

RESOLUTION/MINUTES OF ACTION  
BOARD OF DIRECTORS

**Pelican Bay Architectural Guidelines- Revised June 16, 2022**

WHEREAS, the Board of Directors ("Board") of Pelican Bay Homeowners Association, Inc. ("Association") is constituted to provide and charged with the operation, care, upkeep and maintenance of the Association and its property, and is also responsible for exercising for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by the law or provisions of the Declaration of Covenants, Conditions and Restrictions for Pelican Bay ("Declaration") and By-Laws of Pelican Bay Homeowners Association, Inc. ("Bylaws") recorded April 28, 1987, in Book N164 at Page 786 with the Charleston County Register of Deeds. The Declaration was amended and/or supplemented by that: First Amendment Declaration of Covenants, Conditions and Restrictions recorded July 6, 1987, in Book P166 at Page 851 and Supplemental Declaration of Covenants, Conditions and Restrictions for Pelican Bay recorded July 31, 1987, in Book M167 at Page 341 with the Charleston County Register of Deeds. The Declaration as amended or supplemented hereinafter collectively the "Declaration". The Articles of Incorporation, Declaration, Bylaws, and all promulgated rules, regulations, guidelines, policies and the like, as each may be amended or supplemented, hereinafter collectively referred to as the "Governing Documents".

WHEREAS, Article VII of the Declaration grants the Board or a committee appointed by the Board architectural control.

WHEREAS, Section 1(d) of Article IX of the Bylaws provides that the Board shall "adopt and publish rules and regulation governing the use of the Common Properties and Private Open Space Areas and facilities and the personal conduct of the Members and their guests thereon."

WHEREAS, Section 3 of Article X of the Bylaws states that the "Majority of the Board of Directors shall constitute a quorum thereof."

WHEREAS, the Bylaws and Declaration are silent as to voting by the Board. S.C. Code Ann. Section 33-31-824(b) states that "the affirmative vote of a majority of directors present is the act of the board."

WHEREAS, a duly held and authorized meeting of the Board was held and this Resolution and the Pelican Bay Architectural Guidelines- Revised June 16, 2022, attached hereto as Exhibit A and incorporated herein, were put to a vote of the Board. The required quorum was present and the within Resolution and the attached Pelican Bay Architectural Guidelines- Revised June 16, 2022 were re-affirmed, re-adopted and re-approved by the requisite members of the Board.

NOW THEREFORE, BE IT RESOLVED, in order to protect and assure an attractive, high-quality community, and to best maintain and preserve the community, the Board hereby affirms, approves and adopts this Resolution and the Pelican Bay Architectural Guidelines- Revised June 16, 2022, attached hereto and incorporated herein as Exhibit A, as follows:



# PGS:  
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1. The foregoing whereas paragraphs and recitals are and shall be deemed material and operative provisions of this Resolution, and not mere recitals, and are fully incorporated herein by this reference.

2. All capitalized terms used herein shall have the same meaning ascribed to them in the Declaration and Bylaws, unless the context shall clearly suggest or imply otherwise.

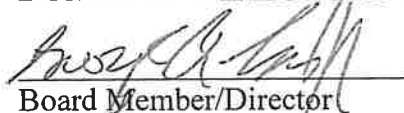
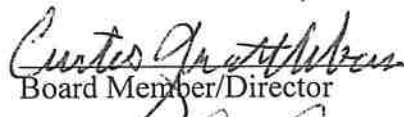
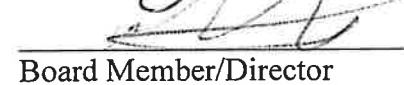
3. Each member of the Board expressly waives notice requirement, if any, for the meeting.

4. This Resolution and the Pelican Bay Architectural Guidelines- Revised June 16, 2022, attached hereto as Exhibit A and incorporated herein, were re-affirmed, re-adopted and re-approved by the Board on February 23, 2023.

5. The Association, or its designee, shall notify its Members/Owners of this Resolution and attached Bylaws, by (a) either posting them in a conspicuous place in a common area or on a website maintained by the Association, where they can be downloaded, (b) electronic mail delivery, or (c) such other methods as may be provided by the Bylaws or Declaration that provide actual notice. MEMBERS/OWNERS ARE RESPONSIBLE FOR NOTIFYING THEIR TENANTS, OCCUPANTS AND RESIDENTS.

