

SUMMARY OF 2019 REVISIONS to the SIXTH AMENDMENT GUIDELINES

Note: The 2019 revised architectural review guidelines simply update the guideline exhibit that was attached to the 2008 Sixth Amendment. Only the guidelines have been revised; the body of the Sixth Amendment remains unchanged. Below is a summary highlighting the major revisions.

Review and Approval Procedures

- Establishes a more comprehensive fee schedule to support added duties related to compliance verification and enforcement of construction site activities. Fees include a Compliance/Construction Deposit for new cottage construction (including demolition and re-build) and for major renovations;
 - Provides for stand-alone permits independent of a larger project including the demolition of a cottage in advance of an architectural review approval, the construction of docks, beach access structures, pools and landscape renovations;
 - Clarifies the definition of the threshold for architectural review in Sea Island Subdivision;
 - Specifies a mandatory sequence of architectural review phases from schematic through final;
 - Specifies additional review information required to evaluate new construction and major renovations, including:
 - (1) A “contextual site plan” that identifies surrounding off-site conditions and improvements;
 - (2) A final (as opposed to preliminary as previously required) landscape plan presented with the final architectural drawings;
 - (3) Detailed buffer illustrations and three dimensional architectural images and graphics;
 - Establishes a formal Construction Permit that may serve as a reference for a variety of purposes including site inspections and Sea Island gate access;
 - Establishes a formal Certificate of Compliance that will provide a vehicle for final inspections and for the release of any compliance/construction deposits;
 - Establishes a requirement for a Neighbor Notice announcing date and scope of impending construction and providing contact information.
- Site Planning and Architectural and Landscape Architectural Design

- Clarifies standards for the re-assembly or re-subdivision of lots;
- Revises the existing Building Site Development Guidelines as follows:
 - (1) Confirms the application of “Maximum Floor Area” to floor area under roof as opposed to heated and cooled;
 - (2) Reduces Maximum Floor Area ratios by 10% across the board; however, by requiring the submittal of a “contextual site plan” the new guidelines provide a tool for site-specific considerations;
 - (3) Eliminates Maximum Building Footprint Area but establishes a new category of “Minimum Area of Open Soil”;
 - (4) Restricts credit for the use of porous pavement systems to a maximum 50% area discount;
 - Establishes a new concept called “Building Site Buffers” which essentially replaces building setbacks. The concept enables flexibility in allowing certain improvements while imposing restrictions responsive to specific site conditions. Building Site Buffers are inclusive of county, state or federal setbacks;
 - Confirms the requirement for drainage studies and on-site storm water detention where warranted;
 - Requires the submittal of a “Tree Plan” for new construction and major renovations;
 - Requires submittal of written consent from abutting neighbors prior to the review of proposed boundary walls or fences;
 - Establishes additional approval conditions for on-street and off-street parking, cottage signs, irrigation wells, septic systems, docks, beachfront street ends, exterior appliances, garbage can enclosures, and the maintenance of undeveloped lots;
 - Enables the ARC to establish specific noise abatement standards;
 - Provides additional criteria for reviewing architectural design;
 - Provides additional criteria for reviewing landscape architectural design, including authorization to publish landscape standards by the ARC.

Construction

- Provides notice to general contractors:
 - (1) Enabling the linkage of site access to minimum performance standards;
 - (2) Establishing minimum insurance requirements;
- Establishes a formal Construction Permit that can be linked to construction compliance verification, nuisance complaints and access control;

- Revises minimum standards for temporary construction fencing;
- Establishes minimum standards for onsite personnel;
- Establishes owner responsibility for the onsite conduct and specifies specific prohibitions.

Permitting and Enforcement (new section)

- Establishes a formal Compliance Agreement with the owner and general contractor acknowledging the form and content of the approval as well as obligations for compliance;
- Establishes an administrative threshold for the release of a construction permit;
- Establishes a burden on the owner to notify the ARC and obtain written approval (including additional fees, if required) prior to the installation of any improvements which differ from the ARC approved plans;
- Establishes a burden on the owner to notify the ARC when all improvements are complete and ready for final inspection;
- Sets forth the process for issuing a Certificate of Compliance releasing any deposits or bonds less ARC related expenses;
- Specifies remedies for non-compliance and the recovery of related expenses;
- Re-affirms the obligation of the owner, general contractor and sub-contractor to repair any damages to streets and infrastructure;
- Re-affirms the right of the ARC, or its agents, to patrol construction sites and construction activity (including the entering of a building site), the filing of periodic reports including notifications to owners, and the imposition of special conditions on a construction site;
- Confirms the ARC's right to impose fines and to deny access through the Sea Island Gate;
- Enables the ARC to subject an owner, architect, landscape architect, engineer or general contractor to a period of probation during which access to ARC review is denied.

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CLYNN COUNTY, GEORGIA

2019 FEB 26 A 8:51

Ronald A. Adams
CLERK SUPERIOR COURT

Upon recording, please return to:

William M. McHugh
P.O. Box 30351
Sea Island, GA
31561

Cross Reference: Deed Book 4-B, Page: 104
Deed Book 2457, Page: 183

AMENDMENT TO THE
SIXTH AMENDMENT TO
THE DECLARATION OF RESTRICTIONS, CONDITIONS, LIMITATIONS,
EASEMENTS, RIGHTS, PRIVILEGES, ETC.

THIS AMENDMENT TO THE SIXTH AMENDMENT TO THE DECLARATION OF RESTRICTIONS, CONDITIONS, LIMITATIONS, EASEMENTS, RIGHTS, PRIVILEGES, ETC. ("**Amendment**"), is made as of the date set forth below by the Sea Island Architectural Review Committee ("**ARC**") with the consent of Sea Island Acquisition, LLC, a Delaware limited liability company ("**Company**").

WITNESSETH

WHEREAS, on July 2, 2008, Sea Island Corporation, Inc., a Georgia corporation ("**SIC**"), recorded that certain Sixth Amendment to the Declaration of Restrictions, Conditions, Limitations, Easements, Rights, Privileges, Etc., in Deed Book 2457 at Page 183 *et seq.*, ("**Sixth Amendment**") further amending the Declaration of Restrictions, Conditions, Limitations, Easements, Rights, Privileges, Etc., recorded by SIC on September 26, 1928, in Deed Book 4-B at Page 104 *et seq.*, ("**Declaration**"), all in the Office of the Clerk of Superior Court of Glynn County, Georgia; and

WHEREAS, the Architectural Review Guidelines and Standards for Sea Island Subdivision No. One (Revised) Extensions No. 1 and No. 2 ("**Architectural Guidelines**") were attached and recorded as Exhibit "A" to the Sixth Amendment; and

WHEREAS, Section 2.2 of the Sixth Amendment granted to the ARC the right to amend the Architectural Guidelines, from time to time, in its sole discretion, with no limitation on the scope of the amendments; including the right to amend the Architectural Guidelines to remove requirements previously imposed or otherwise to make the Architectural Guidelines more or less restrictive in whole or in part; and

WHEREAS, pursuant to Section 3.1 of the Sixth Amendment, SIC retained the right to amend or add to the covenants, restrictions, conditions, and limitations set forth in the Sixth Amendment provided such covenants, restrictions, conditions, and limitations are in conformity with the general purpose of the restrictions therein contained; and

WHEREAS, Company was assigned all of the rights of SIC with respect to the Declaration pursuant to that Assignment of Declarant Rights recorded on December 16, 2010 in the Office of the Clerk of Superior Court of Glynn County, Georgia, in Deed Book 2809 at Page 153 *et seq.*;

NOW THEREFORE, the ARC, with the consent of Company, hereby amends the Declaration by striking Exhibit "A" to the Sixth Amendment in its entirety and substituting in its place Exhibit "A" attached to this Amendment. The amendments made to Exhibit "A" are in conformity with the general purpose of the restrictions contained in the Declaration and the Sixth Amendment.

IN WITNESS WHEREOF, the ARC and the Company, acting through their respective designees and officers, have duly executed this Amendment this 25th day of February, 2019.

**SEA ISLAND ARCHITECTURAL
REVIEW COMMITTEE**

By: [Signature]
Name: Scott Steilen
Its: Administrator

Signed, sealed, and delivered this 25th day of February, 2019, in the presence of:

[Signature]
Witness

Kathy Hutcheson
Notary Public

My commission expires: 1-31-2022

[Notarial seal]



[SIGNATURES CONTINUED ON NEXT PAGE]

SEA ISLAND ACQUISITION, LLC, a
Delaware limited liability company

By: [Signature]
Name: Scott Steilen
Its: President & CEO

Attest:

By: [Signature]
Name: J. YATES ANDERSON
Its: V.P. OF DEVELOPMENT & SERVICES

Signed, sealed, and delivered this 25th day
of February, 2019 in the presence of:

[Signature]
Witness

Kathy Hutcheson
Notary Public

My commission expires: 1-31-2022
[Notarial seal]

595301\Design Guidelines\Amendment to Sixth Amendment - Replace Exhibit A - Final - 022519



EXHIBIT "A"

Architectural Review Guidelines and Standards for
Sea Island Subdivision No. One
(Revised) Extensions No. 1 and No. 2

Sea Island, Georgia
February 19, 2008
Revised February 25, 2019

SEA ISLAND ARCHITECTURAL REVIEW COMMITTEE

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I. INTRODUCTION

The "Sea Island Subdivision" generally consists of that portion of Sea Island, Georgia, extending north from the Cloister Resort to the Hampton River, exclusive of Ocean Forest, known formally as Sea Island Subdivision No. One, (Revised) Extensions No. 1 and No. 2. The homes and home sites within the Sea Island Subdivision are subject to the "Declaration of Restrictions, Conditions, Limitations, Easements, Rights, Privileges, Etc.," recorded in the Office of the Clerk of Superior Court of Glynn County, as such instrument has been amended and supplemented over the years (collectively referred to as the "Declaration"). The Declaration provides for standards of architecture, maintenance, use and conduct in order to preserve and enhance the overall community. In particular, the Declaration establishes procedures for application and review of plans for new construction and for modifications to existing homes within the Sea Island Subdivision. Sea Island Acquisition, LLC, is the successor to the powers, rights, and privileges granted or reserved to the Sea Island Company under the Declaration.

The Architectural Review Guidelines and Standards for Sea Island Subdivision No. One, (Revised) Extensions No. 1 and No. 2 (the "Guidelines") have been established pursuant to the Declaration to provide guidance to owners and their contractors in planning improvements and modifications to home sites, structures, and landscaping within the Sea Island Subdivision and to specify procedures to ensure orderly construction practices. The Guidelines establish and carry forward the plan of development envisioned by the original developers of the properties. They have been developed in consultation with architectural and land development professionals to foster and continue the land plan in place for over 90 years. These Guidelines are intended to facilitate the review process, but are not the sole basis for decisions on architectural matters. **Compliance with these Design Guidelines does not guarantee approval.** The Guidelines require close coordination with reviewers, owners, architects and general contractors.

