

**Branch Creek Architectural Review Board**

**(BCARB or ARB)**

**Post Sale**

**Guidelines**

Located in historic Summerville, Branch Creek has the potential to become one of Summerville's most desirable traditional neighborhoods. Through careful planning and thorough design, as well as with the coordinated efforts of each homeowner in the community, Branch Creek will stand above all other communities. These Architectural Design Standards will help to ensure a cohesive design for the neighborhood without sacrificing the individuality of each home. These standards are to ensure, enhance and protect the value of all homes in Branch Creek. Please note this guide is not all inclusive, for more information see the Branch Creek Covenants, Article 5.

Generally speaking an ARB request is required when the homeowner makes additions or changes to the original appearance of the home following closing. Typical ARB requests include:

- Fences
- Pools
- Decks
- Flags
- Exterior Paints
- Exterior Hoe Additions (Sun Rooms, etc.)
- Significant Landscaping

If you are in doubt whether a change requires ARB approval, simply contact the ARB or our Management Company (Spectrum Properties, Inc.)

#### **ARB Guidelines:**

##### **1. Tree Preservation:**

**Tree Ordinance & Tree Permits Per the Town of Summerville:** For properties in the Town limits that are already developed and/or not requiring a building permit, a tree removal permit is required when the property owner desires to remove any tree(s) of six inches (6") or greater diameter at breast height (DBH). DBH is the standard measure of tree size and is a tree trunk diameter in inches at a height of 4 ½ feet above the ground. For properties that are proposing to remove any trees of six inches or greater DBH due to building or other construction, a site plan showing the proposed footprint of the building, swimming pool, etc. and the tree(s) to be removed needs to be submitted. If a permit is required for the construction, the tree removal permit will not be approved until the corresponding building permit is approved.

- A. Trees must be protected in accordance with the local ordinances.
- B. No tree greater than 6 inches in caliper may be removed from the site without approval of the ARB.

##### C. Removal of trees:

Trees 15" in diameter, excluding pine trees, are considered "Grand Trees" and require a permit and mitigation through the County. See above "Tree Ordinance & Tree Permits Per the Town of Summerville".

- 1) Trees 24" in diameter, including pine trees, are considered "Grand Trees" and require a permit and mitigation through the County.
- 2) The homeowner or homebuilder will be responsible for all permitting and mitigation.

##### **2. Basketball Goals:**

- A. Permanent Goals must be approved by the ARB.
- B. Temporary or mobile goals must be stored out of sight when not in use.

**3. Play Equipment (trampolines, play houses, swing sets, etc.):**

- A. Must be approved by the ARB
- B. Must have minimum impact on adjacent lots

**4. Flag Poles:**

Section 6.16 of the Branch Creek Covenants states: "No Owner may erect or install a flagpole or decorative banner on any portion of a Lot, including freestanding detached flagpoles or banners, and those that are attached to a Home, without the prior written approval of the BCARB". The Board of Directors has adopted the following guidelines so that it will be reasonably clear in advance if a proposed flag or banner ARB application will be approved by the BCARB.

