

# **HIDDEN LAKES ARCHITECTURAL GUIDELINES**

This document is provided as a guide for

- (a) the architectural objectives to promote and maintain a high level of design, quality, harmony, and conformity throughout Hidden Lakes
- (b) the submittal and approval procedures, and
- (c) further clarification to the Declaration of Covenants, Restrictions and Easements

## **I. Development Objectives**

Aesthetic and ecological quality of Hidden Lakes requires that all structures and landscaping be compatible with one another, and insofar as possible, be in harmony with the natural surroundings. To achieve this goal, the following guidelines have been adopted and may from time to time be amended.

Architectural controls governing additions and alterations at Hidden Lakes are administered by an Architectural Control Committee (ARB) appointed by the Board of Directors of the Hidden Lakes Property Owners' Association, Inc. Architectural style is to be consistent while maintaining a highly-compatible appearance throughout Hidden Lakes. Vivid color and radically different styles will not be permitted. All architectural styles and exterior colors must be approved by the ARB. Prior decisions or rules regarding matters of design or aesthetics will not be deemed to have set a precedent if the ARB feels that the repetition of such action will have an adverse effect in the community. Each project submitted to the Board will be reviewed toward:

- A. Ensuring that the location and configuration of structures are visually harmonious with the terrain and vegetation of the residential lot, with surrounding residential lots and structures, and does not necessarily block scenic views from existing structures or tend to dominate any general development or natural landscape.
- B. Ensuring that the architectural design of structures and their material and colors are visually harmonious with Hidden Lake's overall appearance with natural landforms and native vegetation, and with development plans, officially approved by the Hidden Lakes ARB and any governmental or public authority, if any, for the areas where the proposed structures are to be located.
- C. Ensuring the plans for landscaping provide visually-pleasing settings for structures on the same lot and on adjoining or nearby lots, and blend harmoniously with the natural landscape and adjacent landscaping.
- D. Ensuring that any structure, building or landscape complies with provisions of the Covenants.

## **II. Adoption of Rules**

The following rules are adopted pursuant to the Declaration of Covenants for Hidden Lakes and Provisions for Hidden Lakes Association, Inc.

### III. Administrative Procedures

The ARB may establish, and from time to time amend, its administrative procedures. In general, the procedure will be as follows:

- A. The ARB will meet on the second Monday of each month. Applications/plans must be submitted two weeks prior to this meeting. Other meetings may be called from time to time if necessary.
- B. All changes and/or amendments to this document proposed by the ARB will be ratified by the Property Owners' Association Board of Directors before being affected.

### IV. Submittal and Approval Procedure

ARB Guidelines and the Declaration of Covenants and Restrictions for Hidden Lakes Owners' Association, Inc. require that all proposed additional construction, remodeling, improvements, fencing, exterior changes including painting, and the improvement of private areas be approved by the ARB before work of any kind is begun. An ARB Certificate of Plan Acceptance is needed for any major addition or alteration on the structure of the home. Please reference the Declaration of Covenants and Restrictions for Hidden Lakes Owners' for description of construction, remodeling, improvements, fencing and exterior changes including painting. Procedure will be as follows:

- A. Complete the Hidden Lakes Application for ARB Approval along with sketches, drawings and specifications (see Section V) for any proposed additional construction, remodeling, improvements, fencing, landscaping, change or other improvements. **ALL ARB APPLICATIONS MUST BE SIGNED BY THE PROPERTY OWNER.**
- B. Submit the request to Association Services, Inc. along with the required fee made payable to Hidden Lakes POA (if applicable) at least two weeks prior to the desired start date of the improvement or construction.
- C. After ARB review, the homeowner will be contacted by the ARB to arrange an inspection of the proposed project site. Prior to this initial inspection, the proposed project site should be marked with string, flags or turf marking paint. If approved, a Hidden Lakes Certificate of Plan Acceptance will be issued and must be received by the applicant prior to commencement of any clearing, material delivery, or construction.
- D. ARB approval does not include Town of Bluffton/Beaufort County building permits. Applicant is responsible for obtaining and displaying these permits.
- E. The ARB Certificate of Plan Acceptance and applicable building permits must be prominently displayed at the job site and covered with clear plastic to prevent fading and deterioration.
- F. Changes, additions or alterations will be constructed in Accordance with the plans as approved by the ARB. Fines or revocations of permit may be levied by the ARB for noncompliance. Any changes, after final plan approval by the ARB, must be submitted and approved prior to any construction of those changes.
- G. All construction work for which a permit is required will be subject to inspection by the ARB, Beaufort County and the Town of Bluffton.

