not ancillary equipment. Such devices shall be in harmony as to size, style, and color with the house and application to shaded opening. Fabric awnings or similar shading devices are permitted on the rear, side, and front of the home when the color, which must solid, is muted and consistent with the color of the home, roof, shutters and community-wide standard and approved by the Architectural Control Committee. The color of the exterior shading devices shall complement the home. Awnings or such other devices shall have a retractable feature, either mechanical or manual, for storage in inclement weather. Fixed awnings are not permitted. Shading devices shall not extend over 10 feet.

3.6.18. Pergolas/Gazebos.

The placement of pergola or gazebo structures shall be at least 20 feet from any neighbors Lot line and only in the rear yard. Application for size, materials, and placement shall be submitted to and approved by the Architectural Control Committee prior to installation.

3.6.19. Yard Furniture.

Yard furniture (e.g., lawn chairs, lounges, gliders, tables, and umbrellas) in rear yards shall be placed no closer than 20 feet to the nearest property line unless placed on hardscape material adjacent to the house. No furniture is permitted in side yards.

3.6.20. Water Features.

The maximum depth of a water feature (i.e., Koi pond) is 2 feet.

3.6.21. Exterior Repainting.

Maintaining aesthetically pleasing and harmonious exterior house colors are a common goal for all community residents to maintain the appearance of the community. Changes to the exterior colors of a home or repainting the exterior of a home with the same color pallet originally provided require the approval of the Architectural Control Committee via email approval

3.6.22. Applications for changes shall consider:

The color pallet group selected must be from the approved list and must include the body, trim, garage door and accent colors (shutters, doors, louvers, and other exterior elements). Only the colors in the selected pallet may be used. Pallet elements may not be mixed and matched. Refer to the Exhibit regarding Exterior Paint Pallets found in this document for approved color pallets. Some color pallets are only approved for stucco exteriors and others are only approved for hardie plank lap siding exteriors. The color group selected must conform to the pallet for the appropriate type of exteriors. However, the front door may be a different color than the pallet indicates. This change from the original color pallet requires Modification Committee approval.

Homeowners may use any brand of paint as long as the colors match the corresponding color in one of the approved pallets. Equivalent computer matches to the existing Sherwin Williams paint pallets are acceptable. These include, but are not limited to Benjamin Moore, Lowe's, Home Depot, or Glidden (for example). Residents must use paint swatches, available from the Community Manager, to ensure that the paint match is correct.

If the color pallet for your home is unknown, you should contact the Community Manager to determine your home's original color pallet. You will need your lot number, not just your street address to obtain the information.

If using original colors, repainting a single element of the house, such as trim, is permitted. Spot applications of paint which do not result in a consistent color are not acceptable.

Display samples may vary from the applied color, so homeowners are urged to paint a small sample area prior to commencing the complete paint job to identify any possible mismatches before the entire house is painted.

Homeowners shall be required to correct colors that do not match the approved modification request.

When using a new color scheme, the entire house shall be repainted at one time.

The new color scheme must not be the same as the home on either side of the house being modified (same side of the street).

Homeowners with developer-installed white garage doors may repaint the same white color. If installing replacement garage doors that require painting or are pre-colored a different hue than the original, homeowners must submit a modification request.

LANDSCAPE AND HARDSCAPE GUIDELINES

4.1. Landscaping by the Association.

The Association shall be responsible for maintaining the Area of Common Responsibility as provided in the Declaration. The Association shall also perform such additional maintenance as may be required under any Supplemental Declaration.

4.2. Landscaping for Lots.

Landscaping must be consistent with the following minimum requirements:

4.2.1. Planting Beds

The planting beds that were provided by the developer (or previously approved via the modifications process) may be planted without any approval with any plants from the list of the commonly used plants found in the Exhibit regarding COMMONLY USED PLANT MATERIALS found in this document. Any plants other than those need to be approved and then will be added to the list.

4.2.2. Plantings.

Landscaping in and next to the front entry/porch or courtyard area shall be maintained to present a neat appearance with no overgrowth onto roofs. Plantings may be suspended or placed on pedestals or placed in decorative containers with applicable irrigation devices. When decorative and plant items that were previously approved are to be changed to similar items and are in compliance with the Design Guidelines, re-application is not required.

4.2.3. Commonly Used Plant Material.

Refer to the Exhibit regarding COMMONLY USED PLANT MATERIALS found in this document for a list and description of recommended plant materials. Use of artificial flowers or trees anywhere outside the roofed area of the house is prohibited. Use of annual plants in planting beds as described above is acceptable without prior approval.

4.2.4. Irrigation Systems.

All landscaped plantings shall be maintained by a fully automatic underground watering system. When using sprinklers, care should be taken to avoid over spray on patios, sidewalks, streets, and driveways ("hardscape"), structures, windows, and adjacent properties.

4.2.5. Landscape and Lawn Maintenance.

Owners shall maintain all shrubbery, sod, trees, and other landscaping installed or existing on their Lot in a neat, clean, orderly, and healthy condition. Lawns shall be comprised of grass sod and shall be cut and edged next to all concrete or asphalt surfaces and shall be regularly mowed and maintained. Decorative rock yards, paved yards, or yards in which ground cover is greater than 50% are specifically prohibited. All shrubbery shall be regularly trimmed and maintained to assure health and attractive condition. Trees shall be monitored for growth. The removal of trees for any reason shall be approved by the Architectural Control Committee. All non-lawn areas shall be kept free from excessive weeds or unsightly undergrowth or brush. The Owner's maintenance and care obligations shall apply to all portions of the Lot including any easements located on or adjacent to, including front, side, and rear road and utility easements.

4.2.6. Swales.

Plants, flowers, shrubs, and trees shall not be planted in the swale such as to obstruct storm drainage along the side yards of the Lot.

4.3. General Landscaping Criteria.

Basic planting requirements should, at a minimum, address the following areas:

4.3.1. Approvals.

The Architectural Control Committee will review proposed landscape plans in their entirety with special attention to property lines, easements, and set back lines. Provided with this document is a list of planting contained in the Exhibit regarding COMMONLY USED PLANT MATERIALS which identifies plants indigenous to this area. This list is not all encompassing and other plantings not specified on the COMMONLY USED PLANT list will be considered.

4.3.2. Permitted Ground Cover.

The ground surfaces of all Lots except that occupied by hardscape or structures shall be covered with a combination of landscaping, sodded grass lawn, planted ground cover, and approved mulch materials as listed in the Exhibit regarding APPROVED INERT MATERIALS found in this document. The sodded grass lawn area shall not be less than 50% of the total ground surface area. Centipede grass shall be used unless otherwise approved by the Architectural Control Committee. Approval shall be secured from the Architectural Control Committee for a living ground cover prior to the commencement of work. For the purpose of these Design Guidelines, topsoil or decomposed granite shall not be considered inert material.. Ground cover or inert material shall not be used to spell out names, nicknames, names of states, city athletic teams, slogans, states, emblems, geometric patterns, or any other communication.

In order to prevent soil erosion and to maintain positive drainage, the original grades of the Lot shall be maintained during landscape and sod installation. For this reason, a minimum sod buffer of 10 feet on the front curb must be maintained as a drainage area. For those properties located on or near a lagoon, the lagoon top of slope and banks are included in the sod buffer requirements. The Lot Owner shall hold harmless the Developer and Community Association for any property damage, including damage to the house, caused by an alteration of the grades or changes in the drainage patterns in connection with the design, installation, or maintenance of Owner's landscaping done by Owner or hired landscape contractor.

4.3.3. Dead or Diseased Plantings.

Dead or terminally diseased plant shall be promptly removed and all material resulting from the tree removal must be disposed of properly. If a removed tree is to be replaced, approval by the Architectural Control Committee is required. Trees removed and not replaced must be removed to grade level.

4.3.4. Restrictions on Paved Cover.

4.3.4.1. Driveways.

No concrete or other pavement may be located in driveway areas other than that which is initially included with the home. However, developer-installed driveways may be expanded a maximum of 24 inches on each side parallel to the sides of the original driveway. The addition of color or decorative pattern changes to paving materials may be allowed upon approval of the colors and/or designs. Plans for ANY contemplated paving work (excepting that provided by Declarant) shall be approved in writing by the Architectural Control Committee BEFORE any work commences.

