

**WHITEHALL
ARCHITECTURAL
REVIEW
COMMITTEE**

STANDARDS FOR PROPERTY OWNERS

June 1, 2005

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I. Statement of Purpose:

The Architectural Review Committee, (ARC), was established to ensure the quality and harmony of each home within the community of Whitehall, thereby protecting the investment of all property owners. The Committee was originally formed as a separate Board within the neighborhood but was converted to a committee in early 2002 after a set of revisions to the Whitehall Covenants and Restrictions, (C&R). These procedures remained largely unchanged during the merger driven rewrite of the Covenants in 2004-2005. The focus of the Committee is reviewing enhancements to existing properties as well as ensuring fair and consistent compliance with the Whitehall Covenants and Restrictions, (C&R).

The ARC has the duty to work with homeowners to improve their properties and to maintain an equitable and consistent policy regarding compliance with the C&R. This manual is an attempt to expand and explain some provisions of the C&R in simple, meaningful and comprehensive terms. This will also help to prevent policy changes from year to year as membership on the committee changes. This document does not replace the C&R, which are the final authority for most issues except in the case of approved variances granted by the ARC, acting within the scope of its authority. We encourage all property owners to read the C&R in their entirety. The Arc maintains a number of submittal forms on the neighborhood website, www.whitehallnews.org.

We also expect that this manual will need to be updated from time to time as circumstances change. **This version of the manual is the result of merger induced updates to the C&R's performed and implemented in early 2005.** We understand that there are isolated deviations from the C&R that date back to Whitehall's bankruptcy period and a later period of inconsistency within Whitehall during the mid 90's, on within Whitehall South prior to merger. This committee will strive to correct those deviations where possible. But even if correcting them is not possible, they will not be permitted to set a precedent for condoning future violations, as per Section 8.1 of the Covenants and Restrictions. Nor will they abrogate any policies and compliance measures contained herein.

Good Neighbor Policy

To promote harmony in the community and respect for our neighbors, homeowners of all adjoining properties shall be consulted concerning any proposed building project. Structures deemed objectionable to adjoining neighbors may require design modifications, alternate site locations, and/or additional landscaping. It shall be up to the ARC to pass final judgement on the appropriateness of any action should neighbors disagree, but as a general principal the neighbors shall be consulted to provide a reasonable chance and means for comment.

II Compliance Considerations:

Please refer to Sections 8.1 of the Covenants and Restrictions that deal with the enforcement rights of the association and owners as well as remedies for violations. Also, any subsequent reference to Section numbers will mean those in the Covenants and Restrictions.

Most violations regarding existing properties are expected to be of a minor or easily rectified nature or else items classified as "nuisances" or "unsightly" under Section 7.32. In these cases, owners will be notified and given a reasonable period to correct the violation. If not corrected, a fine will be assessed and legal action may be taken to effect compliance.

However, two types of violations will generate an immediate fine. These are:

1. An irrevocable violation such as cutting down a prohibited tree or altering the common area, and
2. Undertaking a visible home enhancement such as a deck, fence or pool without advance application and approval.

Fines range from \$50.00 to \$500.00 per violation and will go higher if not paid when due. Additionally, abatement and/or remediation are required for almost all violations. Legal action may then be undertaken to effect compliance and also to recover Whitehall's legal expenditures as provided for by the C&R. Unpaid fines will result in an automatic lien being placed against the property with notice sent to the primary mortgage holder.

The application fee for an alteration or improvement is waived if the application is submitted and processed before work is started. Any work started without approval will require the \$50.00 application fee along with an after-the-fact approval, plus any applicable fines for the violation.

The ARC is not in the business of collecting fines and would rather see compliance on all issues. The goal of the ARC is to maintain the visual and economic character of the community. The ARC strives to be fair and uniform in the implementation of these guidelines. This means that the guidelines will be followed to the letter of the policy, equally for all residents. There are set procedural guidelines used for every item covered in this Guideline, leaving some, but minimal, opportunity for variation. These procedures will be followed, absent extreme circumstances.