- H. No work should be done on any part of the building beyond the point authorized in each successive inspection without first obtaining written approval of Beaufort County and the Town of Bluffton. Such written approval will be given only after an inspection has been made of each successive step in the construction as required.
- I. When the work is complete, the homeowner is required to contact Allied Management to request a final ARB inspection. This final inspection will be completed by the ARB or its representative to ensure that the building is completed in Accordance with approved plans, colors and material samples.
- J. Applicable deposits will be refunded within thirty (30) calendar days of an Acceptable final inspection.
- K. Approval will expire if work is not complete within 6 months of said approval.

**V. Design Submittal Documentation Requirements**

The following items must be submitted to ensure expeditious issuance of an ARB Certificate of Plan Acceptance. Plans not in compliance with this listing will not be placed on the ARB agenda.

- A. Completed Hidden Lakes Application for ARB Approval (see sample provided).
- B. Site Plan: Legal descriptions, lot/phase and street address, existing easements, building setbacks
- C. Submittals require a plot plan with a sketch of the location of the requested item, addition, etc.
- D. Tree Survey (if applicable): No tree with a trunk diameter measuring 6" or more at a distance of 4' above ground level diameter breast height (DBH) shall be removed, by any means, without written approval by the ARB and the Town of Bluffton. An on-ground survey should show the location and type of trees over 6" in diameter and measuring 4' above existing grade, to be removed. This drawing may be combined with a topographic map.
- E. Fence plan will be drawn on a previously-approved site plan. The plan must include an elevation of one section of fence and provide a description of the materials to be used. Fence dimensions and gate locations must be indicated on this drawing.
- F. Color Board - Will include paint sample chip(s) or chart showing exterior and trim colors.
- G. Walks, retaining walls, or other hardscape improvements will be identified by color, material and dimensions, including height above finished grade.
- H. Accessory structures such as playhouses, tool sheds, doghouses, or dog runs are not permitted without specific written approval of the ARB. If approved by the ARB, these structures must be well hidden. All playground equipment must consist of earth tones, including basketball equipment (base, pole, backboard, rim and net), and shall be placed only with written approval by the ARB.
- I. At the request of the ARB, construction plans may be required.

## VI. Fees

The fee structure may change depending on administrative need (see ARB application for amounts). Refundable fees are held on deposit until:

- A. Construction is in full and complete compliance with those plans approved by the ARB. Non-compliance with approved plans can result in the ARB remedying the non-compliance and levying a lien upon the land and improvements until reimbursed for its expense.
- B. Any damage to adjacent lots, street, common area or public utilities has been resolved.
- C. Trash, building materials, contractor equipment or temporary buildings has been removed from the lot or adjacent lots.

## VII. Fines

- A. The ARB may levy fines for violations of Rules of Hidden Lakes and its decision shall be final.
- B. A violation will be considered a separate offense for each day the violation is permitted to remain uncorrected.
- C. When applicable, fines will be deducted from the refundable deposits.