While these Guidelines address many circumstances and conditions, they will require ongoing interpretation. From time to time, amendments may be warranted. The "Architectural Review Committee," as further set forth in Section II of the Guidelines, is granted the right to interpret and amend the Guidelines, at its sole discretion.

Guidelines are formatted to reflect the planning and construction process which typically proceeds from schematic architectural design, to site planning, to detailed architectural design, to landscape architectural design, and concludes with construction. Applications for architectural review require a disclosure of the design and construction team. Projects which do not evolve from a collaboration of the appropriately experienced design professionals may not achieve approval through the architectural review process.

II. DEFINITION AND INTERPRETATION OF TERMS

The following words and terms, when used in these Guidelines (whether capitalized or not) shall have the following meaning:

1. Accessory Buildings/Structures: A structure which is customarily accessory and clearly incidental and subordinate to the principal structure on a Building Site. All accessory structures shall be located on the same Building Site and shall not be eligible for ARC review independently of the principal structure.
2. Architectural Review Committee (the "ARC"): The body authorized to administer architectural design review and control the implementation of the construction of any home and/or improvements on any Building Site within Sea Island Subdivision.
3. Administrator: The individual appointed by Sea Island Acquisition, LLC who shall be charged with setting an agenda, conducting ARC meetings, and acting on behalf of the ARC in reviewing any application.
4. Building Site: A parcel of land composed of singular, or assemblies of multiples, and/or portions of "historic" lots of record shown on the plat entitled "Sea Island Subdivision No. One of Sea Island Beach", made by F. J. Torras, dated July 25, 1928, as recorded in the Office of the Clerk of Superior Court of Glynn County, Georgia, as amended from time to time by various plats of record.
5. Certificate of Compliance: A certificate issued by the ARC confirming that all improvements are compliant with the approved architectural review application, including any subsequent amendments approved in writing by the ARC.
6. Compliance Agreement: A certificate issued by the ARC executed by the property owner, architect, landscape architect, and building contractor confirming their collective obligation to comply with approved applications.
7. Construction Notice: Written communication providing notice of impending construction delivered to property owners adjacent to, or nearby, the Building Site of an approved project.
8. Construction Permit: A certificate delivered to the owner and issued by the ARC documenting the approval of an architectural review application.
9. Cottage: The historical designation given to any home/residence constructed on the Sea Island Subdivision. For purposes of these guidelines the terms "cottage", "home", and "residence" have the same meaning and may be used interchangeably.
10. Demolition Permit: Written notice confirming the ARC's conditional approval to demolish an existing structure. Such notice may be provided in advance of the approval of an

architectural review application subject to both conditions and joint execution by the owner, the ARC and Sea Island Acquisition, LLC.

11. Flag Lot: A lot fronting on a right of way, or access easement, which is reached via an access strip having a minimum frontage and width of twenty-five (25') feet and otherwise complies with the Glynn County Zoning Ordinance.
12. Georgia Department of Natural Resources Marsh/Upland Boundary: The official marsh boundary as defined by the Georgia Coastal Marshlands Protection Act (CMPA) of 1970.
13. Guest House: A structure or building subordinate to a main residence but designed as an integrated component of a master development plan for an entire Building Site. A guest house shall be located on the same Building Site as the main residence.
14. Hard Scape: Any site improvements such as driveways, walks, patios, terraces, pools, walls, fences, and other non-vegetative landscape features.
15. Minor Renovations: Renovations to a Building Site that only involve minor improvements such as landscape renovations; the singular installation of pools and terraces and other site improvements; and limited renovations and additions whose scope is judged to be minor as determined by the ARC. Generally, a minor renovation is one which changes the appearance of approximately 25%, or less, of the existing residence.
16. Pre-development Discharge: The amount of storm water entering from the Building Site to the right of way or access easements and related storm drainage systems prior to the installation of improvements subject to review by the ARC.
17. Soft Scape: Any site improvements that include site preparation (clean-up, minor clearing, tree work, minor grading and storm drainage), the installation of plants and vegetation and related materials, the installation of irrigation systems and the installation of landscape lighting systems.

III. REVIEW AND APPROVAL PROCEDURES

A. Scope of Section

This section defines the authority, function, structure, and procedures of the architectural/design review process. The objective of the review process is to promote aesthetic harmony in the community by providing for compatibility of specific designs with surrounding buildings, the environment, and the topography. The review process strives to maintain objectivity and sensitivity to the individual aspects of design. The design review process has been developed to provide adequate checkpoints in an effort to minimize time spent on concepts which do not adhere to the Guidelines. An attempt has been made to streamline this process and eliminate excessive delays. Nevertheless, each owner is responsible for complying with the Guidelines, and all other applicable provisions of the Declaration, as well as all the rules and regulations of any governmental authority, in order to bring the design review process to a prompt and satisfactory conclusion.

B. Architectural Review Committee Authority

Architectural control, design review and the implementation of construction or improvements to any home or homes site within the Sea Island Subdivision is administered by the Architectural Review Committee (the "ARC").

The ARC shall have the right to establish and charge reasonable fees for its review of any application and may require the posting of a compliance/construction deposit, bond, and/or letter of credit before any improvements may commence on a lot in accordance with the approved application to ensure compliance with the Guidelines and ensure that any wear and tear on the infrastructure within Sea Island Subdivision is repaired once construction is complete. Such fees shall be payable at the time of any initial submittal to the "Sea Island Architectural Review Committee" and are as follows (which are subject to change from time to time):

- Review Fee in the amount of \$8,000.00 for new construction (original development of a Building Site) or the demolition of an existing residence and the reconstruction of a new residence. This review fee shall include a pre-design submittal, the "Preliminary Design Review" and the "Final Design Review."
- Review Fee in the amount of \$6,000.00 for proposed changes to existing residences (or after a certificate of occupancy has been granted for new construction) which the ARC determines, in its sole discretion, is a major renovation. A major renovation is one which materially changes at least 50% of the floor area under roof of an existing residence.

- Review Fee in the amount of \$2,500.00 for proposed changes to existing residences (or after a certificate of occupancy has been granted for new construction) which the ARC determines, in its sole discretion, is a minor renovation. Generally, a minor renovation is one which changes the appearance of approximately 25%, or less, of the existing residence.
- Review Fee in the amount of \$1,000.00 for the demolition of an existing cottage which is not already incorporated into an application submitted for the ARC's approval of the construction of a new residence replacing the demolished structure.
- Review Fee in the amount of \$1,000.00 for minor renovations involving the stand alone construction of a swimming pool or a major landscape renovation (as determined by the ARC in its sole discretion) not in association with the new construction or renovation of a cottage.
- Review Fee in the amount of \$1,000.00 for the stand alone construction of a dock or a beach access crossover structure serving an individual Building Site (as opposed to one serving the neighborhood at a street end).
- Review Fee for changes to an approved application or resubmission of disapproved plans shall be \$500.00.
- Compliance/Construction Deposit of \$25,000.00 for new or reconstruction of an existing cottage and for a major renovation of an existing cottage. The ARC may impose a lesser compliance/construction deposit amount for minor renovations. Such compliance/construction deposit may consist of a cash deposit, surety bond, letter of credit or a combination thereof. Such surety bond or letter of credit must be approved by the ARC.

The review fee for new construction, for major renovations, and for minor renovations set forth above, less a \$1,500.00 processing fee, will be refunded if the application is withdrawn prior to its review at a scheduled ARC meeting. All other review fees listed above are be non-fundable.

Additional reviews if required shall be subject to additional reasonable fees to be determined by the ARC.

C. Architectural Review Committee Composition

Until Sea Island Acquisition, LLC, as the successor to the Sea Island Company under the rights reserved in the Declaration otherwise decides, the ARC shall be

composed of an "Administrator," an individual appointed by Sea Island Acquisition, LLC who shall be charged with setting an agenda and conducting the meeting, and any one or more persons that Sea Island Acquisition, LLC appoints to act on behalf of the ARC in reviewing any application. In addition, those members of the architectural review committee (or by whatever other name designated) of the Sea Island Property Owners Association, Inc., shall act in an advisory capacity to the ARC and shall exercise such powers and authority as the Administrator may grant to them from time to time. However, all final decisions of the ARC shall be made solely by the Administrator.

The ARC shall meet on a regular basis to review applications and assist in the administration of these Guidelines. Meetings shall be scheduled at a minimum of once per month at a published time and location.

D. Approval Requirement

All plans and materials for new construction, landscaping or exterior modifications to homes or landscaping must have prior approval. No building, fence, wall, or other structure or sign (including docks and beach access crossover structures) shall be commenced, erected, placed, altered or maintained on any "Building Site" (a parcel of land supporting, or platted to support, one single-family residence and related improvements) and no improvements (including, without limitation, staking, clearing, excavation, grading and other site work, exterior alteration of existing improvements - including any change in the color of the exterior paint or varnish - and planting or removal of landscaping materials) on any Building Site shall be made unless and until the ARC has given its prior written approval for such improvement. Improvements which are limited to internal alterations not visible from the exterior of a structure may be exempt from ARC review. General maintenance such as painting, window or roof replacement which do not materially alter the existing appearance of a structure (as determined by the ARC in its sole discretion) may be exempt, as well. Owners shall verify such exemption, if any, with the ARC, or its designee prior to commencing any such improvements.

Prior to commencing any improvements or applying for a construction or building permit from any governmental agency or entity, an application for approval of such work shall be submitted to the ARC, or its designee, in such form as may be required by the ARC and the ARC must approve such application. The application shall include plans and specifications showing the site layout, structural design, exterior elevations, exterior materials and colors, signs, landscaping, drainage, lighting, irrigation, utility facilities layout and screening therefore, and other features of the proposed construction, as required by the Guidelines and as applicable. The ARC may require the submission of such additional information as it deems necessary to consider any application.

E. Architectural Review Committee Functions and Limitations

The ARC may consider (but shall not be restricted to consideration of) visual and environmental impact, ecological compatibility, natural land forms and finish grade elevation, harmony of external design with surrounding structures and environment, location in relation to surrounding structures and plant life, compliance with the general intent of the Guidelines, and architectural merit.

Decisions may be based on purely aesthetic considerations. Each owner acknowledges that determinations as to such matters are purely subjective and opinions may vary as to the desirability and/or attractiveness of particular improvements. The ARC may also evaluate designs based upon criteria that it deems important to the Sea Island Subdivision community.