4.3.4.2. Walkways.

Walkways with Modification approval may be expanded to a maximum of 60 inches wide to include any decorative trim or edging. Walkways greater than 60 inches with justification from the owners will be given consideration from the Architectural Control Committee on a case by case

basis. All modifications requests must be detailed with exact measurements and are limited to approved colors, patterns, textures, coatings, and material.

4.4. Landscape Accessories.

Landscape accessories are any items placed in the Lot that have not already previously discussed in these guidelines. All landscape accessories require approval. Placement and style of all landscape accessories shall be subject to approval on an individual basis consistent with the overall aesthetic scheme of Baynard Park. All landscape accessories mounted on entryway columns or walls shall be reviewed and approved or rejected based on overall design presented on the Modification request. Properties facing streets on two or more sides shall use landscaping to screen accessories. Applicants shall provide landscape plans that incorporate accessories to show how they are shrouded from adjacent property owner views.

4.4.1. Arbors

Arbor construction and installation shall be applied for and approved through the Architectural Control Committee and are considered a landscape accessory. The placement of arbor structures shall be at least 20 feet from any neighbor's Lot line and only in the rear yard. The maximum size of any arbor shall not exceed the height of 8 feet 6 inches, the width of 3 feet, and the depth of 2 feet with the wider dimension parallel to the rear Lot line. The arbor shall have approved vegetation, which will be required on the finished product. Application for size, materials, and placement shall be submitted and approved for prior to installation by the Architectural Control Committee. Vegetation shall be maintained to present a neat appearance with no overgrowth onto roofs or walkways.

4.4.2. Trellises

Trellis construction and installation shall be applied for and approved through the Architectural Control Committee and are considered a landscape accessory. The placement trellises shall be in a planting bed and only in the rear, side yard, and garage wall parallel to entry walkway. The maximum size of any trellis shall not exceed the height of 8 feet, the width of 3 feet, and the depth of 6 inches with the wider dimension parallel to the side or rear Lot line. The placement of a trellis in a side yard planting shall not be more than 2 feet from the wall of the house. The trellis shall have approved vegetation, which will be required on the finished product. Application for size, materials, and placement shall be submitted and approved for prior to installation by the Architectural Control Committee. Vegetation shall be maintained to present a neat appearance with no overgrowth onto roofs or walkways.

4.4.3. Ground Mounted Landscape Accessories.

Ground Mounted Landscape Accessories may not be in excess of 3 feet in height. Examples include, but are not limited to, low ground flags, statues, sculptures, bird baths, plant stands, potted plants, lawn ornaments, lighthouses, and other miniature structures.

4.4.4. Fountains

Fountains shall be limited in height to 4 feet 6 inches above the natural grade of the Lot. All fountains shall be of natural material, color, and design, each of which is compatible with the overall architectural theme of Baynard Park. Fountains shall be permitted in the front yard and rear yard of all residential homes. No more than one fountain shall be permitted in each yard. Fountains shall be subject to review for style and placement.

4.4.5. Bird Houses/Feeders.

Bird houses/feeders shall be placed in rear yard only. Bat houses, butterfly houses, bird houses, and bird feeders shall be designed and placed to be in harmony with the surrounding environment. Houses and feeders other than Martin houses shall not exceed 8 feet above ground level. Martin

houses shall not exceed two levels and shall not exceed 20 feet above ground level. No house or feeder shall constitute a hazard to neighboring properties or be a home for pest animals.

4.4.6. Holiday Decorative Accessories.

Home decorations, home lighting, temporary statues, artifacts, and other holiday decorative landscaping accessories are to be unobtrusive and displayed only for a period of 30 days prior to a holiday season; all such holiday decorations shall be removed no later than 30 days after the holiday.

4.4.7. Fire Pits and Outdoor Fireplaces

Town of Bluffton Regulations

In order to install a gas operated fire pit or an outdoor fireplace, a building permit is required by the Town of Bluffton. Additional information may be obtained through the Town of Bluffton's Building Department.

4.4.8. Permanent Fire Pits

Permanent Fire Pits shall be located in rear yard areas only, not to exceed 48" in diameter and 24" in height. Fire Pits can burn natural gas or propane or wood-burning **Fire Pits are permitted.** Fire Pits must have a concrete, stone, pavers, or other non-combustible material forming an apron completely around the pit area to prohibit flames from spreading to adjacent combustible areas/materials. Fire Pits must be located away from trees, shrubbery and overhanging limbs. Fire Pit plans must be submitted to the Architectural Control Committee for approval.

Temporary wood burning firepits are permitted provided that they are used with the established standards provided by manufacturer and meet Fire Code.

4.4.9. Outdoor Fireplaces

Fireplace plans must be submitted if it is detached from the main structure. If it is part of the structure of the home and/or part of the home patio/deck, it must be submitted with plans to the Architectural Control Committee for plan review and approval. Outdoor Fireplaces may burn natural gas or propane. Outdoor Fireplace construction must meet all building codes for structural integrity and shall have an exterior finish to match or complement the exterior of the home.

4.4.10. Plastic Sheeting.

The use of solid plastic sheeting or polyethylene over ground cover areas will not be permitted. If landscape fabric is used, it must allow the free flow of water, air, and gases to and from the soil. Weed control fabrics may only be used with prior approval of the Architectural Control Committee. All weed control fabrics must be kept thoroughly covered with a 3 to 4 inch layer of approved mulch material.

4.5. Fencing/Privacy Hedging.

4.5.1. Fence Guidelines.

Fencing is permitted property line and shall not create alleyways. Any fence request that varies from the description below will be reviewed on a case by case basis. All fencing is subject to approval of the Architectural Control Committee.

Fence material shall be black wrought iron or black aluminum. Wood and chain link (or chicken-wire or similar) fencing is not permitted. All fences shall be 4 feet in height unless otherwise stated below or required by town, county, and/or state codes. Vertical members of the fence may range ½ inch in width to 1½ inches in width. Vertical members of the fence shall not be less than 2½ inches apart and not greater than allowed by Town of Bluffton building code. All fences shall be repainted when necessary to maintain original appearance.

Gates shall be the same material and height as the fence.

4.5.2. Perimeter Fences.

All perimeter fences shall originate from the rear corners of each side of the Dwelling Unit. Wetland, wooded, or preserve Lots in which the required distance from the rear property line, as stated in the Exhibit regarding BUILDING SETBACKS found in this document, is equivalent to the tree line do not require landscaping at the portion of the fence obscured by the tree line. If the tree line of a wetland, wooded, or preserve Lot is closer to the property line than the required rear property line distance, the rear portion of the fence may be extended to the tree line as long as the fence does not encroach on an easement. Landscaping is not required on the portion of the fence obscured by the tree line.

4.5.3. Privacy Hedging.

Plantings used for screening or landscaping along property lines shall be located or designed to not interfere with swale drainage. No plant or other landscaping may be located on an easement. Plantings must be maintained by the Owner to be aesthetically pleasing to neighboring property owners (plant overgrowth, weed and grass encroachment on neighboring properties shall be controlled).

4.6. Ancillary Equipment.

4.6.1. Window and Roof Mounted Equipment.

Window and roof mounted equipment (including mechanical, air conditioning, and solar* heating equipment) shall not be allowed. Supplemental heating and cooling equipment may be installed in walls, and attic ventilation devices may be installed on the roof, with approval of the Architectural Control Committee. All ground mounted mechanical equipment, generators, propane tanks, or other service areas such as utility boxes shall be screened and allow for access to equipment for servicing. A sound barrier may be required for added equipment.

4.6.2. Exterior Appliances.

Installation of exterior water softeners, water filters, Propane Tanks, or any appliance required to be permanently installed to the exterior of the home are permitted with adequate screen the equipment from view of street and neighbors.

Adequate screening is defined as plantings that prohibits view of appliance:

Upon ACC approval three sided structure such as a service yard within the required building set back line area; such structure shall be a minimum height of six (6) feet in height, made of hardiplank, stucco or wood and painted to match the base color of the home.

