



# ARCHITECTURAL GUIDELINES (and Common Area Guidelines)

## Lakeside at Ballentine Community Chapin, SC

As amended July 17th, 2023, by the Board of Directors of the  
Lakeside at Ballentine Homeowners' Association, Inc.

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## FROM THE HOA BOARD OF DIRECTORS

The Board of Directors of the Lakeside at Ballentine Homeowners' Association (the "*Board of Directors*"), with the assistance of the Lakeside at Ballentine Architectural Control Authority (the "ACA"), is pleased to present the updated Architectural Guidelines (the "*Guidelines*"). The Guidelines give residents a consistent standard to follow as the foundation to use in planning any exterior changes to properties within the community.

The Board of Director's intent is for the Guidelines to allow flexibility for individual preference but maintain consistency and an overall aesthetic tone of a vibrant, engaged, supportive and welcoming neighborhood.

Each homeowner within the community is required to adhere to the Guidelines and follow the procedures and policies contained therein. For convenience, the Guidelines have also been posted on the Lakeside at Ballentine website at <https://www.lakesideatballentine.com/hoa-documents>.

Written approval from the ACA is required prior to the start of any exterior changes to properties. A homeowner should not commit to hiring labor or ordering/paying for materials until a written approval has been received.

The ACA has the exclusive right to approve or deny written requests from homeowners, at its sole discretion. Absent an approval from the ACA, the proposed alteration or improvement on the property may not be commenced. ACA decisions may be appealed to the Board of Directors if a homeowner disagrees with an ACA decision.

Please direct questions regarding the Guidelines to the Board of Directors at [lakesideatballentinehoa@gmail.com](mailto:lakesideatballentinehoa@gmail.com).

The Board of Directors reserves the right to modify or amend the Guidelines from time to time as it deems desirable or necessary.

Sincerely,

Lakeside at Ballentine Homeowners' Association Board of Directors

## PURPOSE AND POLICY

In a planned community such as Lakeside at Ballentine (referred to herein as the “*Subdivision*”), the question naturally arises as to how to maintain a harmonious feel and provide consistency with decisions on improvements/renovations to properties within the Subdivision. The Guidelines attempt to provide a meeting ground between the private interests of the homeowner and the broader interest of the Subdivision as a whole. As such, the Guidelines are intended to serve as a consistent set of guidelines and the foundation for planning exterior changes to the properties in the Subdivision, in addition to providing rules on what can be placed or stored on a Property. These Guidelines have been developed to better clarify the Lakeside at Ballentine Declaration of Covenants, Restrictions and Easements (the “*Declaration*”), a copy of which is located at <https://www.lakesideatballentine.com/hoa-documents>, with other HOA documents. The Guidelines do not replace or supersede the Declaration. The Declaration is the legal and binding authority and takes precedence over any of the Guidelines. For items not specifically mentioned in these Guidelines, please refer to the Declaration.

Homeowners are responsible for repairs to existing structures, landscape, paint, turf grass, additions, etc. on their respective Property. No written application to the ACA is required to effect repairs and restoration to the original condition of the Property. Almost all other work, renovations, additions or changes to Properties (referred to herein as a “*Project*” or “*Projects*”) require an Architectural Approval Application (an “*Application*”). As part of the Application, a Property owner is required to submit written and visual evidence of the proposed Project (referred to herein as “*Plans*”). An Application is the method by which a homeowner submits Plans to the ACA for review and approval. If you are unsure or have questions, please contact the Board of Directors regarding whether or not an Application is required. As an exception, dead or diseased tree removal may bypass the ACA by use of the tree removal form found on the website and approval by the Board of Directors.

Article 6, Section 6.1 of the Declaration provides for the creation of the ACA, composed of 3 or more representatives appointed by the Board of Directors. Article 6, Section 6.2(a) of the Declaration requires that any person desiring to construct, maintain, place, replace or reconstruct any structure on any Lot or Common Area to make any improvements, alteration or changes to any Structure shall submit Plans and any other required documentation required by the Architectural Guidelines. The Application with instructions may be found at <https://www.lakesideatballentine.com/hoa-documents>. Upon validation by the management company the ACA shall, within 20 business days, (1) review the Application and the Plans against the requirements contained within these

Guidelines and the Declaration, (2) may request additional information/documentation to supplement the initial Plans, (3) vote to approve or disapprove the Application, and (4) communicate with the management company with respect to such determination(s). The ACA will communicate its decision and explanation via email to the management company as expediently as possible based on the complexity of the Application. Each ACA request will be reviewed and approved on its individual merits. Prior approvals of similar requests do not guarantee future approvals with respect to other Properties.