- A. Except for the U.S. flag (aka Stars and Stripes) which is automatically approved as long as it meets the criteria below, the flags of a State, or a branch of the US Armed Forces will generally be approved. Also, ordinary decorative flags and banners (such as those that show pictures of flowers, welcome themes, football teams, etc.) will be generally approved provided they are determined by the board to be tasteful, not offensive. In addition, a flag should meet the standards for size, condition, and type of display discussed below.
- B. However, the HOA/ARB does require:
  - 1) That the flag of the U.S. be displayed in accordance with Title 4 of the U.S. Code, Section 5-10.
  - 2) That the flag of the State of South Carolina be displayed in accordance with the South Carolina Code Ann. Sec. 16-17-210 through 230.
  - 3) That a U.S. Military flag be displayed in accordance with its respective department's regulations (e.g. flag manual).
  - 4) That a flagpole attached to a dwelling or a free-standing flagpole be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.
  - 5) That the display of a flag, and the locations and constructions of the supporting flagpole, must comply with appropriate zoning ordinances, easements, and setback of record. And
  - 6) That a displayed flag and the flagpole on which it is flown be maintained in good condition and that any deteriorated flag or deteriorated or structurally unsafe flagpole be repaired, replaced or removed.
- C. The HOA will:
  - 1) Regulate the size, number and location of flagpoles on which flags are displayed, except that the regulation may not prevent the installation or erection of at least one flagpole per property that is not more than 20 feet in height;
  - 2) Regulate the size, location, and intensity of any lights used to illuminate a displayed flag;
  - 3) Impose reasonable restrictions to abate noise caused by an external halyard of a flagpole.
- D. The HOA hereby sets the following flag regulations within Branch Creek Property:
  - 1) Criteria for flags mounted on free-standing flagpoles:
    - A) Free-standing flagpole maximum height is 20' (20-feet),
    - B) Maximum flag size is 4' X 6' (4-foot X 6-foot) on a 20' (20-foot) flagpole,
    - C) Maximum flag size is 3' X 5' (3-foot X 5-foot) on a 15' (15-foot) flagpole,
    - D) Maximum number of free-standing flagpoles per property is one,

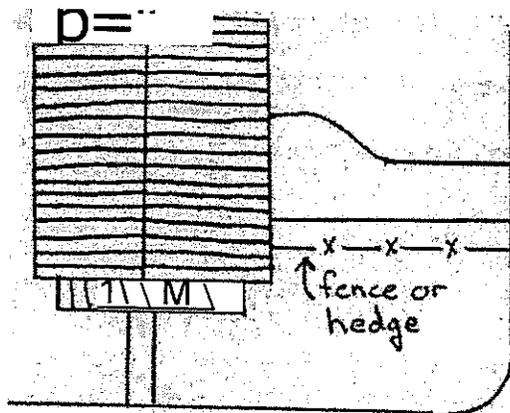
- E) U.S. Flag flying on a free-standing flagpole between sunset and sunrise must be adequately illuminated during hours of darkness.
- 2) Criteria for house mounted flags:
- A) Maximum size is 3' X 5' (3-foot X 5-foot),
  - B) House mounted flagpole maximum length is 6' (6-foot),
  - C) Lawn flags maximum size is 12" X 18" (12 inches X 18 inches).

**5. Satellite Dishes:**

- a. Must be properly screened.

**6. Fences and Walls:**

- A. All fences and walls must be reviewed by the ARB.
- B. Fencing for lots located on the pond must have 4' (4-foot) wrought iron fencing.
- C. All other lots are 6' (6 foot) privacy (wood) not to exceed 4' (4-foot) from rear of home.
- D. For houses located on corner lots – fencing along the street side of the property must be located 25' (25-foot) from the center line of the street.
- E. Solid fences or walls for privacy from rear property line to front of house mass (not porch) are permitted. Fences facing street must be landscaped street side.
- F. Owners are encouraged to have varying designs but shall be harmonious with the character of the house and neighborhood.
- G. In order to screen side entry garages owners are encouraged to provide fencing or evergreen hedges that run parallel to the street from the front corner of the house to the side property line.



- H. No chain link or wire mesh fencing allowed.
- I. Wooden fences should remain natural in color or a natural color stained applied (Example but not limited to: Sherwin Williams Covered Bridge Stain).
- J. Fences must be built 2" (2 inches) from the slope of the ground to allow for natural and proper drainage to occur. Fencing cannot impede drainage.

- K. Fencing cannot come forward more than 4' (4-foot) from the rear eave of the home.
- L. The finished side of fences must always face out from the lot.
- M. No double fencing is permitted.
- N. Height as indicated elsewhere in this document.
- O. Planted hedges may also be used in lieu of fences or site walls. Where a break in the hedge is necessary for access, a suitable gate shall be constructed of materials described above.
- P. Drainage easements may require a permit from the County if encroached. Homeowner is responsible for all permitting.