The ARC has the right to waive or vary any of the procedures or standards set forth at its discretion, for good cause shown. However, any approval by the ARC of any drawings or specifications or improvements done or proposed, or in connection with any other matter requiring such approval under the Guidelines or the Declaration, including a waiver by the ARC, shall not be deemed to constitute a waiver of any right to withhold approval as to any similar drawing, specification, or matter whenever subsequently or additionally submitted for approval. For example, the ARC may disapprove an item shown in a final submittal even though it may have been evident and could have been, but was not, disapproved at the preliminary submittal.

Furthermore, should the ARC overlook or not be aware of any item of non-compliance at any time during the review process, construction process or during its final inspection, the ARC in no way relieves the owner from compliance with the Guidelines and all other applicable codes, ordinances and laws.

The Declaration contains a disclaimer of liability or responsibility for the approval of plans and specifications contained in any request by an owner. PRIOR TO SUBMITTING PLANS OR INFORMATION FOR REVIEW, YOU SHOULD READ AND UNDERSTAND THIS DISCLAIMER. IF YOU DO NOT UNDERSTAND IT, PLEASE ASK A REPRESENTATIVE OF THE ARC TO EXPLAIN IT TO YOU.

The ARC may monitor the construction process, including site inspections, in order to ensure conformance with the approved documents and the provisions set forth in these Guidelines. It is the responsibility of the owner, however, to ensure that what is actually built is consistent with the approved application.

F. Review Process and Procedures

1.) General Requirements

There shall be an emphasis on thoughtful site planning, architectural design, and landscape design that is compatible with surroundings, and complies with the design concepts outlined in this document.

The ARC will only accept plans and permit the performance of required services from licensed design professionals such as engineers, surveyors, architects or landscape architects and general contractors licensed and/or registered with the State of Georgia. Evidence of reciprocity among licensing jurisdictions may be accepted by the ARC, as well. All submittals subject to a final approval by the ARC shall bear the signed and dated seal of the professional responsible for their preparation.

Any owner who enters into a contract with a design professional or general contractor does so at his or her own risk and should conduct an independent investigation of reputation and credentials of such persons or entities.

2.) Application Format

A series of steps and forms are required for each phase of submission prior to receiving approval of an application. Each submission must be accompanied by the required information itemized within application forms in order to be scheduled for review.

All submitted plans must be electronically formatted to 11"x17" or 24"x36" (readable at 11"x17").

Prior to submitting an application, it is highly encouraged that an owner (or his or her designee) meet with a representative of the ARC. The meeting may take place as a conference call. However, an in-person meeting is preferred. This meeting will cover the design standards, the design review process, fee schedule, and general information the construction of improvements within Sea Island Subdivision. The owner's architect, landscape architect, and general contractor, if selected, are encouraged to attend this meeting. The owner is encouraged to bring any conceptual ideas and drawing to this meeting for review.

A pre-design submittal with the ARC is optional, but is strongly recommended and is included in the Review Fee for the review of

new construction, reconstruction of a Building Site or the substantial renovation of an existing cottage. The ARC will provide comments and recommendations regarding the pre-design submittal preliminary to the design of a home based on the sketches and ideas forwarded by the architect, building contractor or owner.

A "**Preliminary Design Review**" is required for all projects that involve new construction on a vacant Building Site, the total reconstruction of an existing cottage, or the major renovation of an existing cottage. Submissions for Preliminary Design Review shall include the following and any other information reasonably required by the ARC:

- A survey of existing conditions shall be submitted that indicates the Building Site boundaries (including any historic lots of record), the limits of Building Site Buffers, existing topography, existing utilities (including storm drainage), existing trees over 8" caliper, existing structures, existing driveways, walks, pools, decks, patios, the location and dimensions of all rights of ways and easements, flood zones, state or federal jurisdictions, zoning setbacks along with any other information that the ARC may require.
- Inclusive of the information contained on the survey of existing conditions referenced above, a preliminary site development plan that indicates the location of all existing and proposed structures (including roof overhangs as represented by a dashed line), all proposed site improvements such walks, driveways, pools, terraces, walls, fences, garden structures, service and utility areas, preliminary grading and drainage, preliminary landscape improvements including Building Site Buffer treatments, proposed tree removal and replacement, site development calculation schedules including total lot size, total floor area under roof, total area of impervious improvements (site coverage), and total area of open soil.

The preliminary site development plan shall include an annotation that asserts compliance with applicable zoning requirements.

- Inclusive of the information on the preliminary site development plan referenced above, a contextual site plan that incorporates improvements within all abutting properties including rights of ways, access easements, beaches, or marshes. Such contextual site plan shall depict

conditions on abutting properties together with all existing and proposed improvements on the Building Site under review. Abutting property conditions shall be based on existing survey information if available. Aerial photographic imagery may be accepted where survey-based information is not available.

- Preliminary architectural plans shall be submitted that indicate scaled floor plans of all levels of all structures proposed for the site. Plans shall include overall dimensions, area calculations per floor (including conditioned, unconditioned enclosed and unconditioned covered areas), and finished floor elevations. The submission shall include exterior elevations of all exposures of all structures proposed on a Building Site. The elevations shall be annotated to indicate overall height of all proposed structures (as calculated by the methodology for determining building height within the Glynn County Zoning Ordinance), exterior materials and color, and typical exterior wall sections, including foundation construction.
- Architectural renderings shall be submitted that display, in three dimensions, proposed structures, site improvements and landscape improvements from various vantage points, including adjacent as-built conditions. The scope of such renderings shall be decided in conference with a representative of the ARC prior to the submission of information required for the Preliminary Design Review.

A "**Final Design Review**" is required for all projects that involve new construction on a vacant Building Site, the total reconstruction of an existing cottage or the major renovation of an existing cottage. The following information shall be included in the Final Design Review:

- The final site plan development plan which shall be a refinement of the information included on the preliminary site development plan plus a detailed drainage plan which satisfies requirements within section IV.D, "Grading and Drainage."
- A refinement of the information included in the preliminary landscape plan, the final landscape plan shall indicate the size at installation, location and species of all proposed plant materials (including planting within the Building Site Buffers) along with a tree plan that satisfies requirements

within section IV, "Tree-Save Requirements and Procedures." The final landscape plan shall also include Building Site buffer elevation studies that graphically depict, dimension and specify all proposed planting and walls/fences (if included) at the time of installation. The approval of the final landscape plan is conditional, pending field review of the in-place installation.

- The final architectural plans shall include dimensioned finished floor plans, exterior elevations, roof plans, foundation plans, and exterior wall sections. Plans shall provide annotations to delineate the completed exterior design intent including window and door schedules and exterior finishes including materials and colors.
- A construction staging plan that delineates proposed locations for temporary construction screen fencing, portable field offices, port-o-lets, dumpsters and worker parking as well as any other feature that may be required by the ARC.
- The ARC may require, at its discretion, other information including details, sections, samples, product information and other items, as reasonable, to fully understand and determine the compatibility of a submission including the fabrication of an exterior finishes mock-up at the site.

Minor renovations to existing structures and minor projects such as pool and terrace additions, walls, fences, landscape renovations and docks shall require a survey of existing conditions, final site plan, final architectural plans and final landscape plans along with drawings and other information required for construction.

The ARC reserves the right to require information in addition to that which is required by the forms.

- 3.) An application must be received electronically no later than the close of business two (2) weeks prior to a scheduled ARC meeting in order to be placed on the agenda for that meeting. Applicant has the right to make a presentation at any of these meetings provided they request to do so in writing. The ARC will respond in writing within 45 calendar days or less after a submittal has been reviewed by the ARC in a scheduled meeting. Results of the review will not be discussed over the telephone. Any responses an owner may wish to make in reference to issues contained in the ARC's notice following review of submittals must be addressed to the ARC in

writing. The ARC's decision shall be rendered in one of the following forms:

- "Approved" - The entire application as submitted is approved.
- "Approved as Noted" - The application is not approved as submitted, but the ARC's suggestions for curing objectionable features or segments are noted. The owner must correct the plan's objectionable features or segments, and the owner may be required to resubmit the application and receive approval prior to commencing the construction or alteration.
- "Disapproved" - The entire application as submitted is rejected in total. The ARC may provide comments but is not required to do so.

If the ARC fails to respond within 45 calendar days, the owner shall give the ARC written notice of its failure to respond. Unless the ARC responds within an additional 10 days of receipt of such notice, approval shall be deemed granted. However, no construction or modification that is inconsistent with the Declaration or the Guidelines shall be deemed approved.

4.) Approval for Construction of Improvements

After receiving written approval from the ARC, the ARC will issue the owner of the lot an approval for Construction of Improvements ("Construction Permit"). Only after receiving the Construction Permit shall an Applicant apply for building permits and other governmental agency or authority permits as may be required.

The Construction Permit shall record the owner's name, project address, date of approval, project architect, landscape architect and general contractor. In addition, the Construction Permit will establish a control number as a pre-requisite for obtaining construction access passes through the access gate to Sea Island Subdivision and for reference in post-permitting communication.

If after receiving the Construction Permit the final construction plans change during the ensuing permitting process, the owner shall submit a set of the revised permitted construction documents to the ARC for approval before construction will be permitted to commence. Plans resubmitted for review may be disapproved by the ARC upon grounds which are inconsistent with the objectives of

the Guidelines, including purely aesthetic considerations. The owner shall obtain final approvals prior to the ARC's reissuing a Construction Permit.

5.) Construction Layout Review

Once the ARC approves the Final Design, the Construction Permit has been issued and the required compliance/construction deposit is received, the owner shall submit to a "Construction Layout Plan" as further set forth in Section VI.B. Such review requires the owner to stake out the property lines, setbacks and buffer lines and corners of the building, and to mark trees to be removed on the site. ARC appointees must review and approve the layout before construction can commence. If the layout or planned tree removal is deemed unacceptable or not in compliance with the previously approved Final Design Review, additional ARC approval must be sought for changes to the previously approved plans.

IV. DESIGN GUIDELINES

A. Scope of Section

This section establishes and defines standards and criteria which provide general guidance in the evaluation of architectural review applications. Standards address site planning and development, engineering, architecture and landscape architecture. Please refer to Section III.,D., Architectural Review Committee Functions and Limitations, for additional information.

B. Site Planning and Development

1. Density

The 1928 plat of Sea Island Subdivision, No. One, set aside numerous lots (from 4th to 36th Streets) reflecting an original development vision of small beach cottages with modest yards. Subsequent phases from 36th to 56th Streets established larger yards approximating one half acre on average.