III. Architectural Review Committee Officers:

Membership changes are constantly occurring, but as of June 2005, the committee consists of:

Jim Tuten, Chairman
8708 Lockerly Ct
767-3949
jtuten@sc.rr.com

Steve Butler
5468 Altamaha Drive
767-2772

Lisa Ritter,
5407 Crosland Ct. West
767-6598

Jerry Rattigan
5410 Cattells Bluff
207-1547

Richard Barbour
5408 Berkers Ct.
225-9571

Wendy Jackson
8546 Kennestone Lane
760-0393

Mr. Thomas Malek
5585 Gallatin Lane
225-2066

Mr. Arthur Kidd
5512 Livonia Cove
469-8164

Mr. Kirk Edwards
5436 Rock Creek Lane
364-7322

IV. Enhancements Requiring Advance Approval:

The following items require advance application in writing and no work may be started until the ARC gives written approval (7.2, 7.4). The Covenants and Restrictions give the ARC 45 days in which to respond to an application. If there is no response within 45 days, the homeowner is free to undertake the activity. For those items requiring a City Building permit the city may hold up permits for up to 60 days pending approval from the ARC.

Homeowners should also note that the standards shown below for some items do not constitute any type of pre-approval authority for any homeowners to undertake activity on their own. All visible enhancements must be applied for and approved in advance.

1. Fences (section 7.6): These must be wood or brick; no more than 6 feet high and either left natural or painted to coordinate with the house. The ARC will consider requests to match the fence to the trim of the house and base its decision on whether the chosen color is visually harmonious with surrounding structures. A variance for vinyl or aluminum fences will be considered, if application is made. Fences must be set back 6 inches from the property line and are normally restricted to rear yards only. In special circumstances where a house has more than one rear corner per side, the ARC will decide which corner is the most sensible, architecturally, to connect with. In cases where adjacent homes are offset differently from the road, fence encroachment into the side yard may be permitted to lead to a more harmonious fence line. In such cases the typical placement is to bring the fence line forward on the house with more setback to a point even with the adjoining rear corner. This is to prevent an offset in the fence line between the homes. The fence must not obstruct a neighbor's view of any marsh, stream or other body of water. Also, the fence must be constructed "good side out" unless an exceptional situation exists regarding connection with similar existing fences. In cases where two adjacent homeowners are constructing a fence along a common line it will be up to the homeowners to reach agreement as to how to proceed and then jointly submit a plan to the ARC to prevent two adjacent fences wherever possible. If two adjacent fences are constructed they must be separated by at least 5 feet. Where solid privacy fences run along a street it is requested that shrubs or other plantings be placed along the fence to break up the walled look of a solid privacy fence. Privacy fences along the marsh areas are typically limited to 5' in height. A separate "Standard for Fences" is included in the back of this document.

2. Tree Removal (7.16): No tree having a breast high diameter (BHD) of 6 inches or more, measured at 4 feet above the ground, may be removed without advance approval. The logs must be removed from the property and the stumps either dug up or ground down. There will be no objection to removing dead trees, although permission is required. In some cases a professional arborists opinion may be required. Specimen hardwood trees, especially live Oaks, will not be approved for removal, absent extreme circumstances. Replacement trees may be required to be planted, meeting specifications acceptable to the ARC. Tree and vegetation protection ordinances of the city of North Charleston and other jurisdictions along the Ashley River, when applicable, must be followed. A tree removal request form is included in the back of this document. City permits are required for all trees 10" or larger in diameter, living or dead. The city permits do not replace ARC permission, both must be obtained.

3. Accessory Buildings (7.4,7.31): These must be the same style, materials and color of the principal structure. Fake foundation trim should be included, if applicable, and building must have regular single or double doors. One or more windows are preferred. Small accessory and storage compartments may be constructed if the structure is fully hidden from view from the street, common grounds, and adjoining homes, from street eye level. If the structure is not hidden from an eye level view from adjoining homes, the normal procedures for the ARC for new structures apply. It is preferable to have all adjoining property homeowners concur as per the good neighbor policy. A separate “Standard for Sheds” is included in the back of this document.

4. Decks and Yard Structures (7.1, 7.4): These must be made of wood or the newer plastic decking and either left natural or painted to match the house. Any alterations to existing decks must be applied for. Requests for alternate materials will be considered on an individual basis.