6. Each Director voting in favor has signed his/her name below.

**BOARD OF DIRECTORS OF PELICAN BAY HOMEOWNERS ASSOCIATION, INC.:**

 Board Member/Director	<u>2/23/2023</u> Date	_____	_____
 Board Member/Director	<u>2/23/2023</u> Date	_____	_____
 Board Member/Director	<u>2/26/2023</u> Date	_____	_____

**Exhibit A**

See attached **Pelican Bay Architectural Guidelines- Revised June 16, 2022**

**Pelican Bay  
Homeowners Association  
P.O. Box 406  
Isle of Palms, SC 29451  
(843) 886-8845**

**Pelican Bay Architectural Guidelines- Revised June 16, 2022**

I. Introduction

When the Covenants were developed, Pelican Bay houses were limited to five different designs which were controlled by Wild Dunes Association. Although some changes were contemplated, they were generally confined to the interior with minimal impact on appearance. The overriding theme on the external appearance of Pelican Bay houses was to maintain the “Beach Cottage” look. This implies modest size single family homes designed for family vacation usage with plenty of white picket trim and fencing, and large verandas or porches for sitting and sun bathing. The colors were all pastel with roof shingles that blended. The trim, windows, and doors were all painted white. Doors were solid, six panel, some with side windows. Initially, stained or cut glass windows were not permitted. No adjacent homes were painted the same color. Most had an open car parking space beneath the house. The parking of trucks, campers, buses, or trailers on Pelican Bay streets or driveways was prohibited. Small vehicles, boats, and trailers could be parked under the house, if out of view. The houses had several porches, and a portion of one was generally screened for evening use when bugs were out.

Since the construction phase of Pelican Bay (except for one lot) has long since been completed, and many homes have new owners, it must be anticipated that some will wish to make changes to their houses. In order to be consistent in approving these changes and to protect the Beach Cottage and family environment of all owners the following guidelines have been developed.

II. Objective

The Declaration of Covenants, hereafter referred to as “Covenants”, specify in Article VII, Page 7 of 12:

“No building, fence, wall, or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to the harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an architectural committee composed of three (3) or more representatives appointed by the Board. No change shall be made in color, stain or painting of any structure or door thereof, or balcony, or deck thereunto attached unless approved by such committee. The approval of the Board or of the aforesaid architectural committee of the association, if so formed, shall be in addition to that required of the Wild Dunes Architectural Review Board.”

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The above statement makes it clear that the Board of Directors is responsible for approving **all aspects of any exterior change** at Pelican Bay, including but not limited to tear down and rebuild. In order to carry out this responsibility in a consistent manner is necessary to develop and implement guidelines.

A secondary objective of this document is to provide guidance to homeowners as to acceptable modifications to their property. Hopefully, these guidelines will provide assurance to all homeowners that future changes to Pelican Bay property will not diminish the Beach Cottage and family environment so important to Pelican Bay.

III. Specific Guidelines

The following detailed guidelines are intended to supplement applicable local, State, and Federal building codes, standards, and regulations, and should not be considered an alternative to them.

1. Submittal of Plans to Pelican Bay Board of Directors and Wild Dunes ARC
  - a. All plans and specifications for new construction, and exterior additions and alterations to existing structures, must be submitted to the Wild Dunes Community Association Architectural Review Committee Coordinator in writing. The Coordinator will provide the plans/proposed improvements to the Pelican Bay Board for initial approval. Once approved by the Pelican Bay Board of Directors, the Coordinator will review the submission with the Architectural Review Committee. Approval is required from both entities.
  - b. Larger projects require plans and specifications and they must include detailed views of the front, back, both sides and elevations of the building. The proposed materials must be included along with the final paint color swatch.
  - c. All construction must be in keeping with the Beach Cottage concept of Pelican Bay and remain in harmony with the exterior design and location of surrounding structures and topography. All setbacks (front, side and rear) must be in compliance with those required by the Wild Dunes Architectural Review Committee.
  - d. Any plan must have a relationship in its size, character and appearance to other residences on the street so that the streetscape is coherent and in keeping with the overall feel and concept of the neighborhood.