After nearly ninety years of development only a few of the initial phase small cottages remain. In contrast, a strikingly different built pattern has emerged with larger homes straddling lot lines and occupying multiples of the originally conceived lots. A composite map of tax parcels, as recorded in the office of the Glynn County Tax Assessor, closely depicts the current development pattern of all phases of Sea Island Subdivision.

A key objective of these Guidelines is the close preservation of the existing evolved density and development pattern. Accordingly, existing Building Sites, which may be composed of singular, or assemblies of multiples, and/or portions of "historic" lots of record shown on the plat entitled "Sea Island Subdivision No. One of Sea Island Beach", made by F. J. Torras, dated July 25, 1928, as recorded in the Office of the Clerk of Superior Court of Glynn County, Georgia, as amended from time to time by various plats of record, depicting the "as built" density as set forth in the composite tax map shall remain as currently configured unless previously approved for re-assembly or re-subdivision by the ARC. Applications for the construction of a residence on Building Sites not approved for re-assembly or re-subdivision will not be accepted by the ARC. The ARC will consider requests for re-assembly or re-subdivision of the "historic lots" subject to the following minimum criteria:

Where increase in density is proposed (the construction of more than one residence on the "as built" Building Sites):

- 1.) Building Sites shall be composed of a re-assembly of whole or fractions of existing platted "historic" lots of record without benefit of the relocation of any lot lines.
- 2.) Building Sites shall comprise a minimum area of 13,500 square feet.

- 3.) Building Sites shall front on platted right-of-ways or access easements and contain a minimum ninety foot (90') lot width as measured at the minimum front buffer line; provided that on a curve in the street the lot width is not less than seventy-two feet (72') and, on the turning circle of a cul-de-sac, the width is not less than fifty-four feet (54').
- 4.) Building Sites shall not be composed of "Flag Lots" as defined by the Glynn County, Georgia Zoning Ordinance.

Where no increase in density is proposed:

- 1.) Within Sea Island Subdivision, No. 1 (4th Street - 36th Street), Building Sites may be composed of relocated property lines; however, each Building Site shall have a minimum size of 13,500 square feet.
- 2.) Within Sea Island Subdivision, Extensions 1 & 2 (36th Street – 56th Street) Building Sites may be composed of relocated property lines; however, each Building Site shall have a minimum size of 21,780 square feet.

2. Building Site Development Guidelines

The following Building Site Development Guidelines have been established as a general guide for the development of a Building Site. The ARC will generally refer to the following guidelines in evaluating any applications. **However, due to variations in site conditions, these guidelines do not represent absolute or precise standards and improvements which fall within the guidelines will not be automatically approved.** Proposed improvements which approach the maximum allowable size for specific Building Site will require a more thorough evaluation.

Building Site Development Guidelines

Approximate Area of Building Site (S.F.)	Minimum Area of Open Soil (S.F.)	Maximum Building Floor Area Under Roof (S.F.)	Maximum Site Coverage (S.F.)
9,000	4,500	4,050	4,500
10,000	5,200	4,500	4,800
11,000	5,900	4,950	5,100
12,000	6,600	5,248	5,400
13,000	7,300	5,335	5,700
14,000	8,000	5,421	6,000
15,000	8,700	5,508	6,300
16,000	9,400	5,691	6,600

Approximate Area of Building Site (S.F.)	Minimum Area of Open Soil (S.F.)	Maximum Building Floor Area Under Roof (S.F.)	Maximum Site Coverage (S.F.)
17,000	10,100	5,875	6,900
18,000	10,800	6,058	7,200
19,000	11,500	6,242	7,500
20,000	12,200	6,426	7,800
21,000	12,900	6,609	8,100
22,000	13,600	6,793	8,400
23,000	14,300	6,976	8,700
24,000	15,000	7,160	9,000
25,000	15,700	7,344	9,300
26,000	16,400	7,527	9,600
27,000	17,100	7,711	9,900
28,000	17,800	7,894	10,200
29,000	18,500	8,078	10,500
30,000	19,200	8,132	10,800
31,000	19,900	8,186	11,100
32,000	20,600	8,240	11,400
33,000	21,300	8,294	11,700
34,000	22,000	8,467	12,000
35,000	22,700	8,640	12,300
36,000	23,400	8,694	12,600
37,000	24,100	8,748	12,900
38,000	24,800	8,802	13,200
39,000	25,500	8,856	13,500
40,000	26,200	8,910	13,800
41,000	26,900	9,072	14,100
42,000	27,600	9,450	14,400
43,000	28,300	9,675	14,700
44,000	29,000	9,900	15,000
45,000	29,700	10,125	15,300
46,000	30,400	10,350	15,600
47,000	31,100	10,575	15,900
48,000	31,800	10,800	16,200
49,000	32,500	11,025	16,500
50,000	33,200	11,250	16,800
51,000	33,900	11,475	17,100
52,000	34,600	11,700	17,400
53,000	35,300	11,925	17,700
54,000	36,000	12,150	18,000
55,000	36,700	12,375	18,300

Approximate Area of Building Site (S.F.)	Minimum Area of Open Soil (S.F.)	Maximum Building Floor Area Under Roof (S.F.)	Maximum Site Coverage (S.F.)
56,000	37,400	12,600	18,600
57,000	38,100	12,825	18,900
58,000	38,800	13,050	19,200
59,000	39,500	13,275	19,500
60,000	40,200	13,500	19,800

NOTES:

- (1) "Approximate Area of a Building Site" shall mean that area of a lot, or combinations of lots, as defined herein as a Building Site, occupied by one residence and related improvements. The Approximate Area of a Building Site shall not include jurisdictional marsh as determined by the Georgia Department of Natural Resources, access easements, or rights-of-ways.
- (2) "Minimum Area of Open Soil" shall mean that minimum ground area of a Building Site that shall remain in a condition suitable for the growth of plant materials. The surface area of elevated terrace planters or roof gardens shall not be included in the Minimum Area of Open Soil calculation.
- (3) "Maximum Building Floor Area Under Roof" shall mean that total floor area under roof (conditioned and non-conditioned) whether open or enclosed by walls, including all levels or stories, of a structure or structures, inclusive of out buildings. The calculation of the Maximum Building Floor Area Under Roof shall be derived by measuring from the outward surfaces of all exterior walls, inclusive of chimneys, elevator shafts, flus or other similar building features. Typically the surface area of upper floor non-roofed terraces that also serve as the roof of spaces below shall not be included in the calculation. However, the surface area of elevated ground floor terraces may be subject to inclusion if such spaces significantly contribute to the overall massing of the residence.
- (4) "Maximum Site Coverage" shall mean the maximum ground area of a Building Site, as defined herein, covered by the ground floor area of a building or structure, along with other site improvements such as, but not limited to, driveways, walkways, patios, and similar construction impermeable to water. Subject to review, porous paving systems, such as dry joint pavers or gravel, may be eligible for a fifty percent (50%) reduction of square footage counted against Maximum Site Coverage calculations.

3. Building Site Buffers

Each Building Site shall reserve an area or strip of land within its perimeter boundaries in which the construction of improvements is restricted. Typically, enclosed structures or buildings are prohibited while the following improvements may be allowed subject to ARC review: fences, walls, driveways, walkways terraces, utilities and landscaping. The ARC may require improvements within Building Site Buffers that serve to visually diminish the scale and moderate the appearance of the residential structures around which they are established. In addition, Building Site Buffers may be required to shield the nuisance of noise, light, and unsightly service areas and utilities. Building Site Buffers shall be inclusive of and meet or exceed Glynn County Zoning Building setbacks and shall comply with the minimum standards within these Guidelines. The ARC shall evaluate each application and may adjust minimum standards due to variations in site conditions.

The following building site buffer guidelines have been established as general guide for the development of a Building Site. The ARC will generally refer to the following guidelines in evaluating any applications. **However, due to variations in site conditions, these guidelines do not represent absolute or precise standards and improvements which fall within the guidelines will not be automatically approved.**

- 1.) Unless otherwise set forth in the Guidelines any renovation, complete reconstruction, or new construction shall be subject to the following generally acceptable buffers:

Sea Island Subdivision No. One (Revised)

- front yard (fronting Sea Island Drive)..... 30'
- front yard (fronting side streets)..... 20'
- side yard (fronting all property lines)..... 15'
- rear yard (fronting all property lines)..... 15'

Sea Island Subdivision No. One, Thirteenth Street Extension

- front yard (fronting all rights-of-ways or access easements)... 20'
- side yard (fronting all property lines)..... 15'
- rear yard (fronting all property lines)..... 15'

Sea Island Subdivision No. One (Revised) Extensions No. 1 and No. 2

- front yard (fronting Oglethorpe Drive)..... 30'
- front yard (fronting all access easements)..... 20'
- side yard (fronting all property lines)..... 15'

(Such buffers shall be measured from the face of exterior walls of a structure to the boundary line of either platted rights- of-way, access easements, adjacent parcels, or marsh/upland boundaries as determined by Ga. DNR.)

- 2.) Corner lots shall be a minimum of twenty feet (20') unless fronting on Sea Island Drive in which case they shall be thirty feet (30').
- 3.) Lots adjacent to the Georgia Department of Natural Resources Marsh/Upland boundary shall be fifteen feet (15') or comply with all County, State and Federal laws, if greater.
- 4.) Lots fronting the Atlantic Ocean shall be the greater of either a twenty foot (20') buffer or those setbacks recorded with restrictive covenants applicable to the respective beachfront property.
- 5.) Roof eaves may encroach within buffer limits no greater than eighteen inches (18").
- 6.) Structurally connected components of building, such as steps and stoops, may not encroach the buffer limits.
- 7.) With respect to the renovation, alteration, or expansion of those portions of existing structures which currently encroach within the buffers established herein, the ARC shall review each application on a site specific basis. In such events, the ARC shall consider the following:

- (a) Minor renovations or alterations which do not require the re-construction, alteration or expansion of existing foundations may remain.
 - (b) Renovations which require the re-construction, alteration or expansion of existing foundations may not be permitted.
 - (c) The renovation of existing upper floor space which as of the date of submission encroaches into buffers may remain.
 - (d) The expansion of upper floor space over existing lower floor space which as of the date of submission may not be permitted.
- 8.) The construction of a swimming pools shall not encroach over the buffers, as measured from the interior face of the pool shell to the nearest property line. However, on a site specific basis and subject to approved provisions for screening and other requirements, the ARC may approve the construction so long as the pool does not encroach more than seven feet (7').
 - 9.) No elevated exterior appliances, such as heat and air conditioning equipment, swimming pool pumps, filters and heaters shall be permitted to encroach the buffers. However, on a site-specific basis, and subject to approved provisions for screening, sound-dampening, and other requirements, the ARC may approve the placement of such equipment so long as the equipment does not encroach more than seven feet (7').
 - 10.) No elevated terraces (including pool terraces, decks, stoops, landings, steps, or any similar structure) raised greater than eighteen inches (18") above the finished grade shall be permitted to encroach the buffers. However, on a site-specific basis, and subject to approved provisions for screening and other requirements, the ARC may approve the construction of such so long as they do not encroach more than seven feet (7').
 - 11.) At-grade terraces, decks, walks, drives, courts, or similar construction less than eighteen inches (18") above adjacent grade may encroach the buffers so long as they are no closer than five feet (5') from all property lines or the Georgia Department of Natural Resources Marsh/Upland Boundary.
 - 12.) No out-buildings, including, but not limited to, sheds, gazebos, trellises, arbors, greenhouses shall encroach any buffer.