## VIII. Guidelines

**This section is for *clarification only*. Homeowners should refer to the Declaration of Covenants, Restrictions and Easements for complete architectural controls.**

### Article 9 – Easements

- A. Each individual lot will be judged based on its own particular merits, vegetation, trees, views, and compatibility with adjacent properties. The ARB is prepared to make exceptions when necessary. Compliance with building setback requirements will be determined by measurements of the distance from property lines to the closest portion of the building foundation. The following are standards:
  - Front 15'
  - Side 5'
  - Rear 10' (lot lines not adjacent to front lot lines) – where applicable
- B. Setbacks for lots adjacent to environmentally sensitive areas (wetlands, marshes, rivers, and wildlife management areas) will be influenced by the presence of the Ocean and Coastal Resource Management (OCRM) Critical Line and/or the U.S. Army Corps of Engineers and may have a greater setback requirement than the distances stated above.
- C. There is an easement along or around the entire perimeter of any river, creek, lagoon, marsh or wetland. This easement is a non-exclusive easement for ingress, egress, and access to above water bodies by Hidden Lakes Property Owners' Association, Inc. for the purpose of maintenance and repair.
- D. Improvements other than landscaping may be permitted within easements. Landscaping and any improvement permitted by the ARB, placed within an easement by a property owner shall be considered installed at a risk. If a legitimate user of the

easement (utility company or Property Owners' Association) disrupts such landscaping, the legitimate user may not be required to replace it.

#### Article 12 – Use Restrictions

- A. Guest Parking/Parking Violations: Boats, trailers, trucks, recreational vehicles, commercial and similar vehicles must be stored in an enclosed garage and not be exposed to view.
- B. Light reflectors are not permitted.
- C. Decks, terraces and patios should be designed as an extension of the architecture of the main structure using compatible materials.
- D. Exterior Lighting
  - Exterior lights must be installed to avoid glare from light sources to neighboring properties.
  - Night lighting should be directed downward and confined to drives, paths and steps for safe pedestrian movement.
  - Walkway illumination sources should be concealed into steps, walls, and handrails whenever possible to avoid direct view of light sources.
  - Lighting used to accent vegetation should be subtle, subdued and hidden from view.
  - Colored lighting is not Acceptable with the exception of December to January 15 holiday lighting.
- E. Propane Tanks must be located outside the service yard (if applicable), provided they are located within the setback lines, are underground, and meet the requirements of the National Fire Protection Association (NFPA) Document 58 administered by the Office of the South Carolina Fire Marshall.
- F. Antennas, Satellite Dishes and Accessory Structures
  - Satellite dishes, which do not exceed 2' in diameter or 2' in height, may be erected and maintained on the rear of the property.
  - Other than as noted above, no television antenna, radio receiver, sender, or other similar device shall be attached or installed on the exterior portion of the property within Hidden Lakes.
  - No Exterior speaker, horn, whistle, bell or other sound , which is unreasonably loud or annoying, except security devices used exclusively for security purpose (provided it is in good working condition) shall be located, used or placed upon lands within Hidden Lakes. The playing of loud music within any family dwelling unit or from the patio, balcony, pool or deck thereof shall be considered a nuisance.
  - Closed loop water source heat pump systems are allowed in Hidden Lakes provided the holes bored for the loop are no deeper than sixty (60) feet below the natural existing grade and shall be drilled by a South Carolina licensed well driller.
  - The appropriate utility companies shall provide underground connections to water, sanitary sewer, gas, electricity, telephone and cable TV. The installation of all utilities to homes within Hidden Lakes will be installed meeting the specifications prescribed by the providing utility.

#### G. Landscaping

Every property owner is responsible for preventing the development of any unclean, unsightly or unkempt condition of building or yards which shall reduce the beauty of the neighborhood as a whole or the specific area. In formal landscaped areas, bed and lawn areas must be maintained. In natural areas, weed growth must be controlled. Any proposed changes in landscaping such as fences, fountains, lighting, game structures, drives, walks, landscape structures, statuary, trellises and arches must be approved.

#### H. Landscape Accessory Structures

- Accessory structures such as playhouses, tool sheds, doghouses, arbors, or dog runs are not permitted without specific written approval of the ARB. If approved, these structures must be well hidden.
- All playground equipment, including basketball nets, shall be placed only with approval by the ARB
- No exposed clotheslines shall be permitted.