4.6.3. Interior Water Treatment.

All interior water treatment systems shall be connected to the sewage system.

4.6.4. Antennas, Aerials, and Satellite Dishes.

No antenna, aerial, satellite dish, or other device for the transmission or reception of television, or radio (including amateur or ham radios) signals of any kind will be allowed outside the Dwelling Unit, except those antennas whose installation and use is protected under Federal law or regulations (generally, certain antennas under one meter in diameter). The location and positioning of the antenna is decided by the owner working with the service provider within the confines of applicable Federal regulations, i.e., without precluding reception of a quality signal, or unreasonably increasing the cost of the antenna or device. Installation does not require prior approval.

4.6.5. Visual Impact.

The antenna or other device is designed to assure the minimal visual intrusion possible (i.e., is located in a manner that minimizes visibility from the street and preserves the community wide standard). The following are preferred locations.

- Rear of the house, below the ridgeline.
- Rear of the house, attached to the roof or the fascia.
- Side of the house, toward the rear, attached to the roof or fascia.
- Side of the house, toward the rear, attached below the eave.
- Ground mounted, rear yard, painted and screened with shrubs.
- Ground mounted, side yard, toward the rear yard, and screened with shrubs.

4.6.6. Compliance.

Ground mounted installations require a landscape plan at time of submission. The landscape plan shall include the following:

- A Plot Plan showing the location of the antenna on the property
- A planting diagram indicating location of new plants
- A plant list of materials including plant names and size (5 to 7 gallon only)
- Recommended plants (Bottle Brush, Prodocarpus, and Viburnum) are fast growing and deer resistant.

4.6.7. Mechanical Equipment.

Mechanical equipment or other service areas such as utility boxes shall be screened and allow for access to equipment for servicing.

4.7. Lighting.

The Owner is required to submit an application to the Reviewing Board for review for all exterior lighting to include location and wattage. No exterior lighting shall be permitted that constitutes a nuisance or hazard to any Owner or Resident. Refer to the Exhibit regarding Recommended Landscape and Pathway Lighting Guide found in this document

4.7.1. Landscape/Walkways.

Illumination of landscaping (36 inches high or less), as well as for walks and driveways shall be accomplished with low wattage fixtures, ground mounted. Decorative low voltage/solar light fixtures for low-level landscape and path lighting are permitted. Fixtures shall be installed and maintained in a vertical position. A maximum quantity of 12 low-voltage or solar lights may be installed in front yards. A maximum quantity of 12 low-voltage or solar lights may be installed in rear and side yards (combined).

4.7.2. Large Bushes/Trees.

Illumination of large bushes and trees shall be accomplished with standard or low voltage (flood or spot) light fixtures, ground mounted, and aimed vertically upward.

4.7.3. Spotlights/Floodlights.

Exterior spotlight and floodlight fixtures shall be either non motion or motion detector fixtures. Exterior spotlight and floodlight fixtures location(s), other than the original construction of the dwelling location(s), require approval of the Reviewing Board.

4.7.4. Lampposts.

Lampposts (measured to the top of lighting fixture) shall not exceed 80 inches in height. A lamppost may have no more than two globes. Globes shall not create a lighting nuisance to surrounding properties. A lamppost is not considered a landscape accessory.

4.7.5. Fence/Building Mounted.

Exterior fence or building mounted light fixtures, including motion detector, spotlights and floodlights shall conform to the architecture of the house and be subject to approval of the Architectural Control Committee. Any enclosure of a light fixture shall be designed to conceal the lamp (bulb) and to direct the light downward.

4.7.6. Landscape Requirements.

Junction boxes shall be placed below grade to minimize day-time visibility of the hardware.

4.8. Pools, Spas, and Water Features.

4.8.1. In-Ground Swimming Pools

Above-ground pools are prohibited. Above-ground spas/hot tubs are permitted only if enclosed in a screen enclosure or sun room.

4.8.2. Security Fence/Enclosure Mandatory

All pools shall be surrounded by a security fence per paragraph 4.6.1 or a screen enclosure or sun room.

4.8.3. .Location

Pools shall only be installed in rear yards. Pools and their associated enclosure, fences and surrounds shall not extend laterally past the side wall of the house.

4.8.4. Pool Mechanical Equipment

The preferred location for pool mechanical equipment is inside the pool's screen enclosure or security fence. Pool equipment installed inside a screen enclosure or fence shall be shielded from outside view with opaque material. If all pool equipment is installed inside the screen enclosure, the maximum allowable enclosure size is increased in accordance with 4.3.8.6. Otherwise, pool mechanical equipment shall be contained inside a three-sided enclosure attached to the home near the rear corner. The enclosure shall be no more than 4 feet high and shall be finished to match the adjoining wall of the house (i.e., stucco, vinyl siding or Hardi-plank). The equipment enclosure shall be concealed with mature plantings.

4.8.5. Maintenance Equipment Storage

Pool maintenance equipment such as hoses, skimmers, vacuums and chemical containers shall be stored out of sight from neighboring properties.

4.8.6. Excavation Safety, Erosion and Drainage

The excavation site shall be well maintained for safety and storm water protection purposes. Excavated material shall be promptly removed from the property. Silt fence is required and shall be properly maintained during construction. Grading and drainage shall be installed to prevent erosion. No pool shall drain onto neighboring property. Pools (and spas) and their associated equipment shall drain to the pool owner's rear yard. Connections to sanitary sewers and drain pipes directed off the property, especially to or towards lagoons, are not permitted.

4.8.7. Spas and Hot Tubs

This paragraph applies to all types of soaking tubs installed outside the house.

Above-ground spas and hot tubs are not permitted unless surrounded by a screen enclosure or sun room.

In-ground spas are subject to the same guidelines as in-ground swimming pools, including security fencing. Pools shall only be installed in rear yards. Pools and their associated enclosure, fences and surrounds shall not extend laterally past the side wall of the house.

4.8.8. Security Fence/Enclosure Mandatory

Pools and spas shall be fenced or contained in a screened enclosure for safety reasons. Fences shall be a minimum of 4 feet and a maximum of 6 feet in height. Permitted fencing materials are wrought iron, steel or aluminum painted black. The vertical members of the fence shall not be less than 2 ½" inches apart and not more than 4 ½" inches apart. Pool fences may also have a 2 foot high masonry or stucco base with masonry or stucco columns at spaced intervals. Pool fences shall either completely enclose the pool or be attached to the house. Wood and chain link fencing is not permitted. The pool fence shall not be extended beyond the immediate pool surround area to create perimeter fencing or encompass non-hardscape areas of the rear yard. Gates shall be the same material and height as the fence. Mature landscape plantings shall be placed outside of the perimeter of the fence to screen it from view

4.8.9. Pool Mechanical Equipment

The preferred location for pool mechanical equipment is inside the pool's screen enclosure or security fence. Pool equipment installed inside a screen enclosure or fence shall be shielded from outside view with opaque material. If all pool equipment is installed inside the screen enclosure, the maximum allowable enclosure size is increased in accordance with 4.3.8.6. Otherwise, pool mechanical equipment shall be contained inside a three-sided enclosure attached to the home near the rear corner. The enclosure shall be no more than 4 feet high and shall be finished to match the adjoining wall of the house (i.e., stucco, vinyl siding or Hardi-plank). The equipment enclosure shall be concealed with mature plantings.

4.8.10. Maintenance Equipment Storage

Pool maintenance equipment such as hoses, skimmers, vacuums and chemical containers shall be stored out of sight from neighboring properties.

4.8.11. Excavation Safety, Erosion and Drainage

The excavation site shall be well maintained for safety and storm water protection purposes. Excavated material shall be promptly removed from the property. Silt fence is required and shall be properly maintained during construction. Grading and drainage shall be installed to prevent

erosion. No pool shall drain onto neighboring property. Pools (and spas) and their associated equipment shall drain to the pool owner’s rear yard. Connections to sanitary sewers and drain pipes directed off the property, especially to or towards lagoons, are not permitted.

4.9. Spas and Hot Tubs

- This paragraph applies to all types of soaking tubs installed outside the house.
- Above-ground spas and hot tubs are not permitted unless surrounded by a screen enclosure or sun room.
- In-ground spas are subject to the same guidelines as in-ground swimming pools, including security fencing.

