

# CONSTRUCTION GUIDELINES

## BEFORE CONSTRUCTION

After completing the review process and receiving Final Approval of the stake out and construction documents from the Architectural Review Board, several steps shall be followed before any lot clearing, material deliveries, or construction may begin.

An ARB Building Permit must be obtained for all renovations and new construction. Please be aware that non-conforming items inadvertently not addressed during or prior to permitting may not be considered approved. Two (2) full size and one (1) reduced (11" x 17") set of construction drawings must be stamped by the ARB. The two full size sets of drawings are required by Charleston County before the County will issue a Zoning and Building Permit (these permits are issued on behalf of the Town of Kiawah Island). The contractor must also submit a completed Construction Application Deposit & Agreement, a KICA Encroachment Permit, and the required deposit for new construction or for improvements. Deposit reimbursements can only be returned to the issuer of the deposit check. The deposit is returned to the address on the check; therefore, it is pertinent that the ARB be notified of any address changes.

Upon receipt of these required items, the ARB will review the onsite tree protection. Once the tree protection is complete, an ARB Building Permit will be issued within three (3) business days for the project. The receipt of this Permit does not preclude the necessity of also obtaining a Charleston County Building Permit. Both permits are required for construction along with any additional permits that may be necessary from other agencies (e.g., to build a dock you will need a permit from the OCRM). In the case of golf course lots, you may need permission from the golf course owner, specifically if you seek to alter or remove any natural vegetation within 30' of any lot line bordering a golf course. We will advise in obtaining the latter services and approvals.

Every job site must have a job sign. Several area sign companies have the specifications required by the ARB for job signs. A current list may be obtained from the ARB office. Please be aware that only the name and hometown of the Property Owners, as well as the names of the Architect, Landscape Architect, and Builder may be placed on the sign. Telephone numbers are not allowed.

In summary, the following steps shall be completed before construction may begin:

- a. Submit to ARB office two (2) full-size sets and one (1) reduced (11" x 17") set of approved construction drawings with completed Construction Application Deposit and Agreement, KICA Encroachment Permit, and construction deposit check.
- b. Install tree protection prior to clearing the site. Any clearing between the setbacks and the property line requires on-site approval.
- c. Obtain Kiawah Island Building Permit from ARB.
- d. Order job sign.
- e. Obtain Charleston County/Town of Kiawah Island Building Permit and Zoning Permit (the Company may require other permits in special situations); also, if applicable, obtain approvals for golf course lot construction and vegetation alteration. Zoning permit applications must contain:
  1. Average Natural Ground Elevation (average elevation of the entire lot to the nearest 6").
  2. Base Flood Elevation. (BFE)
  3. Structural Elevation showing first floor height and peak of roof height (above BFE).
  4. Site Plan with ARB stamp.
  5. Copy of approved recorded plat.
  6. Building plans (2 sets).
- f. Post Building Permit at job site.
- g. Place dumpster and portable toilet on job site.

If bird of prey, alligator, bobcat, or other habitat is discovered during clearing, the ARB office and the Town of Kiawah Island must be contacted prior to continuing work.

Many properties require de-watering prior to and during construction, which must continue constantly for extended periods of time. If this is necessary, please adhere to the following:

- a. All water removed from the site must be discarded to the nearest storm drain managed by KICA. Water should never be drained onto neighboring property, including the dune field and marshlands.
- b. Pumps with low decibel ratings are preferred. In addition, pumps should be muffled with sand bags to keep vibration noise to a minimum.
- c. The Board recommends pre-notification to neighbors when de-watering is scheduled for an extended period of time.

## DURING CONSTRUCTION

All construction on Kiawah Island will be under constant observation by the ARB. Three (3) mandatory field inspections will be conducted by the ARB on every residence under construction.

- ① **FIRST INSPECTION:** The first required inspection shall occur when the foundation wall is just above grade. The contractor shall notify the ARB at this time, and the inspection shall be conducted to ensure conformance with the approved drawings as to the location of the structure within the site. At this time, the builder must submit to the ARB a "Foundation Survey" depicting the location of the setbacks and showing the distances from all foundation corners to adjacent property lines. The ARB will fine the Contractor a portion of the deposit should the first floor framing be constructed prior to submitting a foundation survey. A "stop work" order may be issued until the survey is submitted and corrections are completed.

If during the foundation construction or subsequently during framing, the removal and/or limb cutting of additional oak trees greater than 3" in diameter and other trees over 6" in diameter or alteration of existing dune structures becomes necessary, approval shall be obtained from the ARB in advance.

- ② **SECOND INSPECTION:** The Second Inspection shall occur upon notification by the contractor that the framing of the structure has been completed. After the house is framed, a sample board must be erected to show the proposed colors on the proposed materials for onsite review from the ARB. In order to view each sample in its proper context, the sample board must be placed close to the home. Once the sample board is on the site, an Approved Final Color Form must be completed and submitted to the ARB office. An ARB representative will perform an onsite inspection and return the Approved Final Color Form with the appropriate sign off.

- ③ **THIRD INSPECTION:** The Third Inspection shall be conducted after the completion of the home and installation of landscaping. A copy of the Final Inspection shall be sent to the Owner and Builder noting final approval or required items to be corrected.