5. Awnings (7.4): Awnings, including those over doors and windows, will be considered on a case-by-case basis, but in general are not allowed.

6. Breezeways (7.4, 7.31): These will be considered on an individual basis, subject to the same general considerations as 7.4. Accessory Structures.

7. Garages (7.4, 7.31): These should be subject to the same criteria as Accessory Structures, except that garage doors will be permitted.

8. Screened-in Porches and Sun Rooms (7.4, 7.31): The exterior must be wood painted to match or the same material as the house if vinyl, brick, or stucco. Wood may be left natural. Advance application must be made to convert a screened-in porch to a sunroom if there is any change in external appearance.

9. Carports (7.4, 7.31): Carports will not be permitted at Whitehall.

10. Driveways and Patios (7.1): Any widening of driveways should have minimal impact on appearance of front lawn. Other aspects should be considered on an individual basis. See Section IV lead in.

11. Elevation and Drainage Changes (7.15): The objective is to prevent the transfer of any drainage problems from one property owner to another. If a drainage problem is caused, it must be corrected. Section 8.1 gives Whitehall the authority to go onto any lot to remedy any violation but such action is not part of normal practice, except in an emergency.

12. Swimming Pools (7.4): These must be in-ground only and conform to all safety requirements of the City of North Charleston. Also, the safety fence must be to Whitehall standards. See Section IV lead in.

13. Sound Receiving or Transmitting Antennas (7.24): These will be considered on a one-by-one basis after application with a view toward overall appearance. Note that this does not refer to TV satellite antennas that are discussed separately in section VI.

14. Painting (7.2, 7.4, 7.32): Any repainting of a principal structure in colors different than the original must be applied for in advance. Any additional structures, fences, decks or porches, if not left natural, must be repainted along with the principal structure.

15. Water Systems (7.17): The only water individual systems permitted in Whitehall are deep wells for irrigation purposes. The ARC, as delegates of the Board of Directors must approve these in advance including pump, covering or screen and method of operation. Shallow wells have proven to be of limited use for irrigation due to poor water quality. This does not apply to in ground irrigation systems unless they have a standalone pump.

16. Room Air Conditioners: These are not specifically mentioned in the C&R but since they are a visible alteration to the external appearance of the house, they must be applied for. Applications will be reviewed on a case-by-case basis with the goal being to minimize visibility and their application.

V. Prohibited Items:

1. Vehicles Prohibited from Lots(7.25,7.25.1): The following vehicles are subject to special rules and may not be stored or parked on any lot, street or common area. Large travel trailers, mobile homes, campers, school buses, semi trucks or commercial vehicles shall not be kept, stored or parked overnight in the subdivision. Small campers, trailers, boats, and the like may be stored in a garage or fully contained behind the owners residence so that it is hidden from view from surrounding streets and common grounds, from street level. Small campers, trailers, boats, and the like stored outside within view from adjoining properties, including second story views, shall be kept in good repair. If the vehicle, boat or trailer cannot be stored within the garage it most likely is too large to be stored on the property and is prohibited for any overnight period. Guests of residents may temporarily park recreational vehicles on the residents' driveway only for a period not to exceed seven (7) days. Written permission from the Architectural Review Committee is required for any length of time greater than seven (7) days. The ARC should be notified if such a visitor shall be present for more than two days. Should an owner wish to perform repairs on their boat for a short period of time, they should contact the ARC PRIOR to bringing the boat into the neighborhood. Permission will usually be granted on a case by case basis. Large boats which restrict the use of roadways and/or will not fit on the driveway of the residence are prohibited. Once notified of a repeat offence, no wait period before fining is required. Recent case law indicates that the neighborhood Covenants which prohibit trailers, large boats, and commercial vehicles also applies to our streets, so ARC action may be pursued where need be.

2. Disabled Vehicles (7.26): Any disabled or unlicensed specialty vehicle must be kept in the garage only. This will include stripped, partially wrecked, disabled or junk motor vehicles, restoration projects or parts thereof unlicensed within the state of South Carolina.