#### I. Swimming Pools:

- Pool equipment shall be placed inside a service yard.
- Top of pool construction may not be over 1' above existing grade unless integrated into terraced construction and with ARB approval.
- Backwash is not permitted to be discharged into the sanitary sewer system, and must be contained on the lot.

#### J. Street Address

The street address will be part of the approved mailbox assembly, which must be purchased from the approved supplier as designated by the ARB (Sign-A-Rama or approved supplier). In addition, house numbers are required on the structure of the house and must be readable from the street. Changes from Centex-provided numbers must be approved by the ARB. Street address may not be painted on the curb.

#### K. Mailboxes and Signage

Single family homes shall be identified only by the property owner's name on the mailbox and the house identification number. The use of any sign, including those for the purpose of identification, commercial contractors, or renting of property is prohibited. Each home is permitted to have one for sale sign installed at any given time.

#### L. Fences

- Maximum fence height is 6' above grade. It must be white in color. Wooden fences are not allowed.
- ***Some wooden fences have been previously permitted and are grandfathered in, however, effective January 1, 2015 no wooden fences will be permitted regardless of prior approval.***
- Walls and fences may be approved provided they are attached to the house as an architectural extension.
- Deer fences are not acceptable. Each owner is asked to consider that deer live on the property when planting their landscaping and use plants less attractive to deer.

**M. Flags**

Each home is allowed two flags. No flag may be faded or frayed. The ARB has the right to revoke permission at any time.

**N. Repainting or Re-staining**

An Application for Approval must be submitted to the ARB along with samples. When approved, the applicant will receive a Certificate of Plan Acceptance. Repainting or re-staining may not take place until approval has been issued. This includes exterior repainting and re-staining a house the same color.

**O. Improvements**

No alteration, including painting or staining affecting the exterior appearance of any building, structure, or landscape shall be made without prior approval. An Application for ARB Approval must be submitted to the ARB, including all drawings necessary to define the proposed improvement, color samples and site stakeout. When approved, a Hidden Lakes Certificate of Plan Acceptance must be issued prior to commencement of any clearing, material delivery or construction.

**IX. Disclaimer**

The foregoing rules have been adopted to assist the ARB in exercising its powers and performing its duties pursuant to the Declaration of Covenants for Hidden Lakes and Provisions for Hidden Lakes Property Owners' Association, Inc. Compliance with these rules is not intended to guarantee that the proposed improvements will satisfy all the requirements of the Declaration of Covenants, Restrictions and Easements for Hidden Lakes or that the proposed improvements will be structurally sound, or that they will comply with any applicable building code, or that they will be free from damage from wind, rain, flood, or that they will not encroach on easements, or that they will divert surface water in a manner not allowed by law.

In giving any approval, the ARB finds only that improvements are satisfactory to it. Approval of the ARB is not an opinion, approval, warranty, or representation by it as to any of the matters mentioned in the foregoing paragraph.

## **Hidden Lakes Fine List**

In order to help enforce these regulations, the Board of Directors has developed a fining system as follows:

1. Owner is notified of the infraction and given seven days to make correction.
2. A fine of \$25.00 is levied after seven days if no correction is made.
3. An additional fine of \$50.00 is levied after fourteen days if no correction is made.
4. An additional fine of \$100.00 is levied after twenty-one days if no correction is made.
5. Additional fines of \$10.00 per day are levied after thirty days if no correction is made.

All fines will be placed directly on the owner's account and will be treated as any other balance due. (i.e. could incur late fees, legal fees or even cause a lien upon the property if unpaid). Fines incurred by the tenant are the responsibility of the owner and will be billed to the owner's account.

Our purpose is not to impose a hardship on any owner, but to have a standardized procedure for rules enforcement. Should an owner have a question or problem with a notification or fine, they should contact Association Services, Inc., who will bring their appeal to the attention of the Board of Directors.