**7. Services:**

- A. Trash storage, utility meters, propane tanks, irrigation pumps, and air conditioning units shall be screened from view to the street by plantings, walls or other elements deemed appropriate by the ARB.
- B. Pool pumps must be properly screened.
- C. Gutters shall be of metal and of a style appropriate to the house, round, ogee or rectangular.
  - 1) Drainage flow of gutters should not encroach onto adjacent lots.

**8. Shutters:**

- A. If installed, shutters must be sized appropriately for opening width and height. Owners are encouraged to protect windows on all elevations.
- B. Hurricane panels, if used, must be installed in a concealed manner, must not alter the style of the house and must be approved by the ARB.

**9. Mailboxes:**

- A. All mailboxes shall be of the same design approved by the ARB.

**10. Sheds:**

- A. Residents wishing to erect a storage shed must first submit an ARB request form to the Branch Creek ARB. Storage sheds must conform to the Town of Summerville building codes. All sheds in the Branch Creek subdivision must be framed primarily of wood. The shed's exterior must be clad horizontally in hardiplank and trimmed in a manner similar to the home. The shed must be painted to match the home's exterior color. Shingles should match those of the home. Placement of the shed should typically be near the rear property line, no closer than 6' (6 feet) to the neighbor's property line.

## **LANDSCAPE STANDARDS:**

The goal of the landscape standards is to assist the homeowner to develop a landscape that enhances the community at large as well as individual homeowners. These guidelines promote continuity in the landscape where individual lots relate to one another while at the same time allowing for individuality of each lot.

- A. All natural or undisturbed areas shall be mulched to a minimum depth of 2" (2 inches) unless pine straw is used which will require a minimum depth of 4" (4 inches).

### **1. Landscape lighting:**

- A. Permitted provided it does not adversely affect the adjoining property or public right-of-way. Landscape lighting should subtly highlight the important aspects of the house and landscaping.
- B. Security lighting is permitted provided it does not affect adjoining property owners.
- C. Security lighting should be hooded.

## **Submittals to the Architectural Review Board (ARB):**

The goal of the ARB is to review the application of plans and specifications to determine compliance with these standards. The ARB does not assume responsibility for the technical aspects, structural aspects, or safety of the design. Nor does the ARB assume responsibility for compliance with local codes, ordinances or laws. These items are the sole responsibility of the Owner, the Owner's designer and/or contractor.

The ARB will interpret these guidelines at the request of the Owner.

The ARB reserves the right to grant variances to these standards on the basis of hardship or unusual site conditions.

### **1. Schematic submittals shall include:**

- A. Schematic floor plans and all elevations with general dimensions and building material description. Elevations shall show grade elevations to scale.

### **2. Staff approval:**

- A. The ARB will allow an expedited approval process on items it has previously reviewed but required a minimal change before it could be approved. Approval for plans will consist of a simple majority of the Branch Creek ARB members.

#### **B. Appeals Process:**

- A. Any lot buyer (homeowner in Branch Creek) who is denied approval on any submittal or portion of a submittal can appeal the decision.
- B. The appeal should be noted at the formal meeting and will allow the lot buyer to explain and justify the original request at the next formal meeting.

**FEES:**

If your application requires extensive review, input from legal or professional services, or otherwise extraordinary time or resources to render a decision, there is a \$75 fee. Additional fees may apply. Applicants will be notified of extra fees before they are incurred. Please make your check payable to Branch Creek HOA.

**FINES:**

A fine of \$1000 will be imposed if a resident proceeds with making additions or changes to the original appearance of the home without prior ARB approval, or if the changes deviate from the approval request.

If you are in doubt whether a change requires ARB approval, simply contact the ARB or our Management Company (Spectrum Properties, Inc.).