A Property owner that submits an Application that is subsequently denied may appeal the final decision of the ACA with the Board of Directors, through the process set forth herein.

Each Property owner is expected to cooperate and adhere to these Guidelines. It is imperative that each Property owner allow the ACA sufficient time to review and give a decision on an Application.

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## REVIEW CRITERIA

ACA's intent with these Guidelines is to allow flexibility for individual preference but maintain consistency and an overall aesthetic tone of a vibrant, engaged, supportive and welcoming neighborhood. Each Application submitted by a Property owner will be evaluated on its individual merits.

In general, the ACA's decisions on Applications are based on the following standards as guidelines:

### Aesthetic Considerations

The color, form, shape, style, scale, size, and material will be taken into consideration.

### Validity of Concept

The basic idea of the exterior change to the Property must be sound and appropriate to its surroundings.

### Landscaping and Environment

The exterior change to the Property must not adversely impact a common area, encompassing green space, trees, and generally areas throughout the Subdivision that are owned by the HOA ("*Common Area(s)*"), the natural landscape or the man-made environment.

### Relationship of Structures and Adjoining Property

The proposed change to the Property must relate harmoniously to its surroundings and to existing Structures and terrain that are visually related to the proposed change.

### Protection of Neighbors

The interests of neighboring Property owners must be protected in considering Plans for approval by providing for water drainage, sound and sight buffers, privacy, preservation of views, light and air, and other aspects of design which may have substantial effects on neighboring Property.

## Design Compatibility

The proposed Project must be compatible with the design characteristics of the applicant's Property and the general settings and aesthetics of the Subdivision. Compatibility is defined as harmony in details of design, style, scale, materials, finishes, color and construction.

- A. Scale: The three dimensional size of the proposed Project must relate satisfactorily to adjacent Structures and surroundings.
- B. Materials: Continuity is established by use of the same or compatible materials as used in the Structure.
- C. Color: Must be consistent with the color scheme of the Subdivision.

## Workmanship

The quality of work of the Project must be equal to or better than that of existing Structures.

## Project Completion / Timing

A Project may be installed either by the Property owners or by a contractor. In the event that a Project significantly exceeds the stated design, scope, or time period for installation and completion, the owner of the Property should promptly communicate in writing such change or time delay to the Board of Directors. Projects that remain uncompleted for period of time exceeding 90 days, are visually objectionable or may be a nuisance and safety hazard for neighbors and the community, may be subject to action by the Board of Directors, including cancelling approval of the Plans, giving the owner of the Property a certain time to cure the issue, or other similar resolutions. All Applications must contain a proposed maximum time period from start to completion of the Project. If the proposed time period is considered unreasonable, the ACA may not approve the Application or recommend that the Project be broken up into multiple phases, or it may also decide to reject the Application.

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# APPLICATION, REVIEW AND APPEAL

## Objectives

The ACA, in examining each Application for design approval, considers whether or not the exterior change is in compliance with the Declaration and these Guidelines.

The main objective of the ACA and these Guidelines is to preserve and enhance Property values in the Subdivision and to maintain a harmonious relationship among Common Areas and Structures, surrounding vegetation, topography and the overall design of the Subdivision.

## Application Procedures

The following procedures shall be utilized:

1. Complete the Application and attach all required exhibits.
  - a. The Application form is available from the (i) community website maintained by the HOA.
    - i. Community Website:  
<https://www.lakesideatballentine.com/hoa-documents>
    - ii. An application fee is due at the time of submittal (either online, mail or in person) as specified on the last page of the Application.
    - iii. Application fee schedule:

Fence Application	\$20.00
Patio/Deck Application	\$20.00
Storage Building Application	\$25.00
Encl. Porch/Sunroom Application	\$30.00
Solar Panel Application	\$30.00
Pool Application	\$35.00
Misc. Applications	\$20.00 and up