ARCHITECTURAL CONTROL COMMITTEE SUBCOMMITTEES.

The Architectural Control Committee may, as it deems necessary, establish and abolish subcommittees of the Architectural Control Committee relating to the performance of specific duties to assist the Architectural Control Committee. Any authorized agent of the Architectural Control Committee, or of any Subcommittee established by the Architectural Control Committee, shall be authorized to perform the plan review and inspection of Lots required pursuant to these Design Guidelines. The operations and procedures of a Architectural Control Committee Subcommittee shall be established by the Architectural Control Committee upon its formation.

The Architectural Control Committee Chairman shall appoint all members of a Architectural Control Committee Subcommittee. At least one Architectural Control Committee member shall be a member of the Architectural Control Committee Subcommittee. That member shall act as Chairman of the subcommittee. Appointees to the Architectural Control Committee Subcommittee need not be architects, owners, lessees, or residents and do not need to possess any special qualifications of any type except such as the Architectural Control Committee may, in its discretion, require. The Chairman will have authority to dismiss or replace Subcommittee members.

6. ENFORCEMENT OF GUIDELINES AND ARCHITECTURAL CONTROL COMMITTEE ACTIONS.

In the event of a violation of these Design Guidelines or any decision of a Architectural Control Committee, the Declarant or the Board may take any enforcement action authorized by the By-Laws or the Declaration.

Any changes or amendments to the Design Guidelines shall only apply to construction and modifications commenced after the date of such amendment. Changes shall not require modification or removal of structures previously approved once the approved construction has commenced. However, changes to, or replacement of, previously approved projects SHALL comply with the Guidelines in effect at the time of the new modification application.

AMENDMENTS TO DESIGN GUIDELINES.

Declarant may amend, modify, or supplement the Design Guidelines at any time as long as it owns any portion of the Properties or has the right to annex additional property in accordance with the Declaration. Thereafter, the Architectural Control Committee, or if the Architectural Control Committee is not established, the Board of Directors shall have the authority to amend or change the Design Guidelines. Any amendments, modification or supplements shall apply to construction and modification commenced after the date of such amendment only and shall not require

modification or removal of Modification Activity previously approved once the approved construction or modification has commenced.

DECLARANT IMPROVEMENTS.

As part of the planning and development of Baynard Park, Declarant has prepared a development plan and provided certain architectural designs, color palettes, landscaping design packages, parks, park preserves (open space), streets, model home packages, a sales pavilion, and a recreation center. Market conditions, styles, marketing strategies, or other factors may cause Declarant to change the type of models, size of homes, location of future amenities or streets, color palette of homes, landscaping styles or plant materials, construction methods or materials, or the landscaping on the common area.

AUTHORIZATION BY DECLARANT.

PulteGroup Inc.

Signed: _____

Signed: _____

Title: _____

Title: _____

Dated: _____

Dated: _____

EXHIBIT A - BUILDING SETBACKS

A building setback line is defined as the minimum allowable horizontal distance from a given point or line of reference, such as a street right-of-way or property lines, to the nearest point of a foundation or supporting post or pillar of any applicable structure.

The building setbacks described below are applicable to Baynard Park and recognized by the Architectural Control Committee. Notwithstanding any other provision of law, all building setbacks shall meet these requirements, except for such buildings which are built by Declarant pursuant to approvals obtained from Beaufort County or Town of Bluffton, as applicable.

Front Yard:	15 feet minimum
Side Yard:	5 feet minimum
Rear Yard:	10 feet minimum
Rear Yard adjacent to freshwater wetland:	20 feet minimum