To encourage preservation of small beach cottages on historical "small lots," those which the lots size or Building Site is 12,000 square feet or less, the following shall apply:

- 1.) Where all existing structures are completely removed, the following buffers shall apply:
 - front yard.....20'
 - side yard.....10'

rear yard.....10'

- 2.) Where proposed improvements constitute less than 50% of the construction value of an existing structure (as calculated in compliance with Glynn County methods and procedures for determining construction value) and where renovations or alterations are proposed that do not alter the footprint of the structure, or structures, the ARC may allow the foundation to remain in place, notwithstanding any encroachment that may exist with respect to the buffers established herein. In making a determination the ARC shall require the submittal of an as-built survey prepared by a registered surveyor. In addition the ARC shall not approve any application that violates Glynn County Ordinances with respect to setback encroachments.

4. Grading and Drainage

Each Building Site shall manage surface run-off to prevent storm drainage impacts to neighboring properties and to minimize discharge into existing storm drainage systems. Owners shall provide studies that measure and quantify storm drainage run-off associated with proposed improvements. Prepared by either licensed engineers or licensed landscape architects, studies shall measure and quantify existing run-off, calculate additional run-off, if any, created by new construction, and determine the condition and capacity of outfall options.

Where the availability and/or the capacity of storm drainage systems, or other outfall options, is insufficient to accommodate increased surface water run-off, the ARC shall require on-site storm water detention, or other options, limiting run-off quantities to pre-development conditions. With respect to vacant lots, pre-development discharge shall include all existing surface water exiting the Building Site. Pre-development discharge from Building Sites scheduled for renovation and/or additions or those sites anticipating complete tear-downs and re-construction may be calculated by deducting existing run-off quantities. In those cases only increased run-off shall be subject to on-site detention or other approved means.

Where conditions warrant, the ARC may waive or modify requirements for engineering studies.

5. Tree-Save Requirements and Procedures

No healthy tree eight inches (8"), or greater, in caliper measured at a height of approximately forth-eight inches (48") above the existing grade at the base of the tree, shall be removed without the prior written consent of the ARC. Exceptions may be granted where the condition of the tree(s) poses imminent threat to health, safety or property (such as leaning pines). In addition, the ARC may allow the removal of trees which unreasonably limit the location of otherwise approved construction (together with trees excepted in accordance with the preceding

sentence, the "Excepted Trees"). In deliberating on the appropriateness of a tree removal request the ARC will consider species, size, health, population of trees on the lot and visual character. Trees that are distinguished by their size, maturity and appearance may require extraordinary protection and preservation including the requirement for alternative architectural solutions.

All new construction, including demolition and re-construction, and major renovations whose construction adds or renovates more than a 50% of the existing Building Floor Area Under Roof shall require a "Tree Plan" prepared by a licensed arborist or landscape architect. At a minimum, the Tree Plan shall locate all healthy trees eight inches (8") or greater in caliper within the boundaries of the Building Site and within the frontage area of the abutting right-of-way or access easement defined by projecting side property lines to the edge of pavement. Tree locations shall include species, caliper, base elevation, and general health. Where proposed improvements occur within the perimeter of a root zone required to sustain the health of the tree (as defined by the consulting arborist or landscape architect) construction procedures and construction details shall be included in the report. Final landscape plans shall include construction details provided in the Tree Plan including recommended methods and procedures to protect trees during and post construction.

With the exception of all species of pine trees and all Cabbage Palms as well as those exempted through the architectural review process, all trees eight inch (8") caliper, or greater, shall be subject to replacement by trees of a similar potential size or growth habit with a minimum size of six inch (6") caliper at installation. Replacement shall equal fifty percent (50%) of the sum of caliper inches of all trees scheduled to be removed that are not pine trees, Cabbage Palms or Excepted Trees. Variances to replacement requirements may be considered on a site-specific basis.

All trees designated to remain on approved drawings shall be barricaded or otherwise protected during development of a Building Site as may be specified by the Tree Plan, if required. The ARC may periodically monitor construction site conditions. Where the abuse or neglect of protected trees is determined by the ARC, or its agent, additional replacement requirements may be imposed.

During development of a Building Site the contractor shall employ the following minimum practices:

- 1.) Erect substantial protection barricade or fences around trees to be saved.
- 2.) Manage construction traffic and material storage to avoid areas beneath the canopying of trees to be saved.
- 3.) Minimize grading and filling that could alter air exchange and moisture content within root zones.
- 4.) Avoid mechanical damage to root systems by minimizing grubbing and root raking within root zones of trees to be protected.

- 5.) Route underground utilities to avoid root zones. Where disturbances to roots are unavoidable directional boring of utilities is required.

6. Boundary Fencing and Walls

The construction of boundary fences or walls may impact the common interests of neighbors who share property lines. Accordingly, an architectural review application for the construction of such boundary fences or walls requires the presentation of written consent from adjacent owners bordering the proposed boundary fence or wall. Written confirmation may be provided in the form of an e-mail or letter that clearly reflects consent and references specific plans and/or specifications for the proposed fence or wall. A boundary fence or wall is defined as "boundary" if it is proposed to be constructed within the side, rear, or front yard buffer zone. Proposed boundary fences or walls within the buffer zones of abutting rights-of-ways or access easements shall require the written consent of the ARC. Approval may be denied, or conditioned, where proposed boundary walls or fences compromise traffic safety, inhibit the extension or maintenance of utilities or otherwise compromise the best interests of Sea Island Subdivision.

Generally, proposed boundary fences or walls shall not exceed six feet (6') in height measured from the lowest adjacent ground elevation as determined on the side of the neighboring frontage. The ARC may grant height variances on a site-specific basis, subject to the written documentation of consent from an adjacent owner. Wall foundations or footings shall be constructed wholly within lot lines. Parallel property line walls shall be discouraged and may be prohibited by the ARC. (See Section V., "Landscape Architectural Design" for additional requirements.)

7. Sport or Recreational Facilities

The construction of play equipment, play surfaces and play structures or buildings may be permitted, subject to review and the following:

- 1.) All play equipment, play surfaces, play structures and/or buildings shall comply with building buffers, established herein, unless accompanied by substantial screening in the form of fencing, walls or mature evergreen vegetation. On a site-specific basis and subject to approved provisions for screening and other requirements, the ARC may conditionally approve buffer encroachments, but in no instance shall such buffer be less than seven feet (7').
- 2.) On a site-specific basis, the ARC may require additional screening (especially for those improvements that may facilitate noisy activities such as play courts).
- 3.) Lighting for nighttime use is prohibited.

8. Curb Cuts, On and Off-Street Parking and Garages

Each Building Site shall be limited to two (2) curb cuts each with a maximum travel lane width of twelve foot (12'). An additional curb cut may be permitted on corner lots or where warranted by site-specific conditions. Proposed curb cuts that compromise traffic safety will be prohibited.

Each Building Site shall provide at a minimum an enclosed garage space capable of storing at least two (2) vehicles. In addition to the enclosed garage spaces, each Building Site shall provide off-street parking for one (1) vehicle for every two (2) bedrooms over four (4) bedrooms on the Building Site regardless of the number of structures. (Spaces within enclosed garages shall count towards minimum parking requirements.) Open carports are prohibited. Garage doors shall be sited and screened to minimize exposure to adjacent rights-of-ways, access easements and neighboring lots. The use of existing street pavement for back-up or maneuvering shall be prohibited.

Open, off-street parking areas shall be screened from view from both the street and from neighboring lots.

On-street parking areas shall be limited to one (1) space constructed parallel to the edge of pavement.

The ARC may require the removal or alteration of existing on-street parking areas as a condition of architectural review approval.

Recreational vehicles, trailers and boats shall be stored within fully enclosed garages.

9. Satellite Dishes and Antennas

The installation of Direct Broadcast Satellite ("DBS") and Multi-Point Distribution Service ("MMDS") antennas/dishes for personal is permitted, subject to the following minimum requirements:

- 1.) DBS and MMDS antennas/dishes larger than thirty nine inches (39") are prohibited.
- 2.) All permitted antennas/dishes not covered by 47 CFR Section 1.4000 are prohibited.
- 3.) All antennas/dishes shall be installed with emphasis on being as unobtrusive as possible to the Sea Island Subdivision.
- 4.) To the extent that reception is not substantially degraded or costs unreasonably increased, all permitted antennas/dishes shall be screened from view from any street or nearby homes to the maximum extent possible.

- 5.) All antennas/dishes shall be no larger, nor installed more visibly, than is necessary for reception of an acceptable signal.
- 6.) All cabling shall be run internally, shall be securely attached, and shall be as inconspicuous as possible.
- 7.) Antennas/dishes, masts, and any visible wiring shall match the color of the structure to which they are attached.

10. Flagpoles

The installation of flagpoles may be permitted, subject to review and the following minimum requirements:

- 1.) No more than one freestanding flagpole with maximum height of thirty-five feet (35') shall be permitted per Building Site;
- 2.) Flagpoles shall not be located within Building Buffers;
- 3.) The lighting of flagpoles is prohibited.

11. Signs

The installation of signs on Building Sites may be permitted, subject to review and the following minimum requirements:

- 1.) All signs shall be limited to those displaying either identification numbers of the Building Site, as chronologically assigned by Sea Island Acquisition, LLC or its predecessors, or emergency numbers, as officially assigned by Glynn County. Such signage design shall conform to the detailed dimensions, materials, shape, color and style available from the ARC staff upon request.
- 2.) No signs shall be erected or displayed within rights-of-ways or access easements.

12. Mailboxes

All mail within the Sea Island Subdivision is delivered to the Sea Island Post Office, 351 Sea Island Road, St Simons Island, Georgia; therefore, individual mailboxes are not permitted on a Building Site.