- b. The following information must be included in the Application:

- 1) Applicant's full name, address of Property, mailing address, and contact phone and /or fax numbers. The Application form is a fillable PDF form to make it easy and efficient if completion is done electronically, or it may be completed by hand but handwriting must be legible.
  - 2) Property lot number (if the lot number is unknown, please contact the management company at the phone number specified in the Application.
  - 3) A copy of the plat or survey for the Property (homeowners should have been provided this information at closing) with the location of the Project drawn on the plat. A complete written description of the Project should also be provided.
  - 4) A complete list of exterior materials to be used on the Project, including requisite colors of such materials (Example: Vinyl siding to match home, paint colors, shingle type and color to match roofing, lattice, screening, fencing materials etc.)
  - 5) A photo of any Structure that will be placed but not constructed on site (if available from the supplier) or a drawing or elevation of what is intended to be added, constructed or changed.
- c. Hand-deliver, mail, or e-mail the Application to the address specified in the Application

2. Upon receipt and validation by the management company of the completed Application and all required attachments, the ACA will review the Application and provide a written response through the management company. Depending upon the schedule of the ACA, providing the Property owner with a response to the Application could take as much as 20 business days. The applicant listed on the Application will be notified in writing of the results of the review upon its completion. Please remember that an approval must be in hand prior to having materials for the Project or a proposed Structure delivered to the Property. Please allow time for the review and approval process to be completed and do not begin construction until a decision has been delivered to the applicant.

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3. Incomplete Applications will require the submission of additional information prior to review of the Application.

- a. The first day of the 20 business day review period will begin three business days after the date the complete Application is received, accepted, and confirmed by the ACA..
- b. Applications validated by the management company will be forwarded to the ACA for its review.

## **Review Procedures**

During the ACA’s consideration of an Application, committee members may wish to view the site and talk to the applicant or neighbors regarding the Project. Neighbors do not have “veto” authority but may provide any concerns or objections in writing to the Board of Directors or ACA for consideration. The ACA may inspect work in progress on the Project and request (either orally or in writing) that the applicant correct any noncompliance.

The ACA will vote on Applications, rendering one of three possible decisions: (1) Approved, (2) Approved with conditions, or (3) Declined.

If the Application is “Approved with conditions” or “Declined”, the ACA will provide, in writing, the reason(s) why the Project was not approved as submitted. Applications that are “Approved with conditions” may proceed only if the noted conditions are completed and addressed. All submitted Applications and decisions are to be retained and archived by the HOA.

## **Appeal Procedure** [\(Return to Table of Contents\)](#)

An applicant has the right to appeal any decision by the ACA. The request for an appeal must be in writing to the management company and must be received within 30 days of the date of the letter of denial, disapproval and or approval with stipulations. The chair of the ACA will notify the applicant in writing as to a date for the appeal.

The appeals process will be an informal discussion of the issue by all parties. The applicant will be able to present their position and concerns on the ACA’s initial decision. The ACA will present their position and concerns. The ACA will then meet in closed session to determine the outcome of the appeal. The homeowner will

be notified in writing by the ACA of its decision.

After appeal to the ACA, an applicant has the right to appeal any decision of the ACA to the Board of Directors. The request for an additional appeal must be made in writing to the Board of Directors, c/o the management company specified in the application (delivery options are the same as an application). This request must be received within 14 calendar days of the date given on the letter containing the appealed decision by the ACA. The Board of Directors will notify the applicant as to a date for the appeal to be reviewed. The decision of the Board of Directors shall then be final and may no longer be appealed. The Board of Directors is not mandated by an appeal to allow additional time for compliance by an applicant but may do so at its sole discretion.

## **DESIGN AND CONSTRUCTION GUIDELINES**

This section of the Guidelines provides specific guidance regarding particular design situations that have been or may be encountered within the Subdivision. These Guidelines are not meant to be exhaustive or all-inclusive but represent generally acceptable methods for achieving the required objectives and standards necessary for Project approval. For items not specifically referenced herein, please refer to the Declaration. All of the following descriptions of various types of Projects shall require a submitted Application for review by the ACA prior to commencement of installation, construction, etc.