EXHIBIT B – DEFINITION OF FRONT, REAR & SIDE YARD

YARD DEFINITION DIAGRAM

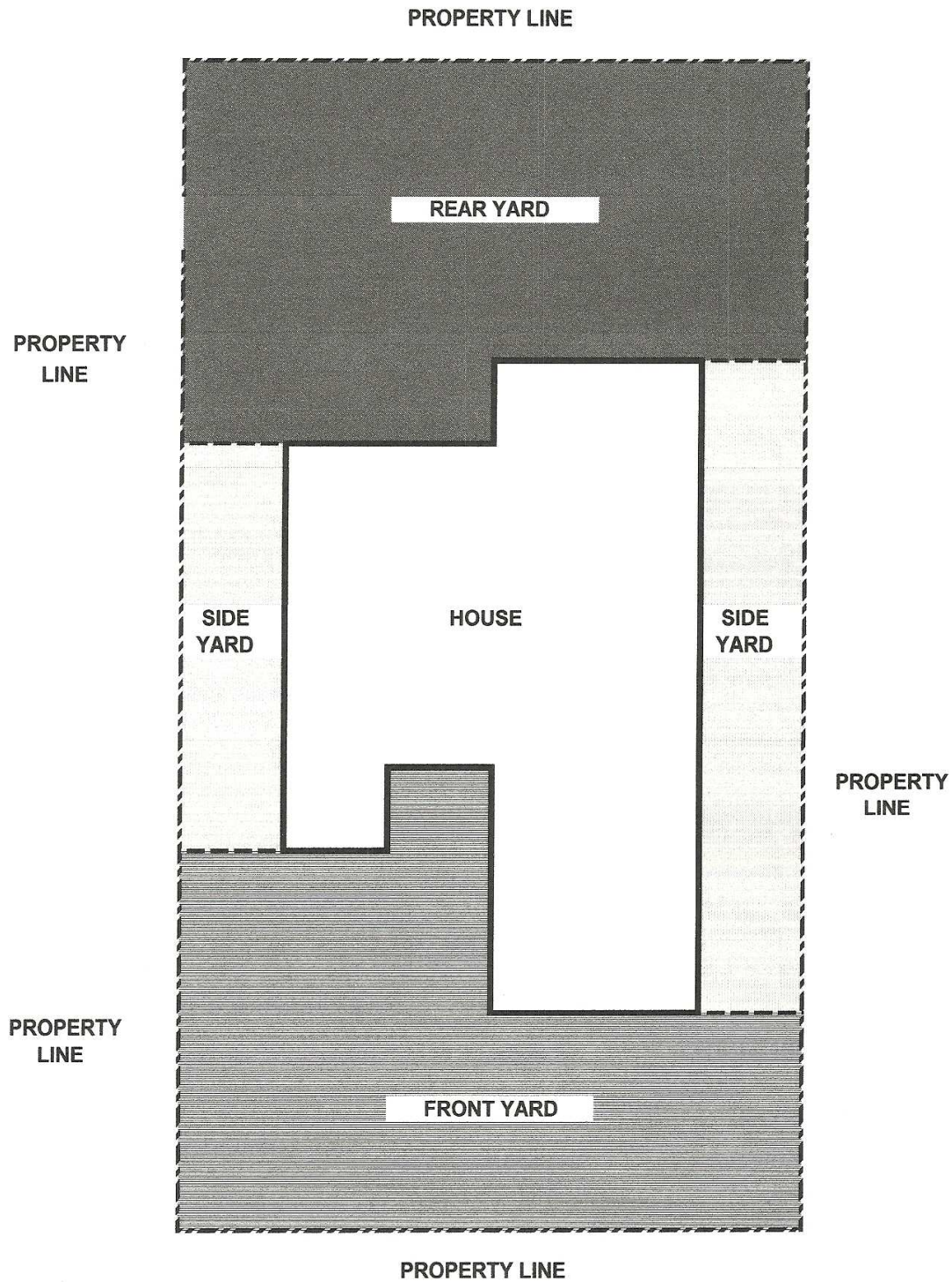


EXHIBIT C - COMMONLY USED PLANT MATERIALS

***On Indigenous Trees of Bluffton**

Large Trees

- *Southern Sugar Maple (*Acer Barbatum*)
- Florida Maple (*Acer Floridian*)
- *Box Elder (*Acer Negundo*)
- *Red Maple (*Acer Rub rum*)
- *Water Hickory (*Carya Aquatic*)
- *Bitternut Hickory (*Carya cordiformis*)
- *Pignut Hickory (*Carya Glabra*)
- *Pecan (*Carya Illinoensis*)
- * Nutmeg Hickory (*Carya Myristiciformis*)
- *Shagbark Hickory (*Carya Ovata*)
- *Sand Hickory (*Carya Pallida*)
- *Mockernut Hickory (*Carya Tomentosa*)
- *Hackberry (*Celtis Occidentalis*)
- *Sugarberry (*Celtis Lavigata*)
- * American Beech (*Fagus Grandifolia*)
- *Maidenhair Tree (*Ginko Biloba*)
- *Honey Locust (*Gleditsia Triacanthos*)
- * Black Walnut (*Juglans Nigra*)
- *Red Cedar (*Juniperus Virginiana*)
- *Rotundiloba (*Liquidambar Styracifflua*)
- *Sweetgum (*Liquidambar Styracificua*)
- *Tulip Tree (*Liriodendron tulipifera*)
- *Ash Magnolia (*Magnolia Ashei*)
- *Southern Magnolia (*Magnolia grandiflora*)
- * Red Mulberry (*Morus Rubra*)
- *Swamp Blackgum (*Nyssa Biflora*)
- *Water Tupelo (*Nyssa Aquatic*)
- *Ogeechee Lime (*Nyssa Ogeche*)
- *Black Gum (*Nyssa Sylvatica*)
- *Shortleaf Pine (*Pinus Echinata*)
- *Slash Pine (*Pinus Elliottii*)
- *Spruce Pine (*Pinus Glabra*)
- *Longleaf Pine (*Pinus Palustris*)
- *Pond Pine (*Pinus Serotina*)
- *Loblolly Pine (*Pinus Taeda*)
- Chinese Pistache (*Pistacia chinensis*)
- *Sycamore (*Platanus occidentalis*)
- *White Poplar (*Populus Alba*)
- *Black Cherry (*Prunus Serotina*)
- *Sawtooth Oak (*Quercus Acutissima*)
- *White Oak (*Querecus Acutissima*)

- *Scarlet Oak (*Quercus Coccinea*)
- *Southern Red Oak (*Quercus Falcata*)
- *Ringcupped Oak (*Quercus Glauca*)
- *Bluejack Oak (*Quercus Incana*)
- *Laurel Oak (*Quercus Laurifolia*)
- *Overcup Oak (*Quercus Lyrata*)
- *Blackjack Oak (*Quercus Marilandica*)
- *Swamp Chestnut Oak (*Quercus michauxii*)
- *Water Oak (*Quercus Nigra*)
- *Willow Oak (*Quercus phellos*)
- *Shumard's Red Oak (*Quercus Shumardii*)
- *Post Oak (*Quercus Stellata*)
- *Black Oak (*Quercus Velutina*)
- *Live Oak (*Quercus Virginiana*)
- * Black Locusts (*Robina Pseudoacacia*)
- *Pond Cypress (*Taxodium Ascendens*)
- *Bald Cypress (*Taxodium distichum*)
- *Carolina Basswood (*Tilia Caroliniana*)
- *Winged Elm (*Ulmus Alata*)
- *American Elm (*Ulmus Americana*)
- *Slippery Elm (*Ulmus Rubra*)

Medium Trees

- *American Hornbeam (*Carinus Caroliniana*)
- Japanese Maple (*Acer palmatum*)
- River Birch (*Betula nigra*)
- *Redbud (*Cercis canadensis*)
- *Green Ash (*Fraxinus Pennsylvanica*)
- *Loblolly Bay (*Gordonia Lasianthus*)
- *Carolina Silverbell (*Halesia Caroliniana*)
- Leyland Cypress (*x Cupressocyparis leylandii*)
- Nelli R. Stevens Holly (*Ilex aquifolium x cornuta 'Nellie R. Stevens'*)
- *East Palatka Holly (*Ilex x attenuata 'East Palatka'*)
- *Foster Holly (*Ilex x attenuata 'Fosteri'*)
- *Savannah Holly (*Ilex x attenuata 'Savannah'*)
- *American Holly (*Ilex Opaca*)
- Weeping Yaupon Holly (*Ilex vomitoria 'pendula'*)
- Goldenrain Tree (*Koelreuteria paniculata*)
- Crape Myrtle (*Lagerstroemia indica* - Varieties 'Cherokee', 'Muskogee', 'Natchez, and 'Tuscarora')
- Tree Form Wax Leaf Privet (*Ligustrum lucidum*)
- Little Gem Magnolia (*Magnolia grandiflora 'Little Gem'*)
- Saucer Magnolia (*Magnolia soulangiana*)
- *Sweet Bay Magnolia (*Magnolia virginiana*)
- Eastern Hophornbeam (*Ostrya Virginiana*)
- *Carolina Cherry (*Prunus Caroliniana*)
- Japanese Flowering Cherry (*Prunus serrulata 'Kwanzan'*)
- Yoshino Cherry (*Prunus yedoensis*)

- *Sassafras (*Sassafras Albidum*)
- *Olive Maple (*Acer Oliveranum*)
- *Downy Serviceberry (*Amelanchier Arborea*)
- *Shadblow Serviceberry (*Amelanchier Canadensis*)
- *Paper Mulberry (*Broussonetia Papyrifera*)
- *Buckthorn Bumelia (*Bumelia Lycoides*)
- *Tough Bumelia (*Bumelia Tenax*)
- *Iron Wood (*Carpinus Caroliniana*)
- *Chinquapin (*Castanea Pumila*)
- *Common Catalpa (*Catapla Bignoioides*)
- *Dove Tree (*Davidia Involucrate*)
- *Persimmon (*Diospyros Virginiana*)
- *Sweet Fig (*Ficus Carica*)
- *Carolina Ash (*Fraxinus Caroliniana*)
- *Pumpkin Ash (*Fraxinus Profunda*)
- *Water Locusts (*Gleditsia Aquatica*)
- *Two Winged Silverbell (*Halesia Diptera*)
- *Hume Holly (*Ilex Attenuata*)
- *Lusterleaf Holly (*Ilex Latifolia*)
- *Southern Red Cedar (*Juniperus Siliciola*)
- *Osage Orange (*Maclura Pomifera*)
- *Pyramid Magnolia (*Pyramid Magnolia*)
- *Devil Wood (*Osmanthus Americanus*)
- *Jerusalem Thorn (*Parkinsonia Aculeate*)
- *Red Bay (*Persea Bornonia*)
- *Eastern Cottonwood (*Populus Dettoides*)
- *Swamp Cottonwood (*Populus Heterophylla*)
- *Common Pear (*Pyrus Communis*)
- Aristocrat Pear (*Pyrus calleryana* ‘Aristocrat’)
- *Weeping Willow (*Salix Babylonica*)
- *Black Willow (*Salix Nigra*)
- Calloway Crabapple (*Malus pruniflora* ‘Calloway’)
- Tree Form Wax Myrtle (*Myrica cerifera*)
- Palmetto (*Sabal palmetto*)
- Windmill Palm (*Trachycarpus fortunei*)

Small Trees

- *Paperbark Maple (*Acer Griseum*)
- *Red Buckeye (*Aesculus Pavia*)
- *Common Alder (*Alnus Serrulata*)
- *Devil’s Walking Stick (*Aralia Spinosa*)
- *Strawberry Tree (*Arbutus Unedo*)
- *Pawpaw (*Asimina Triloba*)
- *Gum Bumelia (*Bumelia Lanuginose*)
- *Shrub Hickory (*Carya Flodidana*)
- *Hackberry (*Celtis Tenuifolia*)
- *Fringetree (*Chionanthus Virginicus*)
- *Buckwheat Tree (*Cliftonia Monophyllis*)