3. Commercial Vehicles (7.25): No commercial truck, trailer, or van may be parked on any lot unless contained within the garage nor shall any commercial vehicle be parked overnight on the streets of Whitehall. These vehicles are prohibited and defined as a vehicle meeting one or more of the following conditions: commercial tags, over $\frac{3}{4}$ ton, external racks for ladders or materials, or a vehicle with significant external signage or lettering.

This is not intended to exclude attractive vehicles driven and maintained primarily as a means of transportation, such as dual-purpose vehicles like station wagons, mini-vans, sport utility vehicles and other pickup type trucks of three-quarter ($\frac{3}{4}$) ton or less that do not have exposed signage or logo other than discreet identification on the front doors only.

A number of vehicles that meet these criteria for commercial designation are currently contained with the neighborhood. The Committee recognizes many residents depend upon them as a primary means of transportation. Due to the recent merger, in some cases it will be possible to grandfather these vehicles to eliminate an extreme hardship for our residents. Each of these affected residents should request a hardship variance to prevent enforcement actions. The visual presence of any such grandfathered vehicle should be minimized by whatever means possible.

4. Clearing of Natural Buffer Zone (7.21, 7.37): No owner may disturb or alter in any way any natural buffer zone or any common area. Any owner who feels they have a special need to encroach on these areas may contact the ARC to discuss the matter and determine if a variance

from policy is warranted.

5. Garbage Disposal and Burning on Lots (7.20): No burning, burying or other disposal of garbage or trash on any lot or within the subdivision shall be permitted. The ARC may require restoration of any unsightly condition resulting from this kind of violation.

6. Tree Houses (7.31, 7.32): The type of play structure generally known as a "tree house" shall not be permitted in any part of the subdivision although children's play structures may be built after approval.

7. Parking Restrictions (7.25): Habitual parking of any vehicle on lawns, vacant lots or any part of the common area is considered "unsightly" under the Nuisances section and shall not be permitted. Homeowners who claim to need additional space should be encouraged to submit plans to widen their driveway or construct another garage. This does not apply to parking on the streets which is addressed in section VII. 3.

8. Go Carts: The type of small, motorized vehicle, designed to be operated by children and popularly known as a "go-cart", shall not be permitted on the streets of Whitehall. While the C&R makes no mention of this, the City of North Charleston prohibits them and Whitehall's streets are under their jurisdiction.

9. Clotheslines (7.17): No clothesline or drying yards shall be located upon the premises so as to be visible from any common area or other dwelling.

10. Dirt Bikes and ATV's (7.27): Off road motorized bikes, dirt bikes, and all terrain vehicles are not permitted to be used within any public area of Whitehall. While the C&R makes no mention of this, the ARC and Board of Directors have chosen to make the common area's off limits to these vehicles. As unlicensed vehicles the City of North Charleston does not permit them on the streets, and Whitehall's streets are under their jurisdiction, so they are therefore not allowed to be used anywhere within the sub-division except on an owner's personal property.

11. Business Activities (7.8): No business activity is allowed which indicates in any way on the exterior of the residence that it is being used for anything other than a dwelling, especially any business activity that increases traffic and activity to the Lot. However, there is no objection to valid home occupations. A valid home occupation is defined as any occupation carried on by a family member resident of the premises, so long as no stock in trade is kept or commodities sold, no mechanical equipment is used except such that is normally used for family, domestic, hobby, or household purposes, and there is no exterior indication that the building is being used for any purpose other than a dwelling. There is no objection to home office activities as long as those activities do not bring clients into the residence.

12. Open Storage (7.30): No garbage, junk, debris nor any belongings otherwise, including, but not limited to toys, bicycles, lawn and garden equipment, garbage cans, firewood, building materials or the like shall be stored or kept in open view of any neighborhood street or common area. The intent of this requirement is to keep an orderly appearance to the neighborhood, and both the ARC and residents should use good judgement in its interpretation.

VI. Responsibilities of Property Owners:

1. **General Care of Property (5.2, 7.32, 7.33, 7.34):** Owners are responsible for maintaining their lots in a neat, clean and sanitary condition. Such responsibility shall include the maintenance and care of all exterior surfaces of all buildings and other structures. All attendant lawns, trees, shrubs, hedges, grass, natural areas and other landscaping shall be maintained by the owners thereof. The old C&R's required yearly pressure washing. The new C&R's have a general maintenance clause. If your home needs pressure washing to remove mold and mildew, do it no matter what the timetable.

