

Stones Throw
ARCHITECTURAL / LANDSCAPE MODIFICATION GUIDELINES

“Stones Throw” is a planned residential community consisting of individual Villas which were developed and are intended by the Master Deed, Bylaws and adopted Rules of Conduct, (“Governing Documents”) to create and maintain a desired tone of residential community with a harmony of external design. Except as specifically permitted in accordance with the Governing Documents, modifications to Villas are prohibited unless approved in writing by the Board of Directors. In addition to approval from the Board of Directors, permits from the town of Hilton Head, may also be required for certain modifications. Each proposal submitted will be fully considered on its own merit and waiver of any requirements in relation to a particular proposal shall not be considered to be a waiver of requirements in any future proposal which any Owner might submit.

Submission Procedures

Owners must apply for and receive written permission from the Board of Directors for all modifications. An application form is attached to these Guidelines. This form with attachments as may be appropriate (“Application”) must be submitted to the Property Manager.

Application Requirements

The following are the minimum requirements for consideration of an Application by the Board of Directors:

- A. Drawings and specifications for the proposed modifications must describe the proposed modification in a manner that will permit the Board to readily understand what the proposed modifications will look like upon completion. Drawings and specifications should include:
1. Plans and specifications necessary to describe the proposal including materials to be used in construction. If the proposed modification is to a Villa, the Owner must provide evidence that the proposed modification will not affect the structural integrity of the Villa and/or the building in which it is located.
 2. Manufacturer’s literature describing the product to be installed (i.e., windows, doors, etc.), including warranty information.
 3. Drawings and manufacturer’s literature (as applicable) which demonstrates that the proposed modification is in harmony with existing Villas and landscape design and illustrate the range of options for similar modifications by other Owners.
- B. If applicable, the unique circumstances which justify the proposed modifications.

Owner Agreement

The Owner, in submitting an Application for consideration, agrees that if the proposed modification is approved:

1. To abide by the Guidelines described in this document.
2. To assume all costs and all liabilities for personal injury or property damage which may result from the modification during construction and thereafter. The Owner agrees to indemnify and hold harmless the Association its officers, directors, management and all other Owners from any such costs or liabilities which might arise.
3. Unless specifically assumed by the Association in its grant of approval, to assume all responsibility for the maintenance, repair, replacement and, if necessary, removal of the modification. Any default in the Owner's maintenance, repair, replacement and/or removal obligations may cause the Association to hire the work done and the person performing the work shall have a right to enter for the purpose of performing the work. All costs incurred in enforcing this provision, including cost of remediation and reasonable attorney fees will be the responsibility of the Owner and will be assessed.
4. To obtain a building permit (if required) prior to commencement of the proposed modification.
5. To abide by all governmental regulations which may affect the proposed modification in any manner.
6. To obtain approval, in writing, from any Owner who might be directly affected by my proposed modification, if required by the Board.
7. To obtain certificates of insurance from any contractors hired to perform the proposed construction and upon request provide copies to the Property Manager before the start of any construction. All contractors must have public liability coverage in amounts appropriate to protect Villa Owners and the Association from any personal injury or property damage resulting from the performance of their work.
8. To comply with all conditions and requirements incorporated into any Board approval granted.

Board of Directors Review

- a.** The Board of Directors may return any Application for modification which in the Board's estimation is incomplete or does not contain sufficient information or detail to properly review the proposed modification and its compliance with the Governing Documents and the established community standards. If an Application is determined to be incomplete, the Owner will be asked to resubmit a revised Application with the required information.
- b.** Once the Board has received a completed Application, the Board shall consider the Application at its next regularly scheduled Board meeting. The Owner will be notified and invited to attend the meeting at which the Application will be considered.
- c.** Approval or denial of the Application shall be determined by a majority vote of the Board and the Owner shall be notified of approval or denial in writing. Any notice of denial from the Board shall include the reason(s) for the denial. If the Board fails to approve, disapprove or return for resubmission the Application within fifteen (15) days of its review, approval shall be deemed to have been given.
- d.** If an Application is denied, the Owner submitting the Application shall be entitled to reconsideration of the Application at a hearing conducted in the manner provided in Article 14 Section 4 of the Amended and Restated Bylaws of the Association.

The Board has the duty to enforce the Association's architectural control provisions and the Board does not offer architectural or engineering expertise. The Board's approval does not constitute an opinion that the project as proposed is in accordance with building codes or other applicable governmental and quasi-governmental regulations. It is the duty and responsibility of the applicant alone to engage an architect or other qualified person to design the plans and specifications and any requested modifications in a safe and structurally sound manner. The Owner, for itself, its heirs, successors and assigns and in consideration of approval, waives any claim for loss or damage against the Association, its officers, directors and management which may result from changes or requirements requested by the Board.