- *Dogwood (*Cornus Alterifolia*)
- *Dogwood (*Cornus Florida*)
- *Stiffwood (*Cornus Foemina*)
- *Mary Haw (*Crataegus Aestivalis*)
- *Parley Hawthorne (*Crataegus Marshallii*)
- *Green Hawthorn (*Crataegus Viridis*)
- *Cudrania *Tricuspidata*)
- *Swamp Cyrilla (*Cyrilla Racemifora*)
- *Loquat (*Eriobotrya Japonica*)
- *Eastern Corabean (*Erythria Herbacea*)
- *Silver Dollar Tree (*Eucalyptus Polyanthemos*)
- *Swamp Privet (*Forestiera Acuminata*)
- *Franklinia (*Franklinia Altamaha*)
- *Witch Hazel (*Heramelis Virginiana*)
- *Dahoon Holly (*Ilex Cassine*)
- *Possumhaw (*Illex Decidua*)
- *Myrtle Leaf Holly (*Ollex Myrtifolia*)
- *Perny Holly (*Ilex Pernyii*)
- *Perny Holly (*Ilex Pernyii*)
- *Weeping Holly (*Ilex Vomitoria*)
- *Yaupon Holly (*Ilex Vomitoria*)
- *Red Cedar (*Juniperus Virginiana*)
- *Goldenraintree (*Koelreuteria Bipinnata*)
- *Cherokee, Muskogee, Natchez Crape Myrtle (*Lagerstroemia Indica Faurei*)
- *Littlehip Hawthorn (*Crataefus Spathulata*)
- *Southern Crabapple (*Malus Angustifolia*)
- *Callaway Crabapple (*Malus Prunifolia*)
- *White Mulberry (*Morus Alba*)
- *Fortune Tea Olive (*Osmanthus Fortunei*)
- *Fragrant Tea Olive *Osmanthus Fragrans*)
- *Hollyleaf *Osmanthus (Osmanthus Heterophyllus)*
- *Sourwood (*Oxydendrum Arboreum*)
- * Pinkneya Feverbark (*Pinckenia Bracteata*)
- *Planetree (*Planera Aquatica*)
- *Chicksaw Plum **Prunus Angustifolia*)
- *Purple-leafed Plum (*Prunus Cerasifera*)
- *Cherry Plum (*Prunus Cerasifera*)
- *Hog Plum (*Prunus Granatum*)
- *Flowering Apricot (*Prunus Mume*)
- *Flowering Peach (*Prunus Persica*)
- *Flatwood Plum (*Prunus Umbrellata*)
- *Pomegranate (*Punice Granatum*)
- *Turkey Oak (*Quercus Laevis*)
- *Myrtle Oak (*Quercus Myrtifolia*)
- *Sand Live Oak (*Quercus Virginiana*)
- *Buckthorn (*Rhamnus Carolinaianus*)
- *Winged Sumac (*Rhus Copallina*)
- *Coastal Plain Willow (*Salix Caroliniana*)
- *Soapberry (*Sapindus Marginatus*)

- * Southern Plum
- *Silky Stewartia (*Stewartia Malacodendron*)
- *American Snowbell (*Styrax Americanus*)
- *Horsesugar Sweetleaf (*Symplocos Tinctoria*)
- *Sparkleberry (*Vaccinium Arboreum*)
- *Lilic Chastertree (*Vitex Agnus-Castus*)
- *Hercules Club (*Zanthoxylum Clava-Herculis*)

Palms and Cycad:

- *Sago Cycas (*Cycas Revolute*)
- *Needle Palm (*Rapidophyllum Histrix*)
- *Scrub Palmetto (*Sabal Etonia*)
- *Dwarf Palmetto (*Sabal Minor*)
- *Cabbage Palmetto (*Sabal Palmetto*)
- *Saw Palmetto (*Serenoa Repens*)
- *Sago Cycas (*Zamia Pumila*)

D = Deciduous E = Evergreen

Large or Accent Shrubs (5-7 Gallon) Shrubs indicated with an ‘SH’ require shade.

- E-Anise (*Illicium anisatum*)
- E-Azalea SH (*Azalea indica* - Varieties ‘Formosa’, ‘George L. Tabor’, ‘G.G. Gerbing’, ‘Judge soloman’, ‘President Clay’, ‘Red Formosa’, and ‘Southern Charm’)
- Semi E-Butterfly Bush (*Buddleia davidii*)
- E-Bottlebrush (*Callistemon citrinus*)
- E-Camellia SH (*Camellia sasanqua*)
- E-Chinese Fringe (*Loropetalum chinese*, cultivars; Hines Prupole leafe, Burgandy, Blush)
- E-Pampas Grass (*Cortaderia seloana*)
- Semi E-Sago Palm (*Cycas revoluta*)
- E-Gardenia (*Gardenia jasminoides*)
- E-Burford Holly (*Ilex cornuta* ‘Burfordii’)
- E-Wax Leaf Privet (*Ligustrum lucidum*)
- E-Banana Shrub (*Michello Figo*)
- D-Variegated Maiden Grass (*Miscanthus sinensis* ‘variegata’)
- E-Waxmyrtle (*Myrica Cerifera*)
- E-Nandina (*Nandina domestica*)
- E-Oleander (*Nerium oleander*)
- E-Tea Olive (*Osmanthus fragrans*)
- E-Fortune’s Tea Olive (*Osmanthus fortunei*)
- E-Firehorn (*Pyracantha koidzumi*)
- E-Pittosporum (*Pittosporum tobira*)
- E-Podocarpus Yew (*Podocarpus macrophyllus maki*)
- D-Purple Fountain Grass (*Pennisetum setaceum* ‘Rubrum’)
- E-Sweet Viburnum (*Viburnum odoratissium*)

E-Laurustinus (*Viburnum tinus*)

Medium Shrubs (3-5 Gallon) Shrubs indicated with an ‘SH’ require shade.

E-Abelia (*Abelia grandiflora*)

D-Barberry (*Berberis thunbergii* ‘Rose Glow’ or ‘Crimson Pygmy’)

E-Boxwood (*Buxus microphylla*)

E-Dwarf Bottlebrush (*Callistemon citrinus* ‘Little John’)

E-Dwarf Burford Holly (*Ilex cornuta* ‘Burfordii nana’)

E-Carissa Holly (*Ilex cornuta* ‘Carissa’)

E-Dwarf Yaupon Holly (*Ilex vomitoria* ‘Nana’ or ‘Schellings’)

E-Florida Jasmine (*Jasminum floridum*)

Semi E-Primrose Jasmine (*Jasminum mesnyi*)

E-Dwarf India Hawthorn (*Raphiolepis indica*)

E-Yucca (*Yucca filamentosa*)

E-Sanankwa Viburnum (*Viburnum Suspensum*)

Low Shrubs or Groundcovers (1 Gallon) - Space 1 to 6 feet apart; and 2 feet minimum from buildings. Shrubs indicated with an ‘SH’ require shade. Shrubs indicated with a ‘V’ are vines to be used with support.

E-Hollyfern SH (*Cyrtomium falcatum*)

E-African Iris (*Dietes vegeta*)

E-Dwarf Gardenia (*Gardenia jasminoides* ‘radicans’)

E-Carolina Jessamine V (*Gelsemium sempervirens*)

Semi E-Daylily (*Hemerocallis hybrida*)

D-Lantana (*Lantana camara*)

E-Big Blue Liriope (*Liriope muscari* ‘Big Blue’)

E-Variegated Liriope (*Liriope muscari* ‘Silvery Sunproof’)

E-Goldflame Honeysuckle V (*Lonicera x heckrottii*)

E-Trumpet Honeysuckle V (*Lonicera sempervirens*)

E-Blue Pacific Juniper (*Juniperous conferta* ‘Blue Pacific’)

E-Parson’s Juniper (*Juniperous davurica* ‘Expansa’)

E-Blue Rug Juniper (*Juniperous horizontalis* ‘Wiltonii’)

E-Dwarf Japanese Garden Juniper (*Juniperous procumbens* ‘Nana’)

E-Dwarf Nandin* (*Nandina domestica* ‘Harbor Dwarf’ or ‘Firepower’)

E-Banks Rose V (*Rosa bankiae*)

E-Confederate Jasmine V (*Trachelospermum jasminoides*)

E-Lily of the Nile (*Agapanthus*)

EXHIBIT D - APPROVED INERT MATERIALS

Approved inert landscape materials shall include: bark, hardwood mulch, pine straw and other materials as may be approved by the Architectural Control Committee from time to time.

Pine straw may be approved for reasonable use in bedding, around shrubs and trees, and along the exterior walls of the dwelling. Pine straw is not acceptable as a sod substitute.

Determination of whether a material is acceptable for inclusion in any specific situation shall be made by the Architectural Control Committee and shall be in writing.