2. **Signs (7.21):** These are limited to:

- a. "For Sale" signs only, which presumably includes "For Rent". Signs cannot exceed six square feet in size and only one per lot is permitted. It must be within 15 feet of the house, but no less than 15 feet from the front street right-of-way. No "For Sale" signs may be posted in common areas. Some variance will be considered for signs for those homes that have exceptionally long front lawns and driveways.
- b. Small, discreet security-related signs which must be placed in close proximity to the house.
- c. Small special occasion and directional signs. Such signs may be placed for a period not to exceed 36 hours within any 7-day period and should be removed once the event is over. These temporary signs must be tasteful in size and type. Such sign must only refer to the premises on which displayed. Said sign must be appropriate for the cause or occasion, and must be removed as soon as the cause or occasion is over. No signs are allowed on common property, streets or right of ways without Architectural Review Committee or Board of Directors approval.

3. **Mailboxes (ARC New Construction Standards):** Mailboxes and posts are to be maintained in good repair and painted the approved shade of green that is prevalent throughout the subdivision. The approved commercial colors are:

From ACE Hardware on Dorchester Road
Rain Forest, Color number 111-A

From Home Depot
Behr Premium Plus, Sycamore Tree, Color number 480F-7

From Lowes
Eddie Bauer Home, Dark Pine, Color number EB44-1
American Tradition Valspar, Peacock House, Color number 5010-4

4. Vacant Lots (4.15): These must be kept cleared and mowed for a distance of 20 feet from the front street right-of-way. No trash or materials of any kind may be left on the lot.

5. Garbage Disposal (7.20): All garbage and trash should be left at the curb only on the scheduled day of collection. All garbage should be in animal proof covered containers provided by the City of North Charleston, except large trash which may be placed curbside just prior to collection day. Recycleables should be in the container provided by the City of North Charleston. Loose plastic bags are not permitted to remain on the curb overnight. Empty cans should be moved promptly to a hidden area, in the garage, or other place out of sight from the street and common areas.

6. Lakes, Marshes and Lagoons (7.36,): No boating, bathing or swimming is permitted in the lakes and lagoons within Whitehall. No water may be withdrawn and no pesticides, insecticides or other hazardous material may be used within 25 feet. Fishing is permitted as long as all regulations of the South Carolina Wildlife and Marine Resources Department are strictly observed. No dock or similar structure may be constructed without ARC approval and, at this time, the ARC can see no reason to approve any such structure. Owners of lots fronting lagoons or marshes may have the additional responsibility of mowing and maintaining the area between the lot line and the lagoon or marsh even though it may be owned by the Association. This responsibility does not alter the requirements in place to protect Ashley River frontage. Clearing of any kind on specific areas is strictly enforced. Note that state law prohibits the feeding of alligators. Residents who wish to walk around or enjoy the common area ponds should enter the area through common access area's, or obtain permission from the adjoining property owner.

7. Animals (7.28, No. Charleston Ord. 4.1): No animal is permitted to run at large at any time within the City of North Charleston. Whitehall's C&R specify that no farm animals, livestock, birds or fowl may be kept or maintained on any part of the subdivision. Pets, excluding livestock, fowl, and other farm type animals, may be kept in reasonable numbers for the pleasure of the homeowner. All animals must be kept on a leash when outside their owners' dwellings and must not become a nuisance to other residents by barking or other acts. Non-owners (e.g. renters or lessees) may not keep pets on any part of the property without prior written approval of the owner, which is to be filed with the Association. Any animal may be considered to be restrained if it is contained by a fence, either visible or invisible. Owners must clean up after their animals at all times. Permitting an animal to defecate on common property, or another homeowner's property, without cleaning up the animal waste is a violation of City code and may carry a fine of up to \$1000.

8. Satellite Antennas (7.24): The C&R's require that satellite antennas be hidden from view from the surrounding street and common area. It is recognized that Federal Communications Commission regulations allow the antenna to be located wherever needed to obtain maximum signal strength. While intrusive antenna positioning must be allowed under these regulations, the ARC recommends that it be as discreet as possible and steps may be required to minimize the visual impact of an antenna. It is recommended that homeowners discuss installation in advance with the ARC. Antennas 1 meter or larger will not be permitted.

