

HIGH TIDINGS

THE OFFICIAL NEWSLETTER OF THE FOREST BEACH ASSOCIATION, INC.

SEPTEMBER 1993

Beach Access Improvements

Considerable improvements have been made and are planned. These include:

ALDER LANE:

This major improvement has been in use most of the summer and is very popular. It includes bath and changing rooms, vending machines and parking across South Forest Beach Drive on Woodward Avenue. These improvements were funded by Marriott Ownership Resorts.

BETWEEN GRANDE OCEAN RESORT AND ADVENTURE INN:

This access path, which is heavily used by people in the Seascape villas, has been upgraded and was in heavy use during the summer. Marriott supervised this improvement.

BETWEEN BEACH VILLAS AND OCEAN CLUB:

This popular and heavily used access path has been considerably improved.

IBIS STREET:

Authorization to obtain bids for improving the steps, including a handrail, and the adjacent dune area has been approved and we hope this will be done this Fall.

PELICAN STREET:

Plans for improving this access have been made but we are waiting for the approval of Hilton Head Beach Subdivision #2 Assets Holding Corp. which purchased the access last year from Property Research Holdings.

As the funds become available, primarily through increased membership, we hope to continue this program of upgrading beach accesses generally starting with those needing it most.

Director Nominations

The terms of Rich Hughes, Pamela Ovens and Herb King will expire after the October 9th Annual Membership Meeting, when new Directors for the Class of 1996 will be elected.

Director Alan Jackson has agreed to serve as Chairman of the Nominating Committee. They will be responsible for recommending replacements for those Directors whose terms are expiring.

If you know any people you feel would make a good Director, please give their name to Chairman Jackson whose home phone number is: 686-6081 before September 13th.

Director candidates must be Forest Beach area property owners or work for a company that is, members of the Association, should be interested in the welfare of all area property owners and should be willing to actively participate in and assume responsibility for the Association's business.

Annual Membership Meeting

**SATURDAY, OCTOBER 9TH, 10 A.M.
THE DAYS INN CONFERENCE CENTER
SOUTH FOREST BEACH DRIVE.**

Among the items to be covered are:

Election of Directors
Proposed 1994 Budget & Dues
Status of various lawsuits
Questions & Answers

*Please make plans now to attend
this important Annual Meeting.*

Covenants Enforcement

Steady progress is being made to determine the best way to enforce a number of covenant violations that are occurring throughout the area. While many people feel we are not moving quickly enough to please them, there are a equal number who feel we may be going too quickly. In any event, the Board is trying to do the best it can with its limited time and resources.

Elsewhere in this edition there is a report on what the Architectural Review Board is doing to maintain control over new building, renovations, signage, etc. They are making good progress and in most instances, when people understand what the requirements are, they are more than willing to comply or find a mutually satisfactory compromise.

We are working with the Town to determine the best way to handle abandoned cars that are an eyesore to neighbors and an attractive nuisance to children. These are cars that have no license plates, no current inspection sticker, and have just been sitting in one location for a long time. There is a Town ordinance regulating these situations and we are asking them to enforce the ordinance.

The owners of a neglected, abandoned property that has been the source of great concern for neighbors, are being contacted about the problems it is causing and are being encouraged to clean up the property and possibly sell it.

The Association continues to work with owners of busi-

nesses being conducted from their homes to eliminate practices which are annoying to neighbors and detrimental to the value of property in the area.

Working with our attorneys, we are developing a plan to eliminate multi-family dwellings in areas that are specifically covenanted for single family residences. This is a process that may take a number of years to finalize because the Board is willing to work with the owners of such properties to develop a timetable that is fair and just to all parties involved.

People with property that does not conform to Town ordinances or the covenants that run with the property may run into difficulty when they try to sell the property. Many potential buyers are unwilling to purchase non-conforming property, lending institutions and title guarantee companies are often unwilling to cover such properties, etc. Obviously, it is in the best interests of all concerned to see that their property is in conformance with local rules and regulations.

Our Covenants Enforcement Officer, Betty Lynn Ingram, has been making periodic checks throughout the Forest Beach area and has brought to our attention conditions she felt should be investigated further. She has been working closely with various members of the Board and the Officers following up on situations they asked her to cover.

Cordillo Parkway Bike Path

This project has not begun from a construction standpoint as we go to press but we are told by the people handling this project at the Town that construction was supposed to begin the first week in August with completion scheduled for early October.

Apparently, they ran into some problems in completing the acquisition of the necessary rights of way which were finally resolved in late July.

Membership

Due to the persistent efforts of a couple of Board members and particularly Assistant Treasurer Lancaster, the Association has had a very gratifying increase in total membership to 1,943... approximately a 62% increase in the first 6 months of 1993 vs. the same period in 1992.

This increase has come primarily from a significant increase in the number of individual property owners who are members.

The Membership Development Committee plans to devote time and effort to increasing the number of business owners operating in the Forest Beach area who are members of the Association.