- ④ **SITE APPEARANCE:** Each construction site is required to have a job toilet at all times for the use of workers. It must be placed at least twenty-five (25) feet from the street in an inconspicuous location with the door facing away from the street and neighboring homes. Fires are not permitted on residential construction sites under any circumstances. Care should be taken when loading trucks hauling trash so as not to have it spill over while in transit. Contractors shall be held responsible for trash and debris falling from construction vehicles.

It is imperative that all sites be maintained in a clean and tidy manner. All construction materials must be kept within the property lines, and a clear, street right-of-way should be maintained. Access to the site should be limited to the proposed driveway location. Access over/through adjoining properties is expressly forbidden. The storage of materials should be in an inconspicuous area of the site and should be neat and orderly. The use of adjoining properties for access or storage of materials without the written permission of the adjacent owner is prohibited. Temporary storage structures approved by the ARB may be used to store materials provided the structure is minimal in size. Storage structures may not be used as living quarters. The ARB generally discourages the placement of job trailers on a residential site. In the event that the ARB approves a job trailer, a minimum-sized, industry standard trailer must be used. The trailer will be required to be screened with vegetation and must be removed once the home is "dried in."

Site cleanliness shall at all times be maintained at an acceptable level. If not so maintained, the ARB will issue a "stop work" order. A commercial dumpster shall be placed on each job site and shall be dumped when necessary. At the end of each work day, materials must be stored neatly, and all trash placed in the dumpster. No trash shall be strewn about the lot or piled openly. As untidy sites present a negative image to visitors and property owners, this requirement shall be strictly enforced. Should the ARB determine, in its sole discretion, that a site is not being maintained properly, it may undertake having it maintained properly and will deduct the cost from the Construction Deposit and/or levy additional fines.

Temporary utilities must be installed in a neat manner. The temporary power pole must be at least fifteen (15) feet from the front property line, installed plumb, and not used for the placement of signs. Installation of the sanitary, sewer, and water lines must be completed using small trenching equipment, as large backhoes may create damage to natural areas.

As explained in the foregoing, residential construction sites must contain the following:

- a. Commercial dumpster.
- b. Job toilet.
- c. Temporary utilities.
- d. Standard job sign (with permits).

Should construction progress cease for more than ninety (90) days, the ARB must be notified.

## AFTER CONSTRUCTION

When the Construction of a residence has been completed, the owner and contractor must satisfy several requirements before applying for the Final Inspection. The construction of the residence shall be completed, and the landscaping shall be installed conforming to the plans previously approved by the ARB. Any unauthorized changes must be corrected before the Final Inspection Certificate will be issued.

Upon completion of construction and landscaping, all building debris shall be removed from the site and the surrounding area. The construction site sign and the temporary power pole shall also be removed. At this time, the Contractor should review the Final Inspection Checklist provided by the ARB and notify the ARB that he is ready for the Final Inspection. If Final Inspection is not requested within a year of the date of Certificate of Occupancy, the ARB will absorb the New Home Construction Deposit as a fine and notice shall be sent of items requiring correction.

As a checklist, the following items shall be completed prior to Final Inspection:

- a. Complete construction.
- b. Remove construction debris.
- c. Remove temporary facilities, utilities, and sign.
- d. Install landscaping and standard Kiawah mailbox.
- e. Submit as-built survey and landscape certification to the ARB. **The as-built survey must include the setbacks, the lot coverage percentage, broken down into pervious and impervious surfaces, and the roof ridge height.**
- f. Request a KICA Encroachment Inspection by calling 843-768-2315.
- g. Submit color photos of all elevations.
- h. Submit a completed Approved Final Color Form if not done previously.
- i. Request for Final ARB Inspection.

## GENERAL REGULATIONS

All builders of residences on Kiawah Island must be licensed by the State of South Carolina. At a minimum, a SC residential builder's license is required. All builders must also have a Town of Kiawah Island business license. Access to the Island is controlled by Kiawah Island Security located near the entry gate. All incoming vehicles must stop at the security gate for identification and permission to enter. Construction workers are allowed access to and from the construction site only and are strictly forbidden from riding about the Island. Vehicles may be periodically searched to protect all Contractors and Owners from theft of materials and equipment.

The maximum hours allowed for construction personnel on the Island will be from 7:00am to 7:00pm, Monday through Friday and 8:00 am to 5:00 pm on Saturday. No residential construction work will be performed on Sundays or national holidays.

The conduct of all workmen is the responsibility of the General Contractor. Loud cars and speeding are not permitted on the Island. All construction vehicles must be parked on the construction site. Workers are required to wear shirts and shoes when not on the job site. Workmen are not permitted to loiter about island businesses (including lunchtime at the General Store). Loud music from radios and disturbance of property owners or guests will not be permitted at any time.

The construction of all residences must be completed within eighteen (18) months of the issue date of the Kiawah Island Building Permit with all exceptions requiring special ARB approval. Contractors must have the Owner or Architect submit all proposals for exterior changes prior to implementation of those changes. Failure to do so may result in fines. The Covenants grant the Company power to employ workers to correct any exterior changes made without approval or to employ persons to clean up an unacceptable lot. These charges will be deducted from the Construction Deposit.