VII. Special Situations:

The following items are either not covered in the C&R or else mentioned in such a way as to be either confusing or impractical. The Committee feels that these are significant enough matters to warrant some attention, interpretation or variance.

1. Landscaping (7.33): The Association has the right to "reasonably restrict the placement of landscaping and other impediments to the enjoyment of views from and of adjoining common areas or amenity areas". The ARC also requires that visible alterations to existing properties be approved in advance in order to maintain visual harmony in the community.

However, the ARC does not see a need at present to require that plans for landscaping enhancements to existing properties be approved in advance. This seems to be a relatively minor and problem-free matter and the ARC will not concern itself with it unless circumstances change. Items like arbors and visual enhancements will not require written advance approval unless the scale is extensive as long as they are located to the rear of the home.

This refers to landscaping for existing homes only. This has no bearing on the landscaping plan that is part of the new home application that is reviewed for approval by the ARC. Minimum landscaping for new home construction shall include sod in front and side yard with like grass seed in the back yard. Raised beds, planters, and other landscaped areas are to be implemented with appropriate shrubbery and ground cover. All homes are recommended to implement screening around the HVAC units for the home. Wood or brick visual screening around such units is preferred, but plant vegetation is also accepted. Minimum landscaping of live grass in the front and side yard is required. All live shrubbery and ground cover in raised beds, planters, and/or other landscaped areas are to be maintained. Regular maintenance including mowing, weeding, edging and disposal of clippings is to be performed. Plantings and landscaping are strongly encouraged along the outside of privacy fences to break up the "wall effect", especially on corner lots.

2. Children's Play Structures (7.31): The Covenants require advance application and approval for "all plans .. before any item .. shall be commenced , erected...". Many subdivisions' Covenants require that play structures be kept behind a privacy fence but Whitehall's do not, although it is recommended. The original developer placed no restrictions on basketball hoops in the front of homes. It should be noted that portable basketball hoops should not be placed curbside as North Charleston City code makes it illegal to use the street as a play area.

The Committee's position is to grant an automatic variance for all commercially available children's play structures and the "kit built" structures. No advance application would be required but homeowners would be subject to the following stipulations:

- a. The structure must be positioned behind the house so as to minimize visibility from the street in front. It is understood that corner homes or those on cul-de-sacs will not always be able to hide the structure.
- b. Metal swing sets are acceptable if they are properly maintained, however, wooden swing sets are recommended. Any structure that is rusted or deteriorated will be

considered "unsightly" under Section 7.32 and have to be painted, repaired or removed.

- c. The same consideration will apply to any structure that the Committee feels is grossly oversized, glaringly painted or otherwise unsightly in relation to the prevailing standard in the community including other structures such as slides, monkey bars, play houses, basketball hoops, trampolines, etc.
- d. Homemade swing sets tied to trees or any similar children's structure will not be permitted. This clause does not intend to prohibit the decorative use of "tree swings" in the areas with the older trees as long as the decoration poses no danger to the tree.

Homeowners who have any unusual considerations are advised to discuss them with the Committee before installation.

3. On-Street Parking: This section has nothing to do with commercial or disabled vehicles, campers, motorcycles or parking of vehicles on lawns or vacant lots which are discussed elsewhere. This section refers to the habitual overnight parking of homeowners' everyday vehicles on the streets of Whitehall rather than in their garages or on their driveways. Most quality subdivisions in our area prohibit this, but Whitehall's C&R's do not address the subject.

The ARC has received many homeowner complaints about this and the complainants are usually surprised to hear that it is not a violation. The ARC feels that this is an unsightly condition as well as being a potential danger to playing children and others as it reduces visibility. Since it is technically legal to park on city streets and very widespread in Whitehall, at this time the ARC declines to try to eliminate it under the Nuisance section, although legal work is being done to research such an implementation. We do recommend that all homeowners keep cars in their driveway to the extent possible. Double parking, head-in parking, and obstruction of driveways are violations of North Charleston City code and will be reported to the city. The parking of trailers of any kind on city streets is also a violation of city code and will be reported. Recent case law indicates that the neighborhood Covenants which prohibit trailers, large boats, and commercial vehicles also applies to our streets, so ARC action may be pursued where need be.