### **Setbacks**

Any new permanent construction must comply with property line setbacks described in the Declaration and per Richland County zoning requirements. Should there be a conflict between the Declaration and the Richland County zoning requirements, the Declaration takes precedence.

### **Signage**

NO permanent or short-term signs are allowed in the Subdivision with a few small exceptions (noted below or elsewhere within the Guidelines):

- 1) Home “For Sale” signs are NOT ALLOWED in yards or in windows. Small brochure dispensers with sales and home information may be displayed near the Property owner’s mailbox only.

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- 2) Vendor signs from roofers, landscapers, pool installers, etc. are NOT ALLOWED.
- 3) Underground (invisible) pet fence signs: See “Fences” herein.
- 4) Surveillance/security signs ARE ALLOWED; however, the sign must be no larger than 8” x 8” in size.

### External Painting

All Projects involving exterior painting that include a change from existing colors requires submission of an Application with supporting documents. On the Application, explain (in detail) each paint color; the manufacturer, the sheen and the location on the Structure where the color will be applied. Paint swatches (paint chips) must be included with the Application. Primary and trim colors are required to be consistent with other Structures within the Subdivision.

### Fences

**ALL** fences are required to be approved by the ACA.

There are 4 fence types that are standard within the Subdivision (as further described below). The type of fence that is authorized to be installed on your Property is dependent upon the location of your specific Lot within the Subdivision. Unless approved otherwise, fences are to be placed **NO MORE THAN 6” inside property line**. When given permission by the neighboring owner of a Lot who already has a fence, fences should connect or abut to said neighbor’s fence. A fence is not to be connected to an existing fence unless the owner of said adjoining Lot gives permission. Exceptions to the 6” rule may be granted to yards that back up to a roadway or the pond.

- 1) INTERIOR LOTS – those Lots which do not abut a Common Area and/or an outside neighborhoods’ property or Richard Franklin Road. There are 2 choices for style of fencing:
  - A. Black Extruded Aluminum – 4’ high with post every 6’ set in concrete, 2” rails and pickets placed every 4”. Style #'s 203 or 300. Posts can be constructed of finish material matching enclosed exterior of the Structure.
  - B. Two rail, wooden split rail fence, painted black or brown with or without wire connected to the inside to confine pets and/or protect small children.

- 2) LOTS ALONG A NATURAL OR COMMON AREA - Three rail, wooden ranch rail, with wire on the interior (to keep animals in, if applicable), kept natural treated with water seal.
- 3) EXTERIOR LOTS – those along Richard Franklin Road, backing up to the border of the Subdivision and or having an in ground swimming pool in the yard of the Property. Positive Scalloped, dog-eared shadow box fence with 6” x 6” post set in concrete. There must be an 8’ span between rails and the slats must be 6” wide. Fence must be left natural in color and treated as needed or as determined by the ACA with water seal. All post to have molded flat caps. Treated wood must be used.
- 4) COURTYARD HOMES (Lots 147-165 inclusive) - Courtyard Homes are to have fences/walls that are composed of a combination of Brick and Extruded Aluminum Fence panels. These can be of 100% brick, which would form a solid wall around the yard of the Property. Brick columns must be 16” square and be 6’ high. Extruded aluminum fence panels must be 5’ high and be black in color. The gates can be wooden, iron or other decorative metal. Courtyard Homes do not need to be completely enclosed.
- 5) UNDERGROUND (invisible/wireless) FENCES
  - A. Like all other fences, underground fences require the submission of an Application with supporting documents. It is recommended that underground fences be installed in the backyard of LAB properties primarily.
  - B. If underground fences are installed on the street or sidewalk sides of a Property, the fences must:
    - a. Be placed six (6) feet from the curb where no sidewalks are present,
    - b. Not be placed closer than ten (10) feet from the edge of the sidewalk, where sidewalks are present, and
    - c. Signs announcing the presence of an underground fence are not required but if used are an exception to the “No Sign” rule discussed herein. PLEASE NOTE that the only acceptable place to post an underground fence sign is beside the Property owner’s mailbox. **Underground fence signs must NOT exceed 8” x 8” in size.**

### Sheds/Outbuildings

All sheds and/or outbuildings must be of wood construction and have a poured concrete floor. They must have a shingled roof that matches the existing Structure on the Property. It may either be brick veneered or have lap siding going the same direction as the siding on the existing Structure on the Property. It must be painted to match the existing paint on any eave or gable of the accompanying Structure on the Property and must have the same trim treatment and color. Unless approved otherwise, the minimum footprint is 8'x8' and the maximum is 12'x14'. The location of the shed on the Property must be approved by the ACA.