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2. Window Shutters and Protectors

- a. Ornamental-functional outside hurricane window shutters, including permanently mounted hurricane shutters are allowed. Bahama shutters that are hurricane protectors are allowed
- b. Metal roll-up window protectors that are painted white are acceptable.
- c. Metal tracks for the temporary installation of window shielding to protect against an approaching hurricane is acceptable. Shielding must be removed when the threat of the storm passes.

3. Propane Gas Tanks

- a. Propane gas tanks are acceptable and must be installed in a lattice work enclosure adjacent to the house so as to be concealed from view to the maximum extent possible. (Similar to guidelines for heat pumps.)
- b. The tank must be white or metallic color and be painted as necessary to prevent or cover rust.

4. Fencing and Retaining Walls

- a. All fencing must be picket fencing that is painted white. It is to be used only for trash can enclosures and to define property boundaries. Its main purpose is to be decorative, NOT to fully enclose a lot nor to fence in pets.
- b. Non- load bearing walls used to retain sand from flowing to lower levels shall be constructed of pressure treated ground-contact wood for appearance and to discourage termites and wood boring insects.

5. House Exterior

- a. All trim (including corners, around windows, base board, fascia board, etc.), window sashes, porch railings and lower lattice work must be white.

Front doors may be painted with a complementary color other than white if submitted and approved by the Board prior to painting.

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The following paint colors are the approved siding color palette:

Sherwin Williams Carolina Lowcountry Collection

DCL 002 Beadboard  
DCL 003 Great Blue Heron  
DCL 004 Marsh Grass  
DCL 005 Pluff Mud  
DCL 006 Pine Straw  
DCL 007 Grace Chapel Green  
DCL 008 Crewelwork  
DCL 009 Windmill Rose  
DCL 010 Ferry Blue  
DCL 011 Plantation  
DCL 013 Wadmalaw Green  
DCL 015 Tree Lichen  
DCL 016 Rusted Roof  
DCL 017 Creek Shrimp  
DCL 018 Stained Boards  
DCL 019 Sullivan's Island  
DCL 020 Reed  
DCL 021 Island Life  
DCL 022 Beach Dune  
DCL 023 Palmetto  
DCL 024 Sunny Day  
DCL 025 Summer House  
DCL 026 Beach Flower  
DCL 027 Noon Sky  
DCL 028 New Blade  
DCL 029 Shoreline  
DCL 030 Weathered Mist  
DCL 031 Evening Sea  
DCL 032 Summer Linen  
DCL 033 Clapboard  
DCL 034 Creek Run  
DCL 036 Mount Pleasant Sage  
DCL 037 Cornsilk  
DCL 039 Pitt Street  
DCL 040 Chapel of Ease  
DCL 041 Dried Hydrangea  
DCL 042 Alhambra Blue  
DCL 043 Village Porch  
DCL 044 Coffered Green

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DCL 045 Gracious Entry  
DCL 046 Tin Roof  
DCL 047 Cainhoy Clay  
DCL 048 Weathered Red

- b. Vinyl or aluminum siding is NOT permitted; siding material can be wood or cement-based products, i.e. Hardi-plank.
- c. All siding must be clapboard design. Wood shingles, vertical, or diagonal boards, etc., are NOT permitted.
- d. The lower section of the house (from the ground up to the living area) must be sided with white picket lattice to conceal the piling, garage, and storage areas from view. Vinyl lattice (PVC material) is allowed. **See addendum page for new lower section options.**
- e. **Exterior paint colors must match one of the approved colors. The approved color selections are available from the Association Manager's Office or Wild Dunes ARC offices.** Houses may NOT be painted the same color as an adjacent house. Houses must NOT be painted more than one color. **Only White or Haint blue paint is allowed for outdoor porch ceilings.**

6. House Design

- a. House height is limited to two stories, although cupolas are permitted on some designs. Third stories are not permitted. Access to an area above the second story is permitted provided that it is to be used for storage and may not be open to third floor occupancy.
- b. The maximum amount of heated and cooled square footage allowed is 3,000 square feet.