4. Outdoor Hot Tubs: These are not mentioned in the C&R but the ARC feels that any type of outdoor hot tub must be treated as a swimming pool for safety and aesthetic reasons. That means they must be located in the rear of the house either on a deck or in a yard and behind an approved fence. Therefore, application must be made in advance to the ARC Committee if this is not requested at the time of home construction. It is understood that, if the hot tub or spa is installed within a screened porch or sunroom, it is considered internal to the dwelling and not subject to ARC regulation.

5. Garage Sales (7.21, 7.38): Whitehall has a community garage sale on various opportunities. Homeowners who wish to have a garage sale are encouraged to wait and participate in this event. Those who wish to hold individual garage or yard sales may do so but they must follow Section 7.21 relating to sign controls. Residents are also encouraged to place items at the Goodwill drop-off outside Whitehall on Dorchester Road instead of placing items curbside.

Whitehall Property Owners Association

Architectural Review Committee

Standards for Tree Removal

The removal of any tree greater than 6' DBH (diameter breast high) is regulated within Whitehall. See Section 7.16 of the Covenants below:

Section 7.16 Tree Removal. No trees or bushes of any kind having a diameter breast high (DBH) of six (6") inches or more (measured from a point four (4') feet above the ground level) shall be removed from any Lot without the express written authorization of the Architectural Review Committee. The Architectural Review Committee shall further have the authority to require an owner removing a tree in violation of this clause to replace same at such owner's cost. THE BOARD OF DIRECTORS OR ARCHITECTURAL REVIEW COMMITTEE RESERVES THE RIGHT TO HAVE SPECIMEN TREES PRESERVED OR REMOVED AND TO HAVE SITE PLANNING PROVIDE FOR THEIR PRESERVATION OR REMOVAL. City ordinances may further restrict and govern tree removal and replacement.

In addition, Whitehall is subject to city code that requires a city permit for the removal of any tree over 10" DBH. This applies to all trees, alive or dead, including pines. The City fines and penalties for removal of a tree without a permit are very significant, easily reaching \$10,000 or more and replanting. Residents are strongly urged to follow this code. The removal of dead trees is always permitted, but removal of a living tree requires justification and usually replacement with a more desirable species. Call City Planning Dept for Info 740-2582 and the Building dept for a Permit, 740-2564

The ARC has forty-five (45) days to review and respond to all applications. The Committee will try to get all applications approved and returned ASAP. If you need additional information or have questions, please contact Jim Tuten, Chairman, or any other ARC Board member.

Please complete the following section and submit to the ARC with a plat plan of your property that plainly shows the tree(s) requested for removal. Any replanting plan should also be noted.

Request for Tree Removal.

Name of Property Owner _____

Address _____

Phone # _____

I, the undersigned, have reviewed the ARC guidelines. I understand that no work may be started without final approval from the Whitehall ARC and that any work prior to approval could lead to fines, or other legal action.

Signed: _____

Whitehall Property Owners Association

Architectural Review Committee

Standards for Sheds, Storage Lockers, and Outbuildings

Sheds, storage lockers, and outbuildings are allowed by the Covenants that govern Whitehall, but under Section 7.3 of the Covenants they must be approved by the ARC before construction if they are visible from the street, common grounds or adjacent homes. In general this rule permits the installation of small prefab sheds and storage lockers without permission only if they are hidden behind the home and a privacy fence. In order to meet the “no approval required” condition, the shed, storage locker, or outbuilding must be lower than 6 feet and smaller than 25 square feet in floor area.

If the conditions above are not met, then the structure will fall under the authority of the ARC and the Whitehall Architectural Review Committee must approve the structure before it is build or placed. The Guidelines stipulate that the building must be the same style, materials, and color as the principal structure. The roof must be the same as the principal structure as well. If the principal structure is all brick, then a brick skirt is required, unless it is completely hidden behind a privacy fence. If at all possible the siding should be the same as on the principal structure.