NO PLASTIC, PREFAB VINYL OR ALUMINUM SHEDS ARE ALLOWED. SHEDS MAY NOT BE PLACED IN A COMMON AREA.

### Decks

Outside decks are to be constructed of treated wood or other material matching exterior of the Structure. If covered, roof will match the material and construction style of the existing Structure on the Property. If the area under a deck is not used as an outside room and is greater than 1 foot above ground level, it must be enclosed with matching wood lattice.

### Patios

Patios are to be made of poured concrete and to be a minimum of 4" thick. All property line setbacks apply. The installation of pavers are allowed but an Application must be submitted to the ACA and approval obtained prior to installation. Any changes to the size and location of a patio must be approved by the ACA prior to commencement of construction.

### Driveways

Driveways must be made of poured concrete by a licensed contractor with control joints appropriately placed.

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## Roofing

Architectural asphalt shingles are required for roof replacement on Structures within the Subdivision.

- 1) An Application is NOT necessary IF the replacement is identical to the current color and there are no changes to the roof structure.  
NOTE: The existing color has likely faded since its original installation.
  
- 2) If the homeowner wishes to change the current color of the architectural shingles, an Application with supporting documentation, including color picture samples, must be submitted.  
NOTE: Only dark to medium gray shades and some dark to medium shades of brown will be considered.

## Solar Panels

In general, solar panels are allowed to be installed on Structures BUT do require the submission of an Application with supporting documents prior to installation. Homeowners are encouraged to place solar hardware at the rear side of the roof so as not to be seen from the street unless the licensed contractor is unable to achieve maximum sunlight exposure during peak sun hours.

## Swing Sets

Swing sets shall be made of wood and must be maintained with water sealer as needed or as specified by the ACA. Any slides, awnings and or roofs must be of a color and design to be determined by the ACA. In keeping with the natural color scheme of the neighborhood brown and dark green are the acceptable colors of all accessories on the swing set. The location of the structure must be approved by the ACA with the first consideration given to the applicant's request. No structure is to exceed 12' in height or have a footprint larger than 24'x 30'. The location of the structure must be approved by the ACA and no swing set or other play structure may be placed within 5' of a property line or interfere with a neighbors' enjoyment of their yard. If the only location deemed appropriate is visible from the street, the applicant may be required to provide landscaping as screening between the street and the structure.

**SWING SETS ARE NOT ALLOWED IN A COMMON AREA**



### Playhouses

Playhouses are to be temporary in nature and therefore may not be placed on a permanent floor. They must be painted the colors of nature; greens and browns. They are to be no higher than 6' and have a footprint no larger than 6'x6'. All Playhouses are to be placed in the backyard and may not be visible when anyone is facing the front of the property. The specific style and location must be approved by the ACA and neither may disturb a neighbor's use of their yard.

PLAYHOUSES ARE NOT ALLOWED IN A COMMON AREA

### Trampolines

Trampolines must be placed behind the home and may not be visible when anyone is facing the front of the property. They must be 7.5' from any property line and screened from neighbors' view. Placement must be approved by the ACA with consideration given to the applicant's request. Homeowners may be required to screen with landscaping.

TRAMPOLINES ARE NOT ALLOWED IN THE COMMON AREA

### Basketball Goals

**Permanent basketball goals are not allowed.** Temporary basketball goals, as well as other portable playground equipment, are to be kept in good repair. When in use, the location or use of a temporary basketball goal shall not in any way constitute a nuisance to other residents, inconvenience other residents or create a traffic hazard to other residents or to the general public.

BASKETBALL GOALS ARE NOT ALLOWED IN A COMMON AREA

### Sandboxes

Sandboxes and other similar structures must be placed where they are not visible from the street and must be covered when not in use. Tarps are not an acceptable cover.