13. Dog Runs and Pens

The installation of dog runs and pens may be permitted, subject to review and the following minimum requirements:

- 1.) They shall be screened from views from streets and neighboring lots.
- 2.) They shall not provide shelter for more than three dogs over three months.

14. Accessory Buildings, Greenhouses, Gazebos, Etc.

The construction of accessory buildings such as greenhouses or gazebos may be permitted subject to review and the following minimum requirements:

- 1.) They shall not encroach Building Site Buffers.
- 2.) They shall be site-built and visually compatible with the architecture of the main residence.
- 3.) They shall be screened from view from streets and neighboring lots.

15. Irrigation Wells

The installation of irrigation wells may be permitted, subject to review and the following minimum requirements:

- 1.) They must be approved to be installed in accordance with the requirements of the Glynn County Health Department.
- 2.) All above ground components shall be screened from views from streets and neighboring lots.

16. Guest Houses

The construction of Guest Houses that include sleeping accommodations, bathrooms, and kitchens may be permitted subject to review and the following minimum requirements:

- 1.) They shall comply with the Glynn County, Georgia Zoning Ordinance.
- 2.) They shall be designed as an integrated component of a master development plan for the entire Building Site, which may include a companion primary residence, a campus of structures or a family compound.
- 3.) They may be constructed in advance of the primary residence; however, no construction shall begin prior to approval by the ARC of a Final Architectural Design Submittal for the development of the entire Building Site. Such ARC approval may be conditioned on assurances satisfactory to the ARC that total Building Site development will be undertaken promptly following the construction of the Guest House.

17. Septic Systems

The installation or renovation of septic systems may be permitted, subject to review and must be approved to be installed in accordance with the requirements of the Glynn County Health Department.

18. Docks

Except where docks are otherwise prohibited by the Declaration or any other restriction of record (such as on Marsh Lake), the construction of docks may be permitted (upon the issuance of a license by Sea Island Acquisition, LLC, as required) subject to review and the following minimum requirements;

General Criteria:

- 1.) They shall comply with all state and federal permitting requirements.
- 2.) They shall be limited to a maximum of one per Building Site.
- 3.) No portion of any dock, including floating docks, shall be constructed within twenty feet (20') from the side yard property line as projected beyond lot corners at the Georgia Department of Natural Resources' (DNR) Marsh/Upland boundary. However, where docks are shared, they may straddle common property lines.
- 4.) To minimize the potential visual nuisance of reflective materials, docks shall be principally constructed of wood with the exception of piling, gangways, and hardware. When permitted, metal roofs shall be composed of non-reflective and non-glaring colors and materials.
- 5.) All Lighting shall be low intensity (incandescent, compact fluorescent or LED) and directed away from neighboring lots. Illumination of walkways shall be limited to foot level low intensity lighting.
- 6.) The ARC shall review submittals with the objective of upholding visual continuity among docks, as well as, high quality architectural design. All roofed structures, limited to Deep Water Docks, shall require the design of licensed architects and shall be subject to the ARC review of materials submittals and architectural detailing.

Specific Criteria:

Generally, **River Docks** shall be permitted on lots abutting 6th thru 8th Streets, subject to the following criteria:

- 1.) Maximum width of fixed walkways shall be six feet (6').
- 2.) One fixed dock shall be permitted with a maximum surface area of 300 square feet.
- 3.) One floating dock shall be permitted with a maximum surface area of 300 square feet (including personal watercraft floats), exclusive of gangways.
- 4.) Dock houses, mechanical lifts, and any other architectural features (with the exception of railings) that rise above the surface of fixed docks or walkways shall not be permitted.

- 5.) Mechanical lifts shall be limited to the "no profile" variety, with approval subject to specific site conditions.

Generally, **Creek Docks** shall be permitted on lots abutting 9th through 43rd Streets, subject to the following criteria:

- 1.) Maximum width of walkways shall be six feet (6').
- 2.) One fixed dock shall be permitted with a maximum surface area of 150 square feet.
- 3.) No portion of any dock shall extend greater than one hundred feet (100') from the DNR, Marsh/Upland boundary.
- 4.) Between 8th Street and 13th Street, no portion of any fixed dock shall extend greater than twenty feet (20') from the predominant western edge of marsh grass.
- 5.) One floating dock shall be permitted with a maximum surface of 150 square feet, exclusive of gangways.
- 6.) Dock houses, mechanical lifts, and any other architectural features (with the exception of railings) that rise above the surface of fixed docks or walkways shall not be permitted.

Generally, **Deep Water Docks** shall be permitted on lots abutting 43rd Street through 56th Street, subject to the following criteria:

- 1.) The sharing of Deep Water Docks among adjacent owners is highly encouraged.
- 2.) The design and construction of docks shall be governed by specific criteria contained within state and federal guidelines, subject to the ARC's review and approval.

19. Beachfront Street Ends

The installation of improvements within both the open and unopened right of way beachfront street ends may be approved (upon the issuance of a license by Sea Island Acquisition, LLC, as required), subject review and to the following minimum requirements:

- 1.) Improvements shall be limited to planting, irrigation, fencing, grading and storm drainage.
- 2.) A minimum ten foot (10') wide grassed path shall be reserved for pedestrian access and occasional service vehicles.
- 3.) At the end of pavement, planting, signage and bollards shall be installed to limit routine access to pedestrians and to prevent on-street parking.
- 4.) No improvement is permitted that prevents a minimum three point turn-around movement by fire and rescue vehicles.

20. Exterior Appliances and Garbage Can Enclosures

The installation of exterior appliances such as air conditioning compressors, heat pumps, generators, pool equipment and garbage can enclosures shall be subject to review and the following minimum requirements:

- 1.) They shall be concealed from view from all neighboring properties by architectural enclosures which shall be visually compatible with the architecture of the main house. Such enclosures shall conceal exterior appliances, independent of supplementary landscaping or plantings.
- 2.) Roof top installations are prohibited.
- 3.) Solar panels may be permitted on a case-by-case basis subject to sufficient concealment from neighboring views.
- 4.) They shall comply with the Glynn County Noise Abatement Ordinance and may subject to additional noise dampening requirements.
- 5.) They shall not encroach more than seven feet (7') from the Building Site boundary line and shall be adequately buffered and concealed from view from streets and neighboring lots.
- 6.) Garbage cans shall be maintained at all times in architectural designed structural screening except on garbage pick-up days where backdoor pickup has not been elected.

21. Maintenance of Undeveloped Lots

To uphold a minimum standard of care and to minimize nuisance created by rodents and other small animals, undeveloped lots shall be maintained according to the following minimum requirements:

- 1.) Between 4th Street to 36th Street:
All understory vegetation including trees two inch (2") caliper or less, shrubs, vines, and dead vegetation shall be removed. Neat, well-kept appearance shall be maintained by mowing a minimum of three (3) times per year and monitoring the removal of litter and dead vegetation.
- 2.) Lots located between 36th Street and 56th Street:
Where lots have naturalized with dense understory, road shoulder frontages shall be mowed not less than twice a month during growing season. Lots that have been cleared of understory shall be mowed a minimum of three (3) times per year and monitored to remove litter and dead vegetation.

The storage of equipment and materials on undeveloped lots prior to the issuance of the Construction Permit is prohibited.

Owners shall be responsible for ensuring adequate storm water drainage on vacant lots to prevent standing water.

B. Architectural Design

1. Style

Unlike many resort associated communities that impose specific architectural styles, Sea Island Subdivision's architectural review is distinguished by its acceptance of varied architectural expressions. Such privilege, however, is not intended at the expense of well-designed architecture with proper scale and proportion, superior craftsmanship, tasteful selection of materials and color, design constraint, appropriateness within a specific neighborhood context and skillful site development. Accordingly, case-by-case and site specific judgments relative to style will be made by the ARC.

Given the prevalence of traditional architecture, though varied in style, modernistic or atypical designs will not be approved unless adequately sited and buffered.

While individualistic expression is valued, approval of an application may be denied strictly on the basis of aesthetic consideration.

Architectural design shall be the original product of the architect of record. The ARC may require documentation of the authenticity of any application for architectural review.

2. Building Size

No structure intended to be the main house or residence shall contain a Building Floor Area Under Roof of less than 2,500 square feet. Furthermore, no single structure shall exceed 10,000 square feet of Building Floor Area Under Roof. Any Building Site with a Maximum Building Floor Area Under Roof in excess of 10,000 sq. ft., may be accommodated through the construction of separate structures, detached, or attached by breezeways or similar architectural features.

3. Maximum Building Height

The maximum building height is limited to thirty-five feet (35') based on the method of measurement as adopted, and amended from time to time, by Glynn County, Georgia.

The ARC may limit building height to less than thirty-five feet (35') for accessory structures such as detached garages and storage sheds and for portions of a main house where the ARC deems appropriate.

4. Massing

The following standards are intended to enhance the overall visual perception of Structures within Sea Island Subdivision.

- 1.) Facades shall not extend from buffer to buffer along a uniform plane without significant offsets to provide visual interest and relief. Exceptions may be permitted for unusually shaped or constrained lots; or where architectural styles indicate formality and symmetry.
- 2.) Monolithic, box-shaped architecture shall not be permitted. Proposed architecture which presents excessive multi-story elevations extending along the limits of building site buffers shall not be approved.
- 3.) Varying roof heights and wall planes that provide visual diversity and interest, while diminishing the overall appearance, are encouraged.
- 4.) Architecture that consumes the majority of the permitted building area of a Building Site and presents an overbearing presence, especially at prominent locations within the community, shall not be permitted.

5. Windows, Doors, and Exterior Shutters

Windows, doors and exterior shutters shall comply with the following standards:

- 1.) Windows, doors and exterior shutters shall be selected for superior material quality and craftsmanship.
- 2.) The overall size and shape of windows and doors shall be in proportions to the façade.
- 3.) Windows and doors shall exhibit visual unity within the façade.
- 4.) Where variety is intended, window and doors composition shall exhibit balance, and clear visual hierarchy within the façade.
- 5.) Windows, doors and shutters shall be authentic, non-imitative (for example, antique, hand-carved doors, authentic, not applied, window mullins, and operable exterior shutters). The ARC encourages the use of operable, hurricane resistant shutters.

6. Exterior Materials

- 1.) Roofing materials is limited to terra-cotta tile, concrete tile, slate tile, high quality asphaltic tile, standing seam copper, terne steel, and wood shingles and shakes. Galvanized steel, galvanized or painted aluminum, plastic or vinyl may be approved only upon review and approval of material samples. Bright, highly reflective materials is prohibited.