It is preferred that the structure be built upon a concrete slab and early sheds were required to be built in such a manner. More recently, sheds have been allowed to be built upon a floor and joist system in some circumstances. If the structure is to be built upon a raised floor, then adequate tie-downs must be secured at each corner according to city building code. If a solid slab is not used then the building must be placed upon poured or placed concrete supports. If the building does not have a slab foundation, then a continuous perimeter around the base of the building must be provided in order to prevent vermin from taking up residence under the structure. Soffits and trim should match the principal structure. Starting to build any structure without prior approval of the ARC will result in fines, and the homeowner will bear responsibility of moving the structure if it is not within the guidelines set forth by the ARC.

The ARC has forty-five (45) days to review and respond to all applications, and as we do not wish to delay your construction, applications must be submitted in their entirety or they will not be considered. We try and get all applications approved and returned ASAP. If you need additional information or have questions, please contact Jim Tuten, Chairman, or any other ARC Board member.

Please complete the following form and submit to the ARC with a plat plan of your property that includes your home, your property boundaries marked by a solid line, and the proposed placement of your structure marked on the plat. If there are obstructions or easements within your property, please mark these as well. If you have a survey of your property available, a copy would be appreciated.

Request for Shed.

Name of Property Owner _____

Address _____

Phone # _____

I, the undersigned, have reviewed the ARC guidelines. I understand that no work may be started without final approval from the Whitehall ARC and that any changes from the authorized placement and configuration could lead to fines, shed removal, or other legal action.

Signed: _____

Whitehall Property Owners Association

Architectural Review Committee

Standards for Fences

Whitehall Architectural Review Committee Guidelines stipulates that fences for property owners must be no more than 6 feet in height, and left natural or painted to coordinate with the home. All colors and stains must be submitted for approval. Any prefab panels must be approved, as site-built fences are typically required. Prefab privacy fence panels have proven to be below standards and will not be allowed. Fences must be set back 6 inches from the property line, and in general, should extend from the rear corners of the house. The current Covenants allow fences to be moved forward from the rear corner, and some alternate materials, in certain circumstances, the determination of which is up to the discretion of the board. In general, it is permissible for a fence to be brought forward even with the rear corner of the adjoining house to allow for straight fence lines. In the absence of such an adjacent corner, rear corners are required. Your fence must not obstruct a neighbor's view of any marsh, stream, or body of water. The fence must be constructed with the "good side" out, unless exception is made due to neighboring fences. In cases where adjacent homeowners are constructing a fence, it will be up to the homeowners to jointly submit a plan to the ARC. Two fences along one property line should be avoided. Be advised, if two adjacent fences are constructed along a single property line, they must be separated by at least 5 feet to allow for passage and maintenance. The building of any fence that is started without prior approval of the ARC will be subject to fines, and the homeowner will bear responsibility of moving the structure if it is not within the guidelines set forth by the ARC.

The ARC has forty-five (45) days to review and respond to all applications, and as we do not wish to delay your construction, applications must be submitted in their entirety or they will not be considered. We try and get all applications approved and returned ASAP. If you need additional information or have questions, please contact Jim Tuten, Chairman, or any other ARC Board member.

Please complete the following form and submit to the ARC with a plat plan of your property that includes your home, your property boundaries marked by a solid line, and the proposed placement of your fence marked by a dotted line or "X's". Please include all gates. If there are obstructions or easements within your property, please mark these as well. If you have a survey of your property available, a copy would be appreciated.

As part of our Good Neighbor Policy, this form must be reviewed and signed by your neighbors on either side and to the rear.

Request for Fence

Name of Property Owner _____

Address _____

Phone # _____

Style of Fence _____

Materials _____

Height of Fence _____ Type of Fence (picket, privacy, other) _____

Color if not Natural Wood _____

I, the undersigned, have reviewed the ARC guidelines and have notified my neighbor's of my plans to construct a fence. I understand that no work may be started without final approval from the Whitehall ARC and that any changes from the authorized placement and configuration could lead to fines, fence removal, or other legal action.

Signed: _____

We, the undersigned, have no objections to the requested fence.

Signatures

Neighbor: _____ Lot _____

Neighbor: _____ Lot _____

Neighbor: _____ Lot _____

Neighbor: _____ Lot _____

Neighbor: _____ Lot _____