REMINDER: ANNUAL MEETING: Saturday, October 9th, 10 a.m., Days Inn Conference Center
"Your Opinion Counts!"

Architectural Review Board

Over the years, many people who bought property in various parts of the Island and probably did not read the fine print in their purchase contract, were surprised to learn there was an Architectural Review Board for their property that had to give its approval to plans before a home could be built or remodeled.

Many have also been surprised to find there are covenants that run with the property and therefore apply to all successive owners of the property.

In many instances, the property owners took their case to court only to discover that the Architectural Review Board's prior approval of proposed construction must

indeed be obtained and that covenants do apply to property owners who claimed they were unaware of them.

There have been a couple of lawsuits recently about this which prompted The Island Packet on April 2, 1993 to publish the following editorial:

"ARCHITECTURAL REVIEW HOLDS UP IN COURT"

If you chafe under the bridle of conformity, don't stick your jaw into the reins.

Read the print, the big print and the fine print of the covenants that control land use in a lot of planned communities in this area. The deed restrictions tend to be tight. They run with the property. They give the neighborhoods appeal — and value.

And they have held up in test after test, in court and otherwise.

Folk who insist on running free, on kicking up their heels and doing whatever they feel like doing in their own yards, belong in wilder pastures.

In the most recent local covenant case, a homeowner built guest quarters over his garage, against the wishes of the architectural review board in charge of reviewing development plans in his community. This week, to comply with a court order, he spent part of this week tearing down what he had constructed.

A few weeks ago, a judge established a \$100-a-day-fine for contempt of court against a homeowner who refused after repeated orders to remove a "for sale" sign in her yard, in another neighborhood. Within a year, at the rate, she will owe the state \$365,000, only a little less than the estimated value of the house.

In another case, the court ruled a couple of years ago, a homeowner may not call an old boat a "birdfeeder" — no matter how much birdfeed he puts in it — and exhibit it near the azaleas.

Earlier, a court ruled that an owner may not erect a TV satellite dish.

The rules are constraining, although not unbearably so to thousands of people. They give up some of their freedom as a trade-off for their protection from some of what their neighbors might want to do.

If you can't stand architectural review, go where it doesn't function.

Nothing but frustration can result for those who strap on tack voluntarily but have no intention of following the lead of the rider.

We include this editorial in the Newsletter as a reminder to those who are aware of the necessity to obtain Architectural Review Board approval prior to beginning construction or remodeling and as information to those who are not aware of this requirement.

The Forest Beach Association Architectural Review Board has published a Policies & Procedures guide which walks you through the steps that have to be taken to obtain ARB approval and outlines the major conditions that have to

be met in order to obtain this approval. Copies may be obtained by calling Dick Dey at the Association's office 785-5565. If he is not there when you call, leave your name and address on the phone message recorder asking for a copy of the ARB Policies & Procedures.

If you have specific questions about the ARB, we suggest you call Karen Dill, ARB Administrator, at 686-4370.

In early July, letters were sent to about 60 local builders reminding them the covenants for the Forest Beach area re-

quire that all building, additions or remodeling require the prior approval of the Architectural Review Board before work can be commenced. This was done because there are new builders on the Island who appear to be unfamiliar with this requirement.

The letter enclosed a copy of the covenant provisions covering this as well as a copy of the ARB's Policies & Procedures. Response to this letter has been very positive and has caused a number of inquiries to the ARB and the office.

Adopt A Beach

The FBA will now be accepting the responsibility of The Adopt A Beach program which is endorsed by the South Carolina Coastal Council.

Our job will be to gather the litter which accrues on the beach and dune areas twice annually. We will be cleaning the area of South and North Forest Beach and JOY 108 Radio will be cleaning the immediate area of Coligny Circle Beach.

We have scheduled the first cleanup on Saturday, September 18, 1993. The Coligny Circle Beach Center is where we will meet, eat lunch and refresh.

All of our efforts will be rewarded by the pride of the cleanest neighborhood beaches on Hilton Head.

Please contact Alan Jackson, 26 Pelican Street; 686-6081 to get involved with this neighborhood project.

Street Lights

As previously reported, we developed plans for placing overhead street lights at a number of dangerous intersections along both North & South Forest Beach Drives. The initial locations were to be at Woodward Avenue, DeAllyon Avenue, the intersection of Coligny Circle with both North & South Forest Beach Drive and at Avocet Street. If these installations made the big improvement in the safety of pedestrians crossing the street we thought it would, then gradually other intersections would be added to the

program.

Details for their installation and upkeep had been made with Palmetto Electric Cooperative but approval of the Town's Corridor Review Committee was necessary before moving ahead. Unfortunately, our application for this project was turned down because the Committee did not feel street lights were in keeping with Town practice of minimizing lights and really ignoring the safety aspects of the project. Thus, for the time being, this has been put on the back burner.

Newsletter Topics

While we try to cover topics we think will be of interest to area property owners, we know we are bound to miss things that would be of interest to our readers.