SANDBOXES ARE NOT ALLOWED IN THE COMMON AREA

**Because temporary basketball goals and sandboxes are temporary structures, they do not require written approval from the ACA. They do, however, need to comply with the location, size and color restrictions.**

**A homeowner may at any time be required by the ACA to screen any structure that can be seen from the roadways.**

### Antennas and Satellite Dishes

An Application with supporting documents are required before placement of satellite dishes. Homeowners are encouraged to place satellite dishes at the rear of the Structure so as not to be seen from the street unless reception is not available when the dish is placed out of view from the street.

External antennas are not approved for use in the Subdivision.

### Swimming Pools

**Only in-ground swimming pools are allowed.** No above-ground pools are allowed. All pools must have appropriate aprons and fencing (approval application for fencing, pump equipment screening, and landscaping must accompany the Application). A complete site plan must be provided, and installation must be performed by a licensed certified South Carolina Pool Contractor. The location of the pool and any pool equipment, as well as what constitutes appropriate screening will at all times be determined by the ACA. Whenever possible, a pool must be located behind a Structure and may not be visible from the street. All plans submitted for pools, pumps and other equipment must include a plan for screening. All pool wastewater must be diverted to the county sewer system. No wastewater can be diverted, directed or allowed to enter the Common Area, a neighbors' yard, pond, lake and or street. Winter pool covers are not required, but if used, must be anchored to the deck and specifically made for an in-ground pool. General purpose tarps are not permitted as pool covers.

**SWIMMING POOL APPLICATIONS WILL NOT BE APPROVED  
WITHOUT AN ACCOMPANYING FENCING, LANDSCAPING, AND  
PUMP SCREENING APPLICATION**

## Hot Tubs

All outdoor hot tubs must be placed on a concrete slab or other appropriate structure unless the ACA determines otherwise. They must be properly permitted and be installed by a licensed certified South Carolina electrician. Unless approved otherwise, they must be located behind a Structure and may not be visible from the street. It must sit inside any property lines and be screened from all neighbors' views. A cover with security straps must be in place while not in use. If applicable, any lighting design should be included in plans and also be installed where they do not interfere with a neighbor's enjoyment of their yard. The screening material must be approved by the ACA. Landscape, hardscape, or any combination of the two will be considered as approved screening material. If there is decking to be included in the Plans, this component of the Project is also subject to review and approval by the ACA. Screening application must accompany an Application for a hot tub.

**HOT TUBS WILL NOT BE APPROVED WITHOUT A PLAN FOR LIGHTING (if needed), CONCRETE PAD, DECKING AND SCREENING ACCOMPANYING IT.**

## Boats and Trailers

All boats and personal watercraft must be on a trailer while left on the Property. The only acceptable places for boats or personal watercraft and their trailers to be stored are in a garage or in the backyard where it is properly screened in a method that is approved by the ACA. All covers must be kept in good repair. All boats, other watercraft and covers must be in good repair while on the Property. Canoes, Johnboats and Kayaks, etc. must be stored in a neat fashion in the rear of the Property and not visible when facing the property from the street.

**WATERCRAFT AND/OR TRAILERS MAY BE PARKED ON A DRIVEWAY (EXCLUDING THE SIDEWALK) ON WEEKENDS ONLY DURING THE SUMMER BOATING MONTHS OF MAY 1<sup>st</sup> THROUGH SEPTEMBER 30<sup>th</sup>. SUMMER WEEKEND PARKING IS DEFINED AS FRIDAY 8:00 AM UNTIL MONDAY 8:00 AM. VIOLATIONS OF THIS SUMMER MONTH POLICY WILL BE SUBJECT TO FINES.**

**BOATS AND WATERCRAFT ARE NOT ALLOWED TO BE PLACED IN A COMMON AREA.**

### Trailers, Non-Commercial

All trailers, other than boat, must be of a size that fits in the Property's garage where it is to be kept while not in active use.

TRAILERS ARE NOT ALLOWED TO BE PLACED IN A COMMON AREA.

### Animals, Habitats and Structures

Dog pens, houses and dog runs are not permitted within the Subdivision.

Unattended dogs may not be left chained or tethered. It is requested that all pet owners, out of respect for their neighbors (and to follow municipal laws), be responsible to pick up their pet's waste and walk their pet on a leash when off of their property.