- 2.) Exterior wall finishes is limited to wood, brick, stone, stucco, synthetic stucco, tabby or wood shingles. Composite wood fiber materials may be approved for exterior walls only upon review and approval of material samples. Plastic, vinyl and aluminum shall be limited to exterior trim.
- 3.) The ARC's review of proposed exterior material colors shall be governed by the following: muted tones shall be preferred to primary colors unless such bright colors are intended for occasional accenting; large structures shall be limited to the most muted tones; while smaller structures shall enjoy a wider range of color selection.
- 4.) The composition of exterior materials shall be simple and harmonious. Discordant variety shall not be permitted. The architectural review process may require the approval of an on-site fabricated mock-up representing all selected exterior materials.

C. Landscape Architectural Design

1. Hard Scape

1.) Walls and/or Fence Construction

Walls and fences may be constructed out of masonry, iron, aluminum or stick-built lumber. Pre-fabricated wooden fencing, and chain-link, coated or non-coated (except as temporary construction fencing) is prohibited. Plastic or PVC fencing may be approved on a site-specific basis and subject to the review and approval of material samples. Colors shall be muted, non-primary, and compatible with adjacent architecture.

Deer or animal control fencing shall be constructed of substantial materials so that it expresses a neat, orderly and refined appearance. Such fencing shall be hidden from view by additional planting. (See "Site Planning" for additional requirements.)

2.) Driveway and Motor Court Construction

Driveways and motor courts may be constructed of concrete paving systems, natural stone pavers, brick, gravel, shell, asphalt or concrete. Organic materials such as pine straw or mulch are prohibited. Imitation paving systems such as stamped concrete is prohibited. Porous paving systems are encouraged and may receive partial credit against site coverage limitations. All motor courts, parking areas, garage back-up maneuvering areas shall be screened from view.

3.) Landscape Lighting Design

All exterior lighting shall be subdued and restrained with light sources hidden. The ARC may disapprove lighting plans that are too pervasive or too intense. The ARC may publish specific lighting standards. The ARC may require night time inspection of as-built lighting systems and require modifications to such lighting even after ARC approval.

Beachfront lighting shall comply with all local and state ordinances with respect to sea turtle nesting and other environmental protections.

Sports court lighting is prohibited.

2. Soft Scape

1.) Planting Design Standards

Planting design shall imitate existing established landscape compositions at the Sea Island Resort including sufficient maturity and density at installation to soften the scale of new architecture and to create a general sense of settled or aged appearance. Final landscape plans may be evaluated against detailed landscape standards provided by the ARC. Such standards may require both minimum plant material sizes and maximum spacing at the time of installation. All plant materials shall meet the quality standard "Florida No.1" published by the Florida Grades and Standards for Nursery Stock, latest edition. Plant materials shall be selected for hardiness and appropriateness in the coastal region. **Additional criteria as to quantity and size of plant materials may be imposed by the ARC on a Building Site by Building Site determination.**

2.) Off-site Planting

Owners may be permitted to install plantings and related improvements within adjoining rights-of-ways, easements and open space owned by Sea Island Company, where permitted by license agreement. It shall be the owner's responsibility to identify all existing utilities and to obtain all required permits and authorization required by law. Owners shall be required to maintain approved and/or licensed plantings including associated irrigation systems.

V. CONSTRUCTION GUIDELINES

The following construction guidelines shall be applicable to all construction activity in the Sea Island Subdivision. Although ARC approval is generally not required for any improvements or renovations to the interior of an existing structure where such improvements are not visible from the exterior of such structure, the guidelines set forth in this Section shall apply to such interior improvements or renovations where such activity is readily visible from the exterior of the structure or otherwise impacts adjoining property.

A. Contractors

Only licensed general contractors licensed by the State of Georgia will be granted access to the Sea Island Subdivision. The ARC, in its sole discretion, may prohibit those general contractors who fail to follow the rules and guidelines set forth in these Guidelines, cause and/or fail to repair damage to any portion of the Sea Island Subdivision or otherwise violate any governmental regulations or good practices. By permitting access to the Sea Island Subdivision to a general contractor or any of its sub-contractors, the ARC does not in any way assume a duty to ensure or guarantee the quality of the professional's past or future work. Any owner who enters into a contract with a general contractor does so at his or her own risk and should do so after due independent investigation of such general contractor and not based on reliance on the granting of access to the Sea Island Subdivision by the ARC.

Every general contractor performing construction services in the Sea Island Subdivision shall maintain comprehensive general liability insurance, including coverage for contractual liability, operations liability, explosion, collapse and underground damage liability, with a combined single limit of not less than TWO MILLION DOLLARS (\$2,000,000.00) per occurrence or such lesser amount as may be acceptable to the ARC, covering all losses, damages and claims arising out of such general contractor's occupation, use of, activities on and ownership of property within the Sea Island Subdivision, including property damage, bodily injury and death. The policy shall name the general contractor, the ARC and Sea Island Acquisition, LLC as insured parties.

Every general contractor performing construction services in the Sea Island Subdivision shall also maintain 1) workers compensation insurance, if and to the extent required by law; 2) automobile liability insurance covering all motor vehicles owned, hired or used in connection with construction activities in the Sea Island Subdivision; and, 3) builder's risk insurance covering the general contractor's activities in the Sea Island Subdivision, all in such amounts as are reasonably acceptable to the ARC.

B. Construction Staging Plan

Once the ARC approves the Final Design, the Construction Permit has been issued and the required compliance/construction deposit is received, and prior to any construction activity, the owner shall submit a "Construction Staging Plan" for the review and approval of the ARC. The Construction Staging Plan must bear the signature of the owner certifying his or her commitment to uphold the requirements indicated on the plan. The contractor shall maintain a posted, weather-proof copy of the approved Construction Staging Plan at the job-site throughout construction. At minimum the Construction Staging Plan shall indicate the location of the following:

- 1.) Construction parking and staging limits
- 2.) Construction access
- 3.) Construction fencing
- 4.) Contractor field offices
- 5.) Dumpster location
- 6.) Port-o-let location
- 7.) Materials storage and staging areas
- 8.) Temporary utilities

C. Demolition Permit

Prior to the demolition of any structure, owners shall obtain a "Demolition Permit" from the ARC. A Demolition Permit application shall be based on a current survey which depicts ownership, existing improvements, trees, utilities, and existing topography. The ARC may impose site specific conditions with the Demolition Permit.

The ARC approval of a Final Architectural Design Submittal may serve in lieu of a Demolition Permit. The issuance of a Demolition Permit in advance of ARC approval of a Final Architectural Design Submittal may be permitted in the sole discretion of the ARC under such conditions the ARC determined. In such event, the issuance of a Demolition Permit prior to approval of the Final Architectural Design Submittal serves as notice to the owner that approval is limited to demolition and that, absent the full architectural review process, the ARC cannot assure any subsequent approval.

D. Construction Permit

The contractor shall maintain the issued Construction Permit posted at the job site throughout all construction. Such permit will be provided by the ARC at the time of approval for construction of improvements and shall be a pre-requisite to obtain access passes onto Sea Island. The Construction Permit shall expire at the ARC's issuance of a "Certificate of Compliance."

E. Construction Notice

At a minimum of two (2) weeks prior to the initiation of construction, the owner, or owner's agent shall notify adjoining property owners of their intent to commence construction. Such notice shall include a brief description of improvements, a construction schedule, contact information for all involved parties, and a copy of the approved construction staging plan. The ARC may provide such notice on behalf of the owner or owner's agents. Furthermore, prior to commencing construction, the general contractor shall meet with the ARC to review construction procedures and to coordinate construction activities.

F. Notice of Archaeological Discovery

The general contractor and any other person working on the lot shall cease operations on the lot upon discovery of any evidence of artifacts or archaeological remnants. The general contractor shall immediately notify the ARC and any other governmental agency or party required to be notified under federal, state or local law. The notification to the ARC should contain a description of the discovery, including photographs, and the date of discovery. Operations on the lot may resume following approval by the ARC, subject to federal, state, or local law.

G. Construction Site Facilities

Construction activity shall be authorized only within any designated construction zone limits established by the ARC. Construction site facilities such as temporary fencing, parking, field offices, sanitary facilities, debris and trash removal, and project signage shall be governed by the following:

- 1.) **Temporary Construction Fencing** compliant with published standards shall be erected to screen site conditions. Such fencing shall be composed of a minimum eight foot (8') high chain link fence and gates. Such fencing shall be double-cloaked with dark green or black mesh or bunting securely attached and provided with vents. The location and quantity of access gates shall be unrestricted. The location and alignment of the fence shall be determined on a site-by-site basis by the ARC. The contractor shall erect the fence once all foundation systems are installed and shall maintain the fence in a neat, attractive condition until the initiation of final landscape improvements. All gates shall be fastened shut and locked after close of daily work activity.
- 2.) **Construction Parking** shall be limited to the immediate frontage of the construction site, or other locations, as indicated on the approved Construction Staging Plan. The ARC reserves the right to establish a maximum number of construction vehicles permitted at the job-site at any given time. Off-site construction parking may be permitted subject to conditions imposed by the ARC.

- 3.) **Field Offices** shall be located behind the temporary construction fence. They shall be maintained in neat appearance throughout construction. Exterior colors shall be either white or muted earth tones. Bright, primary colors are prohibited. The exterior walls of field offices shall not display the name of the general contractor. Field offices shall be removed upon completion of construction.
- 4.) **Sanitary Facilities** shall be located behind the temporary construction fence and positioned to minimize visibility and nuisance to the neighborhood. They shall be maintained in a neat, clean condition at all times.
- 5.) **Debris and Trash Removal** shall be the responsibility of the contractor who shall maintain the job-site in a neat condition free of debris and litter. In addition, the general contractor shall be responsible for any off-site littering created by his work force or by his sub-contractors. Dumpsters to receive trash or construction debris shall be located behind the temporary construction fence and positioned to minimize nuisance to the neighborhood.
- 6.) **Project signage** shall be limited to all governmental and ARC permits. No advertising or commercial displays in any form shall be permitted.
- 7.) **Storage** of all construction materials will be in designated areas only.

H. Use of Adjacent Property for Construction Staging

The use of adjacent property for the purposes of construction staging, lay-down yards, or parking shall be prohibited without written approval from the ARC. The ARC may require written permission from the adjacent land owner.

I. Construction Access

The general contractor shall register his entire work force, including sub-contractors and vendors at the Sea Island Access Gate. Entry into Sea Island Subdivision shall not be granted until the Construction Permit has been issued by the ARC. Individual gate passes or credentials shall be issued to be displayed by each vehicle entering Sea Island Subdivision. Vehicles without proper credentials shall be prohibited from entering Sea Island Subdivision. The contractor shall be responsible for providing prior notification to both the ARC and to Sea Island Security and providing escort of unusually large construction vehicles such as low boys or drilling rigs.