If there is some topic you feel would be of interest to property owners that we do not normally cover, please drop us a note at the office or leave a message on our answering machine. We are always interested in your suggestions and comments.

"Road Ends" Sign

A number of people have complained that drivers unfamiliar with the area do not realize North Forest Beach Drive ends at the Crystal Sands Resort. Consequently, these people have to find a place to turn around as soon as they realize this with the result they make turns in odd places and in a number of instances actually run over part of the lawns where they are turning.

We brought this to the attention of the Town Engineer and he agreed some kind of a warning should be posted in the vicinity of Avocet and Bittern Streets. He has requested the State Highway Department Engineer for this area to have a "Road Ends" sign installed. We hope this will be accomplished in the near future.

Trucks Offloading

A very dangerous safety hazard developed at the intersection of Coligny Circle and North Forest Beach Drive where trucks were parking in the traffic lane in front of the Beach Market in order to make deliveries to those stores. Drivers entering North Forest Beach Drive from the circle were unable to see what traffic conditions were in front of them, people pulling out from the Breakers were unable to see what was coming from their left, pedestrians and bicyclists trying to cross at Coligny Circle from the ocean side were prevented from seeing what was coming from their right side.

Once brought to their attention, the Town, Sheriff's Department and the trucking companies involved quickly ended this very hazardous situation.

We thank them for their immediate cooperation.

Street Addresses

To assist police, emergency medical service, firefighters and other service people to quickly locate where someone who needs assistance is and as part of the new enhanced emergency phone system, about a year ago the Town Council revised the ordinance specifying the address system to be used within the Town.

Unfortunately, many property owners have not responded by properly identifying their property. We believe many of the people who are non-resident property owners simply are not aware of these requirements. For their

benefit, the following are the key points:

...Street address numbers and letters are required to be posted. They are to be 4 inches in height and 1/2 inches in width, made of a durable, reflective material and must contrast with the color of the house, building, structure or background material.

...Street address numbers and letters shall be posted on the property within 20 feet of the edge of the street, 3 to 4 feet above ground, shall be clearly visible and legible and not obstructed by vegetation.

...To eliminate duplication and confusion in the street naming and numbering system throughout the Island, the Town Manager or his designee is responsible for assigning the number for each individual property.

Anyone who has questions about the number assigned to his/her property or how it should be displayed, should call the Town at 842-8900.

Should we ever need help, it is important that they be able to find us easily. Following the above simple directions will help immeasurably.

S. C. Coastal Council

Rose Montgomery and Bill Lancaster of your Board of Directors have been working diligently with Rusty Meade and David Berry to get the S.C. Coastal Council to change the baseline in the North Forest Beach area. Depositions have been taken and we expect witnesses called in to assist us. Our hearing should take place within the next few weeks.

Landscape Debris Pickup

In mid June, the Association made arrangements with Hilton Head Disposal, Inc. to pick up landscape debris throughout the North and South Forest Beach area. The purpose of this was to give property owners a way to get rid of accumulated landscape debris from the spring cleanup of their property.

Between June 23rd and July 16th, approximately 400 cubic yards of landscape debris was removed from the area. The cost to the Association for this service was \$2,100. plus an anticipated charge for some late pickups of debris that was

missed during the initial pickup.

For a number of reasons, this turned out to be a far more expensive service than the Association can afford to provide on an ongoing basis.

We would like to point out that the arrangements we made with Hilton Head Disposal for regular garbage and recycleable materials pickup include a once a month pickup of landscape materials. For \$78. a quarter for Association members and \$94. a quarter for non-members, Hilton Head Disposal will pick up garbage twice a week from the

homeowners designated service area, a once a week pickup of recyclable materials plus the once a month pickup of landscape debris. For additional information, contact Hilton Head Disposal at 686-2868.

Long term property owners will recall Beaufort County for many years provided a twice a year landscape debris pickup but discontinued this service about 2 years ago. That caused the Association to make the arrangements with Hilton Head Disposal after asking for bids from the other companies that provide trash and garbage pickup service.

FBA Board of Directors

OFFICERS & DIRECTORS

Rose Montgomery, '94	President
Rich Hughes, '93	Vice President
Pamela Ovens, '93	Treasurer
Herb King, '93	Secretary
Bill Lancaster, '94	Assistant Treasurer
Alan Jackson, '95	Director
David MacLellan, '94	Director
Robert L. Miller, '95	Director

ADVISORS

Dick Dey, Executive Director
Andy Klepchick, Advisor
Betty Lynn Ingram, Covenants Enforcement Officer
David Witt, Advisor & ARB Representative
Karen Dill, ARB Administrator

↑ 686-4370

If you wish to contact one of the Officers, please call Dick Dey at the office (785-5565) and he will ask the appropriate one to call you. If he is not in when you call, please leave a message on the answering machine. Please speak slowly, spell your name and address and give your phone number.

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