7. Chimneys

- a. All chimneys must be constructed with a clapboard exterior siding.
- b. Chimney caps must include a rectangular mounting base to attach to the chimney top and a round non-decorative ventilator located on the center. A preferred material is stainless steel.



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8. Doors and Windows

- a. All existing door styles which include six panel white metal doors, plain glass insert doors with white trim, and partial leaded glass insert doors with white trim shall be permitted.
- b. All door designs are to be submitted to the Board of Directors for approval.
- c. All existing window styles currently on Pelican Bay homes are permitted, but must be submitted to the Board of Directors for approval.

9. Driveways and Garages

- a. Driveways can be black asphalt or natural colored concrete.

Brick pavers similar to pool brick pavers are allowed for driveways. Natural color concrete driveways no longer need to be black or painted

- b. Garage doors, if installed may be open frame construction covered with white picket lattice that matches the lower lattice around a house, solid white paneled, wind resistant garage doors with or without windows.

10. Mailboxes

- a. All mailboxes must be black standard U.S. Mailboxes sized for letters. New mailbox mounting posts must match existing post.

11. Exterior Lights

- a. Lampposts must match the lights installed on the streets of Pelican Bay by Dominion

12. Landscaping

- a. Trees, plants, shrubs, and ground cover located in Pelican Bay are maintained by the Association.
- b. Artificial flowers, trees, or shrubs are NOT permitted to be integrated into the landscape design.

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13. Yard Irrigation

- a. Owners are responsible for installing their own irrigation systems.
- b. If owners wish to connect to the existing system they must apply to the Association Manager's Office.

14. Roof: Asphalt or Metal Roofs are allowed. Metal roof needs to be Galvalume (Natural Silver) color.

See Addendum Page Attached.

The Pelican Bay Board of Directors may grant variances from the guidelines when a special or exceptional condition or hardship may result. Requests for variances will be considered only in cases where enforcement of the existing guidelines would result in a serious and significant hardship to the property owner. Each application for a variance will be considered unique, and in writing and a granted variance will not be considered a precedent.

Before starting any work project, submit your plans to Wild Dunes ARC to begin the approval and permitting process.

### III: Specific Guidelines – Addendums

**House Exteriors:** Addendum to #5 – article d: The lower section of house:

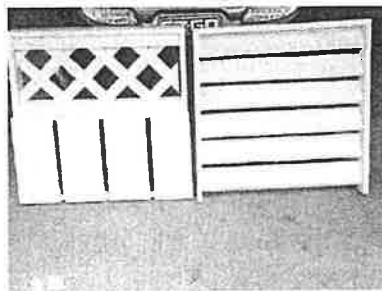
#### **Horizontal-Angled Louver Underpinning-Skirting**

- Slats should be 4” wide by 1” or less thick. Length will be determined by size of a breakaway panel. Most breakaway panels are 4’ x 8’ . To establish a uniform angled horizontal look, the horizontal slats angle in a downward position facing outward. For correct angle of horizontal slats there should be a 1 ½” drop from high end of angled slat to low end of angled slat. There should be a 3” distance between each horizontal angled slat from back to front of all slats. This will give a uniform spacing and angle for all horizontal angled slats and allow light in under a house. All breakaway panels need to be rectangle or square. No arches allowed. Refer to shadow box in Wild Dunes ARC office.

#### **Vertical Underpinning-Skirting**

All Vertical Slats need to 6” wide by 1” or less thick. Length will be determined by height of a breakaway panel. No varied widths of slats allowed. All slats need to be uniform width. Slats are mounted to the outside of a breakaway panel. Most breakaway panels are 4’ x 8’ . Spacing between vertical slats needs to be 1 ½” . Cut Outs, designs or arches are NOT allowed.

All underpinning options must be WHITE to match the current house trim paint. Materials may be treated Wood or Composite material or Hardi Plank. Materials may not be thicker than 1”. One inch thickness is the max allowed by FEMA to allow breakaway in case of flooding. No combinations of any of the above are allowed. All underpinning - skirtings must be only one of the following: Either Lattice or Horizontal/Angled Louver or Vertical. These specs must be followed to maintain a uniform look throughout the community.



In picture above: Option 1: Lattice left side top of shadow box, Option 3: Vertical left side bottom of shadow box. Option 2: Horizontal Angled right side shadow box

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