Approved inert hardscape materials shall include: concrete, brick, stone, concrete pavers, textured and painted coatings, natural pebble stone/epoxy coating, and other materials that may be approved by the Architectural Control Committee from time to time. Driveways shall be constructed of concrete or interlocking concrete pavers.

Exhibit E – Landscape Accessory Guide

All landscape accessories require advance approval. Colors, materials, style, size, quantity and placement shall be compatible with the house and the neighborhood.

Homeowners may mix and match accessory types listed below, subject to individual type limits. The maximum total of ALL accessories shall be no more than 10 (ten) per lot with no more than 5 (five) in the front lot area.

Landscape accessories are not permitted in the 10 foot sod buffer and/or the lagoon top of bank to include the slope is not permitted.

Type	Maximum Height	Maximum Quantity Per Item	Notes
Fountains	66 inches	1 per front/1 per rear	Outdoor electrical wiring per county code requirements
Bird Baths	3 feet	1 per front/1 per rear	
Bird Feeders/Houses	8 feet on pole	5 in rear yard only	Includes bat/bee/butterfly houses
Martin House	20 feet	1 per rear yard	2 level limit
Decorative Furniture and Plant Stands	3 feet high 5 feet wide	2 per front 2 per rear	At least 15 feet from curb in planting beds or on porch
Large Rocks/Boulders	18 inches	Reviewed on case basis	Planting beds only
Miniature Structures	3 feet	2 per rear yard	Wishing wells, lighthouses, bridges. Rear planting beds only
#Lawn Ornaments, Statues, all other Accessories	3 feet on ground 18 inches on wall	≤ allowed total	
Plant Containers/Pots in Planting Beds or on Hardscape	2 feet	≤ allowed total	Disposable nursery containers not permitted. Must contain live plants.
Plant Containers on Driveways	2 feet	1 on each side of garage door	No more than 3 feet from wall. Must contain live plants.
Fireplace/Fire Pits/ & Chimineas	Case by Case Basis	1 at the rear of the home	Shall be natural gas or propane. Wood burning not permitted

Exhibit F – Recommended Landscape and Pathway Lighting Guide

All landscape lighting requires advance approval. All requests must include the type of lights, the location and number of lights. The Owner is required to submit an application to the Reviewing Board for review for all exterior lighting modifications. No exterior lighting shall be permitted that constitutes a nuisance or hazard to any Owner or Resident.

Type	Application	Lumens	LED	Halogen	Incandescent	Notes
Pathway Lighting	Walkways	70	2.5W	10W	15W	Space 3-6 ft. apart
Spot Light	Single tree, shrub, lawn landscapes	250	6.0W	35W	40W	2-4 ft. in front/center of item to be illuminated
Wall Washer	Retainer Wall	100	3.0W	15W	20W	Use for large flat surfaces
Well Light	Ponds/ fountains	400	12.0W	65W	100W	Use for single lighting - not with other lights due to large wattage
Flood Light	Landscape Settings (per light)	250	6.0W	35W	40W	Accent lighting for settings
Bollard Light	Walkways	70	2.5W	10W	15W	Use with Pathway lighting for special effects

EXHIBIT G – Exterior Paint Pallets

EXTERIOR COLOR PACKAGES

Color Group 2- Intellectual Gray		Color Group 6-Requisite Gray	
Lap Sliding	Duron- Intellectual Gray SW7045	Lap Sliding	Duron-Requisite Gray SW7023
Shake (per elevation)	Duron-Anonymous SW7046	Shake (per elevation)	Duron-Hammered Silver SW2840
Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005	Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005
Gutters and Downspouts	Masco- White	Gutters and Downspouts	Masco-White
Shutters and Front Door	Duron- Tricorn Black SW6258	Shutters and Front Door	Duron- Ubane Bronze SW7048
Stone Veneer (per elevation)	Erie Dry Stack	Stone Veneer (per elevation)	Erie Dry Stack
Brick Color (per elevation)	Sapelo	Brick Color (per elevation)	Sapelo
Color Group 7- Latte		Color Group 11- Oak Barrel	
Lap Sliding	Duran- latte SW6108	Lap Sliding	Duran- Oak Barrel SW7714
Shake (per elevation)	Duron- Hopsack SW6109	Shake (per elevation)	Duron- Tree Branch SW7525
Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005	Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005
Gutters and Downspouts	Masco- White	Gutters and Downspouts	Masco-White
Shutters and Front Door	Duron- Black Bean SW6006	Shutters and Front Door	Darkroom SW7083
Stone Veneer (per elevation)	Seneca Dry Stack	Stone Veneer (per elevation)	Catawba Dry Stack
Brick Color (per elevation)	Sapelo	Brick Color (per elevation)	Spanish Moss
Color Group 12- Mountain Road		Color Group 14- Sawdust	
Lap Sliding	Duron- Mountain Road SW7743	Lap Sliding	Duron- Sawdust SW6158
Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duron-Roycroft Mist Grau	Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duron- Pure White SW7005
Gutters and Downspouts	Masco- White	Gutters and Downspouts	Masco-White
Shutters and Front Door	Duron- Black of Night SW6993	Shutters and Front Door	Duron- Andiron SW6174
Stone Veneer (per elevation)	Erie Dry Stack	Stone Veneer (per elevation)	Catawba Dry Stack
Brick Color (per elevation)	Spanish Moss	Brick Color (per elevation)	Spanish Moss
Color Group 16-Relaxed Khaki		Color Group 17- Whole Wheat	
Lap Sliding	Duron- Relaxed Khaki SW6149	Lap Sliding	Duron- Whole Wheat SW6121
Shake (per elevation)	Duron- Drowning Earth SW2820	Shake (per elevation)	Duron- Roycroft Suede SW2842
Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005	Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005
Gutters and Downspouts	Masco- White	Gutters and Downspouts	Masco-White
Shutters and Front Door	Duron- Black Bean SW6006	Shutters and Frontdoor	Duron- Kaffee SW2813
Stone Veneer (per elevation)	Catawba Dry Stack	Stone Veneer (per elevation)	Seneca Dry Stack
Brick Color (per elevation)	Spanish Moss	Brick Color (per elevation)	Spanish Moss
Color Group 19- Tony Taupe		Color Group 21- Downing Straw	
Lap Sliding	Duron- Tony Taupe SW7038	Lap Sliding	Duron- Drowning Straw SW2813
Shake (per elevation)	Duron- Rookwood Clay SW2823	Shake (per elevation)	Duron- Burlap SW 6137
Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005	Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005
Gutters and Downspouts	Masco- White	Gutters and Downspouts	Masco-White
Shutters and Front Door	Duron- Otter SW6041	Shutters and Front Door	Duron- Iorn Ore SW7069
Stone Veneer (per elevation)	Catawba Dry Stack	Stone Veneer (per elevation)	Seneca Dry Stack
Brick Color (per elevation)	Old Savannah	Brick Color (per elevation)	Spanish Moss
Color Group 22- Downing Stone		Color Group 23- Basket Beige	
Lap Sliding	Duron- Downing Stone SW 2821	Lap Sliding	Duron- Basket Beige SW6143
Shake (per elevation)	Duron- Attitude Gray SW7060	Shake (per elevation)	Duron- Hopsack SW6109
Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005	Trim,Vertical Sliding, Garage Door, & Porch Ceiling	Duran- Pure White SW7005
Gutters and Downspouts	Masco- White	Gutters and Downspouts	Masco-White
Shutters and Front Door	Duron- Rock Bottom SW7062	Shutters and Front Door	Duron- Roycroft Bronze Green SW2846
Stone Veneer (per elevation)	Erie Dry Stack	Stone Veneer (per elevation)	Catawba Dry Stack
Brick Color (per elevation)	Sapelo	Brick Color (per elevation)	Old Savannah

EXHIBIT H –NEW CONSTRUCTION GUIDELINES

Application process and fees:

The Architectural Control Committee must approve all plans for construction of a new home, not constructed by the Declarant, including but not limited to interior and exterior floor plans demonstrated by elevation plans, roof plans, foundation and structural plans, landscaping plans, tree protection plans, grading and drainage plans and all site preparation requirements. Prior to proceeding with construction, the Architectural Control Committee must provide the residential homeowner with written approval and all plans must be permitted and approved by the Town of Bluffton and Beaufort County.