### Exterior Painting

All Projects involving exterior painting that include a change from existing colors require submission of an Application with supporting documents. On the Application, an explanation (in detail) is required for each paint color: the manufacturer, the sheen and the location where the color will be applied. Paint swatches (paint chips) must be included with the Application. Primary and trim colors should be consistent with the community and homeowners may not repeat color schemes of adjacent lots.

## Exterior Lighting

Exterior lighting improvements include wall and post mounted lights, low-voltage landscape lights, security/spotlights, and holiday lighting.

Criteria for lighting includes, but is not limited to:

- Lights should generally project downward or onto the same residence and not emit an unreasonable amount of light toward or onto adjacent properties.
- Holiday lighting where the lights shine onto or into adjacent neighbor's homes must follow the county quiet hours regulations (10 PM – 6 AM).
- Holiday lighting with associated music must follow the county quiet hours regulations.

The installation of standard external lighting and holiday lighting does not require an application for Architectural review.

## Mailboxes

Mailboxes, posts and sailboat design must be re-painted with black gloss paint when the paint starts to be weathered and/or flake. House numbers on the mailbox must also be replaced when they become weathered and worn looking.

NOTE: Following is information on material availability and locations. Lowe's carries the Gibraltar Model E1100B00, Item 807014 for less than \$30. No modifications are needed other than a single hole drilled in the top to move the Sailboat from the old box to the new one. Should an owner of a Property need to replace the mailbox and post with sailboat, please contact Ben Moore at Old South Ironworks (803-295-2748). The complete replacement is \$450.00 installed. Please note that on the newer version of this mailbox, post and sailboat configuration, the sailboat is welded to the post and mailbox thus not easily removed like the older version.

## Portable Storage Units

Portable storage units are allowed, only in a driveway, for up to 45 days when used for moving, remodeling or home emergencies. This variance must be approved by the Board before the portable storage units are placed.

## [Clothes Lines, Window A/Cs, and Awnings](#)

Clothes lines, window air conditioners or awnings are not allowed within the Subdivision.

## [Building Additions](#)

Building additions deemed by the ACA to be substantial changes to property require plans from a licensed South Carolina Architect. The proposed changes must comply with the Lakeside at Ballentine construction guidelines.

## [Governmental Restrictions](#)

All governmental restrictions apply and are the homeowners' responsibility to obtain. The approval of Plans by the ACA and/or the Board of Directors do not imply the approval of a governmental agency.

## [Tree Removal](#)

Removal of trees more than eight (8) inches in width at diameter breast height and more than ten (10) feet outside the footprint of the house or other permanent structure requires the submission of an Architectural Approval Application located at: <https://www.lakesideatballentine.com/hoa-documents>. Following are acceptable justifications for tree removal:

- 1) Root system causing damage to the foundation of a permanent Structure;
- 2) Root system causing damage to a driveway;
- 3) Tree is dying and poses a threat to people or property; or
- 4) Tree is leaning and in danger of falling.

### **Architectural Approval Application exception:**

The ONLY exception for the submission of an Architectural Approval Application is for the removal of “dead or diseased” trees. A no cost Tree Removal Application, also found on the HOA website, may be submitted by email to the HOA Board for review.

## COMMON AREA GUIDELINES

The Common Areas within the Subdivision are private property owned by the HOA, and have been designed as a naturally wooded, sight & sound buffer between homes and streets.

Here are some of the Guidelines relating to what is permissible or not permissible within the Common Areas, without the express written permission of the HOA.

- 1) No cutting, pruning, trimming, clearing, or removal of any trees, bushes plants, foliage, or related material. In the case of emergency tree removal, etc., contact the HOA via email at [lakesideatballentinehoa@gmail.com](mailto:lakesideatballentinehoa@gmail.com).
- 2) The HOA is not responsible for vegetation from a Common Area that encroaches on a homeowner's lot. If this is a concern, please contact the HOA for written permission to make necessary corrections. The HOA will handle these concerns on a case by case basis.
- 3) No removal of dirt, soil, rocks, stones, or similar materials (such as to create a hole, ditch, culvert, etc.). No addition of dirt, soil, rocks, stones, mulch, etc. within Common Areas (such as to create a water diversion, elevate a portion or whole of an adjoining Lot which touches the boundaries of a Common Area).
- 4) No construction of any temporary or permanent structure, building, ground walkway (i.e. stone, brick, cement, wood, rubber, composite material, etc.), fence, lean-to, trellis, tree-stands, tree-swing, children's tree-forts, support device (i.e. electrical wiring for outdoor lights/power) or the like.
- 5) No parking on Common Area grounds of any personal vehicles, cars, trucks, campers, bikes, scooters, mopeds, utility trailers, boat trailers, wave runners, watercraft and watercraft trailers, golf carts, ATV's, motorcycles, go-carts, etc., whether motorized or non-motorized.
- 6) No planting or placement of personal plants, trees, greenery, shrubbery, vines, flowers, bushes, planters, flower boxes, bird feeders, stands, or alike, without prior approval of the HOA.