J. Hours of Operation

All construction activity shall be limited to the following:

Monday – Thursday:	7:00 a.m. – 7:00 p.m.
Friday:	7:00 a.m. – 5:00 p.m.
Saturday:	8:00 a.m. – 5:00 p.m.
Sunday:	8:00 a.m. – 5:00 p.m. (limited to quiet indoor work only)

K. Dust and Sediment Control

The general contractor shall minimize nuisance and disturbance to the neighborhood caused by excessive dust or mud. The general contractor shall comply with the Glynn County Soil Erosion and Sedimentation Control Ordinance, including the installation of silt fencing, as well as other best management practices. Prior to construction, the contractor shall install temporary rock aprons at each entry to the site in sufficient depth and width to control the tracking of mud onto the pavement of the adjoining street. Such apron shall be maintained until the installation of the permanent driveway. Where necessary, the installation of temporary gravel along the entire project frontage road shoulder may be required by the ARC.

L. Noise Control

The general contractor shall comply with the Glynn County Noise Control Ordinance. Job-site music and excessive noise emanating from general contractor or sub-contractor vehicles off-site is prohibited at all times.

M. Piling, Foundations or Pre-loading

Building foundations requiring either piling support, pre-loading, or surcharging shall be subject to the following requirements: 1.) Piling techniques capable of transferring subsurface vibrations to adjacent properties shall be prohibited. 2.) The contractor shall minimize nuisance by escorting piling rigs to and from the job-site. 3.) Auger cast piling spoils shall be maintained wholly within the Building Site. 4.) Spoils shall be stock-piled and dried prior to their transport off of the job-site. 5.) Pre-loading or surcharging shall be permitted subject to prior written approval by the ARC. 6.) Pre-loading material shall be contained wholly within the Building Site. 7.) The ARC may require temporary construction fencing, as specified herein, to conceal preloading or surcharging conditions.

N. Utility Connections

The general contractor shall be responsible for the coordination of all utility connections, including permits, fees, and/or deposits. The locations of in-place utility stub-outs shall be indicated on architectural review submittals.

O. Dress Code and Personnel

All construction workers shall be appropriately dressed at all times. Only bona fide workers involved in construction are permitted in the Sea Island Subdivision as part of a construction operation. Such workers are required to exit the Sea Island Subdivision upon completion of their work. Spouses of workers may drive their spouse to and from the construction site, but must not remain on the property unless they are actual employees of a general contractor or a sub-contractor. No minor children are permitted to be at the Sea Island Subdivision related to construction operations unless they are bona fide workers. Construction workers shall not bring pets onto the Sea Island Subdivision. Contractors shall not have or drink alcoholic beverages while at the Sea Island Subdivision during construction activity.

P. Open Burning

Open burning shall be prohibited at all times.

Q. Time of Completion

From the date of the Construction Permit issued by the ARC, the general contractor shall have two (2) years to complete all improvements, including finished landscaping. Reasonable extensions of time to complete may be granted upon written request by the owner and written approval by the ARC. Failure to notify the ARC may require an owner's resubmission for approval.

R. Suspension of Work

The ARC may request the suspension of work due to violations of these Guidelines. The general contractor and any sub-contractors or vendor may be denied access to Sea Island Subdivision for violating these Guidelines as determined by the ARC in its sole discretion.

S. Miscellaneous and General Practices

All Owners will be absolutely responsible for the conduct and behavior of their agents, representatives, general contractor and sub-contractors while in the Sea Island Subdivision. The following practices are prohibited:

- 1.) Changing oil on any vehicle or equipment on the lot itself or at any other location within the Sea Island Subdivision other than at a location, if any, designated for that purpose by the ARC;
- 2.) Allowing concrete suppliers, plasterers, painters, or any other sub-contractors to clean their equipment anywhere but the location specifically designated for that purpose by the ARC. Such cleaning outside the designated area anywhere on the lot is strictly prohibited. Violation of this provision will result in the repayment of expense of repairing the damage or the amount of the fee established by the ARC in the schedule of fees and fines, whichever is greater. The schedule of fees and fines is available from the ARC and subject to change and adjustment at any time by the ARC in its sole discretion;
- 3.) Removing any rocks, plant material, topsoil, or similar items from any property of others within the Sea Island Subdivision, including other construction sites;
- 4.) Carrying any type of firearms within the Sea Island Subdivision;
- 5.) Using disposal methods or equipment other than those approved by the ARC;
- 6.) Careless disposition of cigarettes and other flammable material. At least three 10-pound ABC-rated dry chemical fire extinguishers shall be present and available in a conspicuous place on the construction site at all times;
- 7.) Smoking by construction workers outside the area designated for smoking. Such areas will be contained within the construction site and general contractor shall provide ash cans;
- 8.) Destruction or removal of protected plant materials or plants not previously approved by the ARC; and,
- 9.) Radios and other audio equipment which can be heard outside the construction site. Electronic equipment is recommended to have headphones.

VI. PERMITTING AND ENFORCEMENT

A. Final Approval, Compliance Agreement, Construction Permit, Inspections, and Certificate of Compliance

Upon approval by the ARC of the Final Architectural Design Submittal, a "Compliance Agreement" shall be issued to the applicant. The Compliance Agreement shall include: the owner's name and project address; an acknowledgement by the owner and the owner's general contractor of these Design Guidelines; the form and contents of the approved Final Architectural Design Submittal; and the requirement that any change affecting the exterior appearance, color, or footprint of the improvements (including changes to the roof, or size of any building) shown or described in previously approved submittals must be re-submitted to the ARC for approval prior to any work being performed, or permits requested, related to the same. Once a fully executed Compliance Agreement is received, together with payment of all fees, a Construction Permit shall be issued.

The general contractor and the lot owner are jointly responsible for notifying the ARC prior to carrying out any work which differs from the approved plans and for meeting any requirements of the ARC to have the modified plans approved pursuant to these Guidelines. Such a change in plans may, in the discretion of the ARC, require the payment of an additional review fee and/or the posting of an additional construction/compliance deposit. In addition, the ARC, or its agent, may regularly visit the construction site to inspect work in progress. Alternatively, the ARC may require the project architect of record to provide inspections and to provide reports certifying construction compliance.

The owner, or agent, must notify the ARC when all improvements have been substantially completed and the ARC, or its agent, may inspect the finished improvements for compliance with previously approved submittals. The ARC may require remedy of improvements that are materially different from the approved submittals.

If the ARC determines that improvements on a lot are in compliance with these Design Guidelines or any approved submittals, it will issue a Certificate of Compliance. Upon the issuance of the Certificate of Compliance, the posted cash compliance/construction deposit, less any expenses to cure any violations, shall be returned (or the balance, if any, of any bond or letter of credit shall be canceled). Any additional expense over and above the compliance/construction deposit incurred by the ARC in enforcing compliance with the Guidelines will be recorded against the Building Site and secured by a lien until paid. However, if following construction, or if construction is being carried out in a manner in violation of, or inconsistent with, these Guidelines or any approved submittal, the ARC may take appropriate action to cause compliance, including, without limitation: 1.) withdrawal or suspension of any approval previously given; 2.) denial of access to the lot by general contractors, sub-contractors, vendors, their employees, or other

third parties; 3.) imposition of fines; 4.) disqualification of general contractors, sub-contractors, vendors, or their employees, or other third parties from performing work in Sea Island Subdivision.

In addition to all other remedies available at law or in equity, the ARC and Sea Island Acquisition, LLC ("Enforcing Party") , or any of their duly authorized agents, shall have the power to enter upon any portion of the Building Site to abate or remove, using such force as may be reasonably necessary, any structure, thing or condition which violates the provisions of the Declaration (including the demolition of improvements on the Building Site); provided, the Enforcing Party shall give written notice to the owner by posting such notice on the Building Site or delivering such notice to the Building Site at least five days prior to exercising such enforcement rights. All costs of enforcement, including reasonable attorney's fees actually incurred, shall be the personal obligation of the violating owner and may be collected by suit at law. Owner shall have no action in trespass or for damages for any actions taken under this Section.

Furthermore, as set forth in the Declaration, the Enforcing Party shall have, and is given and granted, a lien upon the owner's right, title and interest in and to, the Building Site for the amount of all such costs and expenses incurred by the Enforcing Party. The amount of the lien claim shall include interest from the date the Enforcing Party paid or incurred the costs and expenses resulting in the lien claim at the highest rate permissible by law per annum until paid to the Enforcing Party and all attorneys' fees incurred in effecting collection.

B. Construction Damage and Nuisance Control

Any damage to streets, curbs, drainage inlets and swales, sidewalks, street lights, street markers, signage, mailboxes, landscaping, utility lines, etc., by an owner, general contractor, landscape contractor, or sub-contractor will be repaired immediately by the owner, general contractor, landscape contractor or sub-contractor as applicable. An operator of a vehicle is responsible for immediate clean-up of any load spillage from the vehicle, including fill dirt, wet concrete, trash or debris. If this is not done, the ARC will cause repairs to be done and such costs billed to the responsible party plus a 10% assessment for administrative costs. Such costs shall be paid by the person causing the damage. The owner and the general contractor, however, shall remain jointly and severally liable for the cost to repair the damage.

In the event such amount is not paid within 10 days, the ARC may deduct such amount from the applicable compliance/construction deposit, bond, and/or letter of credit.

In the event the ARC draws from such compliance/construction deposit, bond, and/or letter of credit to remedy the violation and the amount of the compliance/construction deposit, bond, and/or letter of credit is not sufficient to

cover the damage, the owner shall make an additional deposit to replenish the deposit amount to its original amount.

In addition, the ARC, or its agent, may impose conditions on contractor parking, construction access, and other construction site related issues. It may regularly patrol construction sites, file reports of site conditions, and notify owners, or their agents, of violations. In the absence of timely remedies, the ARC may, upon notice to the owner, impose fines. The ARC's ability to impose is not limited by the absence of a schedule, and fines may be in amounts sufficient to cause the offender to take appropriate corrective action, in light of the cost of construction, or other matters. In the event of failure of the owner or the general contractor to pay such amount, the ARC may deduct such amount from the compliance/construction deposit, bond, and/or letter of credit.

C. Disqualification of General Contractors and Design Professionals

Pursuant to its authority to administer and enforce these Guidelines, the ARC may subject an owner, architect, landscape architect, engineer, or general contractor to a period of probation during which the ARC may deny access to its review procedures.

The ARC may take appropriate action, including, without limitation, denial of access to the general contractors, sub-contractors, vendors, their employees, or other third parties, through the gate and to the Sea Island Subdivision to perform any construction activities and to impose fines for the violation of these Guidelines.