In order to have plans reviewed by the Architectural Review Board, the resident homeowner must complete the Application for New Construction, Appendix F , pay all applicable application fees, and submit a material color board to the Architectural Review Board. Once all requested information has been received, the Architectural

Review Board will review the plans of construction and site preparation. The Architectural Control Committee reserves the right to require any modifications to the plans, at their sole discretion, before granting approval. Penalties will be incurred by the Residential Lot Owner if all processes and procedures aren't followed and applicable fees are not paid. Noncompliance with the requirements may result in the Association remedying the non-compliance and levying a lien upon the land and improvement until reimbursed for its expenses.

Elevation Plans

Prior to beginning construction of a new home the application to the Architectural Control Committee must include front, rear, and both side elevation plans. Exterior walls should be of brick, wood cemplank or conventional stucco. Siding materials must be approved.

Windows of various styles and functions are encouraged. Large areas of glass without division will not be approved by the Architectural Review Board. All exterior vertical wood or wood siding including stairs must be painted or stained except redwood or other approved woods. All handrails and balusters on decks, exterior stairs, porches, etc must be painted or stained.

Building Height on all residential homes in Baynard Park must not exceed 35' above finished grade at the building line. The finished first floor level shall not exceed 5' above the minimum FEMA based flood elevation or natural grade, whichever is greater. The third story of a 3-story home shall be located within the attic area of the first two floors. Garage doors are to be overhead type of raised panel design.

Roof Plans

Architectural roofing materials must be approved by the Architectural Review Board. If fiberglass shingles are used, colors and configurations that do not call attention to the roof should

be chosen. Exaggerated roof slopes (high or low) will not be approved by the Architectural Review Board.

Roof vents and other penetrations will blend with the roof and are preferred. Low profile roof ventilators must be used.

Chimney exteriors shall be of masonry stucco or siding construction. Prefabricated chimney flue caps must be screened with a metal or other noncombustible material shroud for safety and ornamentation.

House Floor Plans

Prior to beginning construction two sets of complete house plans must be submitted to the Architectural Control Committee for review. All facets of the plans must be approved prior to beginning construction.

All homes in Baynard Park shall meet the following criteria: The minimum square footage allowed at Baynard Park for interior heated and cooled space (excluding garages) is 2,000 square feet. All homes must have a two car garage (carports not permitted). All plans submitted to the Board should include plumbing and electrical layouts and HVAC equipment locations.

Foundation and Structural Plans

Before beginning construction all foundation and structural plans must be stamped by a registered engineer or architect. Due to FEMA flood elevation requirements, a substantial foundation may be required and all homes constructed must conform to the Federal Flood Zone regulations for minimum finished floor elevations established by FEMA. No more than 5' of foundation will be allowed to be exposed around a home as measured from the bottom of the floor joists. High foundation walls will require careful treatment to help reduce their apparent height and massiveness. Louvered or lattice openings in a foundation will may be required by the Architectural Review Board.

Tree Protection

The Architectural Control Committee reserves the right to designate specific trees which must be protected through the clearing and constructions phases with barriers erected at least 6' from the trunk of the trees. No tree with a trunk diameter measure 6" or greater (at a distance of 4' above ground level DBH) shall be removed or effectively removed through damage without the obtaining the proper permits from the Town of Bluffton and Beaufort County and without the written consent of the Architectural Review Board.

Landscaping Plans

A landscaping plan must be submitted to the Architectural Control Committee for review at the same time as final house plans are submitted and the plan must be drawn on a previously approved site plan, which must show existing plants and trees and must indicate the trees intended to be removed. Common name, size and mature size will identify new plants and trees. The Architectural Control Committee may disapprove the construction of a home based on the landscaping plan and the home and all proposed plans will not be considered approved until the landscaping plan is also approved.

All landscape improvements and sodded areas must be covered by an adequate irrigation system. In general, proposed plant material should be easily available, salt tolerant, unappetizing to deer, drought resistant and cold hardy. Natural plant bed material such as pine straw or mulch is the preferred approved material plans which propose the use of rock as a predominant element will not be approved. Each owner is responsible for maintenance of their lawn to the waters edge (on pond lots) and the proposed landscaping plant must include a design and maintenance plan for this area (if applicable).

It is preferred that wooded areas be preserved and enhanced by the selective introduction of ground cover and edge plantings. Lawn areas are encouraged in open areas around homes where sunlight is available for a good portion of the day. Simple massing of plant materials is generally the most effective method of creating a successful planting scheme. At driveway entrances, for reasons of safety, no planting which obstructs sight lines shall be permitted.

Grading and Drainage Plan

Grading and drainage shall be designed to ensure no storm water or roof water runoff is directed toward adjacent homes sites or directly into wetlands or lagoons. Runoff should be directed into swales or other BMP devices.

In general, the area of the lot may be filled are limited to the area immediately under and around the house and adjacent driveway area. This area should transition down to existing grade as soon as possible once beyond the building line. It should be anticipated that natural low lying areas will be preserved and that these low area might retain water for several days following rainfall. All rain gutters should be turned toward landscaped areas and not a hard surface area. Cuts and fills should be designed to complement the natural topography. Grading should produce graceful contours, not sharp angles and provide smooth transition at the head and tope of the slope.

Site Preparation

At the time of the final submittal, the builder will be required to put up a string line on the lot showing the placement and footprint of the proposed plan. It is not intended that any trees be cut down in accomplishing this requirement.

At the time of the final design submittal the lot boundary, including the street side, will be fences using silt fence. This fence will remain in place and in proper working order for the duration of the project.

Before starting construction, a portable chemical toilet will be in place and removed when construction is complete. Portable toilets are to face into the construction area and be a minimum of 10' from the back of curbed and screened from view. Toilets must be cleaned and emptied on a weekly basis during constructions.

Before beginning construction a trash container must be in place and not removed until construction is complete. It will be the permit holder's responsible to collect all trash and maintain a clean and orderly construction site during the entire project. The trash can must be emptied when necessary during the construction process. If the Baynard Park Property Owners Association and its Board of Directors or Architectural Control Committee deems the condition

of the construction site unacceptable, fines may be applied to the homeowners account and will be used to order work to clean the site up. Dumping or burning of trash and debris is not permitted within Baynard Park.

Parking during construction is restricted to a hard surface at all times. Park or material storage is not permitted on common property or unimproved homeowner property at any time.

The street must be cleaned of debris daily and the Association may require the street(s) to be swept during the construction process if necessary.

An ingress/egress construction drive, made of crushed stone or other approved material, must be installed per the Town of Bluffton Design Manual or approved SWPPP for the site.

Closed loop water source heat pump systems are allowed in Baynard Park provided the holes bored for the loop are not deeper than 60 feet below natural existing grade and must be drilled by a South Carolina Licensed Well Driller.

The appropriate utility companies shall provide underground connections to water, sanitary sewer, electricity, telephone, and cable TV. The installation of all utilities to the home must be installed according to the specifications prescribed by the providing utility company.

General Requirements

Any damage to adjacent lots, street, curb, common area or public utilities which shall include all above ground utility boxes, must be repaired or replaced to the satisfaction of the Board of Directors, Declarant, and Architectural Review Board, utility company, or any applicable governing agency.

Trash, building materials, contractor equipment, or temporary buildings must be removed off site within 5 business days of completing construction.

The home, landscaping, and all improvements must be 100% completed and a Certificate of Occupancy must be reviewed from Beaufort County and/or the Town of Bluffton before the home will be considered completed.

Inspections

Inspections will be conducted during the entire construction process. The Architectural Review Board, Declarant, or Board of Directors for the Baynard Park Property Owners Association, Inc may, any point during the construction process, conduct an inspection without notice. If the inspections results in knowledge that all of the requirements are not being met, construction is deviating from approved plans, or results in cause for concern for various reasons (may decide upon the Board's sole discretion), the Board will provide immediate notice to the Resident Owner (per contact information on the New Construction Application) and construction must cease and desist immediately until a resolution has been agreed upon by all parties.