- 7) No placement or storage of cut-up/stacked fire wood, depositing of bedding dirt, sand, mulch, grass clippings, metal, brick, composite materials, or similar, as well as the disposal of either spent or unwanted construction materials, or other various types of trash, without the permission of the HOA.
- 8) No driving of any motorized vehicles, including golf carts, onto, over, or across, any Common Area, unless authorized by the HOA. Note – natural walking paths – strollers, bicycles, and by foot are permitted if constructed or maintained by the HOA, or if approved by the HOA.
- 9) No unauthorized placement of trampolines and other types of playground equipment, whether permanent or temporary.
- 10) The placement of any light fixtures, whether temporary or permanent in these areas is prohibited, unless approved by the HOA.
- 11) BURNING OR OPEN FIRES IS NOT PERMITTED IN OR NEAR COMMON AREAS.
- 12) The man-made pond enclosed by Sienna Drive and Richard Franklin Rd is considered to be a Common Area and cannot be altered. It cannot be used as a source for irrigation. Any shoreline dock must not be built within the high water shoreline. Shoreline docks may cantilever over the water for a maximum distance of four (4) feet. Shoreline docks MUST be approved by the ACA PRIOR to construction.
- 13) If you have any questions regarding what you can or cannot do in the Common Areas, please contact the HOA Board of Directors at [lakesideatballentinehoa@gmail.com](mailto:lakesideatballentinehoa@gmail.com)

## **Remediation Plan**

When it has been determined by the Board of Directors that a Lot Owner (or family member, guest, contractor or invitee) within the Subdivision has damaged the Common Area, whether intentionally or by accident, the following remediation plan shall be enacted and enforced.

This is a standard plan to restore the Common Area to an acceptable and self-sustaining condition, somewhat equivalent to the condition before the damage was done.

This restoration must restore the prior level of natural or landscaped condition for the damaged area without undue delay, including the aesthetics and all extents of



privacy barrier previously afforded for that location, and it must blend in with the surrounding Common Area.

The responsible Lot Owner(s) must submit a restoration plan to restore the damaged area's look and extent of privacy barrier to the Board for approval of the Landscape Committee. The plan must include all the following:

1. An overview of the damaged area
2. Pictures of the damaged site and surrounding common areas,
3. An itemized list of plants to be used in the restoration, including:
  - a. Either the common name or the scientific name
  - b. Planting size (typically plant size in gallons and estimated height/width at time of installation)
  - c. Expected lifespan
4. An overhead drawing of the area to be refurbished that includes:
  - a. Measurements of the area
  - b. Property markers
  - c. Plant placement
  - d. Cardinal direction (North/South/East/West)
5. The estimated installation timeline from plan approval.

The Board will notify the responsible Lot Owner(s) of approval or areas of the plan that need improvement.

When the plan is approved, the responsible Lot Owner(s) shall implement the plan at their expense, in coordination with the Landscape Committee. Replacement of any installed plants under the plan that do not establish/survive for at least a year after implementation shall also be borne by the responsible Lot Owner(s).

If the responsible Lot Owner(s) fail to fulfill this obligation, then the Association shall implement a remediation plan of its making at the expense of the responsible Lot Owner(s) and shall assess the responsible Lot Owner(s) a Non-Compliance Assessment for all associated costs of the remediation plan and implementation.

The Board of Directors of the Association may at any time amend these Guidelines without notice to the members of the HOA. The most current approved copy of the Guidelines can be found at the Lakeside at Ballentine website (<https://www.lakesideatballentine.com/hoa-documents>).