The above regulations are designed to enhance Kiawah Island's overall appearance to our residents and visitors. These regulations are to be used as guidelines and are not intended to restrict, penalize, or impede construction firms who adhere to these regulations.

While performing their duties on Kiawah Island, repeated violation of these regulations could result in the suspension of the building permit for that residence until corrective action has been taken by the contractor. Additionally, a Contractor who repeatedly violates either the letter or "spirit" of these guidelines may be required to post a larger construction deposit or, in the extreme, be prohibited from working on Kiawah Island.

## **DEMOLITION GUIDELINES**

Prior to applying to the ARB office for a permit for structural demolition, the following guidelines must be adhered to:

- a. Submit a current survey indicating existing conditions and the extent of demolition as well as a site plan indicating fencing for the protection of trees, natural areas, existing landscaping, and significant topographical features during demolition.
- b. The demolition contractor will be required to hold a current license in the State of South Carolina as well as a business license with Town of Kiawah Island and should be insured and bonded.

- c. Site cleanliness and access shall comply with specifications in Chapter Four, Section B.
- d. The removal of debris from the demolition site to off Island will need to be coordinated in advance with Kiawah Island Security and shall comply with Chapter Four, Section B.
- e. A Demolition Construction Application Deposit and Agreement Form will need to be completed by the Contractor and Property Owner. See Attachments for current deposit amounts.

When the demolition is complete, contact the ARB office to request an inspection. The deposit will be returned after a satisfactory inspection of the demolition site.

## LANDSCAPE GUIDELINES DURING CONSTRUCTION

- ① **FOUNDATION PLANTING:** The minimum size of foundation planting at the time of installation must be at least half of the height of the foundation wall.
- ② **LANDSCAPE PLAN REVISIONS AFTER CONSTRUCTION BEGINS:** The ARB does not accept changes in the ARB approved landscape plan without the direct supervision of the Landscape Architect of record. Any changes in the approved landscape plan are to be submitted by a South Carolina registered Landscape Architect for approval prior to installation. The ARB requires the Landscape Architect of record to complete and sign a Landscape Certification form certifying that the landscape design is installed in general conformance and the intent of the approved plans. The Landscape Architect of record may be changed to a different Landscape Architect by submittal of a new sealed landscape plan.
- ③ **TREE PROTECTION:** The ARB requires tree protection fencing to enclose the entire work site creating natural areas to be preserved. These areas to be preserved are not to be altered, cleared, or pruned in any way, both during and after construction, without onsite review and approval from the ARB. Clearing or pruning of trees and vegetation for views cannot occur until the home is completely framed. View clearing and pruning requires onsite approval by the ARB Administrator or an ARB representative. The tree protection fencing must also be installed around specific trees to be saved. All protective fencing must be maintained until the completion of construction, and all construction materials and vehicles must remain outside of the preserved areas. Trees that die due to damage during construction must be mitigated.

All properties are subject to the South Carolina Department of Health and Environmental Control Office of Ocean and Coastal Resource Management storm water runoff regulations.

These regulations require strict compliance with the Storm Water Management Plan for your property before trimming any vegetation, moving soil, or otherwise doing any construction on the property. A violation may result in civil penalties as well as other adverse action. Erosion control measures should be installed prior to applying for a building permit from the ARB.

## SITE INSPECTIONS

- ① **REGULAR SITE INSPECTION:** Regular site inspections of all single-family home construction sites will be made by the ARB. Compliance with the furnished Construction Guidelines and the permitted construction plans will be checked and reviewed on a regular basis.
- ② **SPECIAL SITE INSPECTION:** A special inspection of a specific site will be made upon receipt of a request for such an inspection which sites a specific violation.
- ③ **VIOLATIONS:** Violations that are discovered at a site will be photographed and described on a preprinted report form.
- ④ **NOTICE:** A notice will be sent to the Contractor for the first violation of the Construction Guidelines requesting correction of the violations. Copies will also be sent to the Owner and Architect.
- ⑤ **FINES:** Once the initial notice has been sent to the contractors, all future violations of the Construction Guidelines and all unauthorized exterior changes to the approved building plan will be photographed, written on a report form, and a fine levied against the deposit posted. Additional fines may be levied as well. A copy of the report form will be sent to the Contractor, Architect, and Property Owner.
- ⑥ **EACH VIOLATION:** Each violation which is not corrected within ten (10) days will be again photographed, documented, and a new fine will be levied.
- ⑦ **APPEALS:** An appeal of a fine or decision must be made in writing to the Kiawah Island Architectural Review Board Chairman within ten (10) days of issue. An appointment may be scheduled during an ARB Meeting for discussion of the issue. The subsequent determination will be final and binding to all concerned.
- ⑧ **LEGAL ACTION:** The ARB may elect to pursue legal action if it feels that it is appropriate.
  - a. The ARB will assess fines on a case-by-case basis and may pursue legal action if necessary.
  - b. The amounts of the fines are subject to periodic increases at the sole discretion of the ARB.