

# **Legend Oaks Plantation Community Association Guidelines**

**Revised August 2015**

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# LEGEND OAKS PLANTATION COMMUNITY ASSOCIATION GUIDELINES

Revised August 2015

This document defines and updates the Legend Oaks Plantation Community Association (LOPCA) guidelines that accompany our Protective Covenants. A comprehensive review of the guidelines has been conducted and this document represents a complete update to those guidelines written several years ago. It is important to note that adherence to these guidelines is required to the extent possible. Non-compliance will result in penalties and/or fines.

## **What is the Architectural Review Board (ARB)?**

The ARB is a team comprised of neighbor volunteers who review the request, visit the site and determine whether the plan meets the community covenants and standards. Our community volunteers who serve on the ARB Committee are reasonable and helpful when reviewing project details. While not all requests are approved, a vast majority are approved in an efficient and expedient manner. The ARB will follow-up after completion of each approved project to ensure that the homeowner has complied with the approved plan. Thanks for your advanced cooperation!

## **When is an ARB Request Necessary?**

Legend Oaks is a covenant community, which means that if you want to undertake a home improvement and upgraded maintenance project, such as a new roof, painting the exterior, making major landscaping changes (including removing a tree alive or dead), building an addition or making any other change to the exterior of your home, you will need to submit a request to the Architecture Review Board. Refer to the following guidelines for examples of projects/actions that require ARB approval (Article VI of our Protective Covenants is the governing document). If you have a question as to whether an ARB Request is required, call or email Marshland Communities for guidance.

## **How do I file an ARB Request?**

The forms are available online at Marshland's website ([www.marshlandcommunities.com](http://www.marshlandcommunities.com)) and can be completed on-line, or call them to mail you a form. There is no cost to submit the request and ARB review can be completed quickly once all required information is submitted. Remember to file requests and wait for written response from Marshland prior to starting work. Changes to approved requests need to be resubmitted to the ARB for review and approval.

## **Fine Imposed for Failure to Submit ARB Request**

The Architectural Review process is specified in the Protective Covenants of the community, Article VI, Section 10, Architectural Standards. This section states that "no exterior construction, alteration, addition or erection of any nature whatsoever ... shall be commenced or placed upon any part of the community ... unless and until the plans and specifications ... shall have been submitted in writing to and approved by the Board or its designee."

When homeowners fail to comply with the rules, regulations, use restrictions and covenants, the Board of Directors has the right to impose fines or other sanctions. The Board of Directors and ARB have seen an increase in the number of post project ARB requests submitted. In response to this increasing number, the Board of Directors has instituted a fine for failure to submit an ARB request.

**The fine for beginning work without the required ARB Request is \$50, even if the work is ultimately approved.** If a project is completed without prior approval, the homeowner risks the potential for additional fines and/or the requirement to remove or replace the project at their expense if it is not approved.

# **LEGEND OAKS PLANTATION COMMUNITY ASSOCIATION (LOPCA) GUIDELINES**

## **GUIDELINE NO. 1**

### **Driveways/Walkways/Patios**

1. Submission of an ARB Request is not required if:
  - a. The patio does not extend beyond the sidelines of the house and does not extend to within 10 feet of side property lines; and
  - b. The patio does not exceed six (6) inches above ground level at any point.
2. Submission of an ARB Request for a walkway is not required if the walkway is located in the rear yard and:
  - a. The walkway does not extend beyond the sidelines of the house and does not extend to within ten (10) feet of side property lines; and
  - b. The walkway does not exceed four (4) inches above ground level at any point.
3. The homeowner must apply to the ARB to build an extended driveway, or a walkway extension. A maximum of a six (6) foot extension will be allowed. Decorative stones/tile/pavers, when approved, should blend or match the existing driveway/walkway.

## **GUIDELINE NO. 2**

### **Lighting, Flags/Banners, Exterior Decorative Objects, Flowers, etc.**

1. An ARB Request must be submitted for all large exterior decorative objects visible from street, both natural and man-made, except as specified below. Large exterior decorative objects include items such as bird baths, wagon wheels, sculptures, fountains, pools, antennas, and items attached to approved structures.
2. Except as provided below, an ARB Request must be submitted for all exterior lights or lighting fixtures not included as part of the original structures. An ARB Request is not required if lights meet the following criteria:
  - a. light fixture does not exceed 12" in height;
  - b. the number of lights does not exceed 10; and
  - c. all lights are low voltage (maximum 12 volts), white or clear, non-glare type and located to cause minimal visual impact on adjacent properties and streets.
3. An ARB Request is not required to be submitted for a single flag pole staff attached to the front portion of a house.

### **Flags/Banners**

1. No more than one (1) freestanding flagpole (maximum 20 feet) or flagpole attached to the residence (maximum six (6) feet) is permitted.
2. The United States flag, the flag of the State of South Carolina, an official flag of any branch of the United States Armed Forces, or a flag from another country, may be displayed. Flags must be maintained in good condition; a deteriorated flag must be removed or replaced.
3. Decorative/seasonal flags, school flags, sports theme flags are also permitted on the flagpole if they are tasteful, unobtrusive and are no larger than 3' X 5'.
4. Sports banners are permitted but must be removed from the property within seven (7) days of special sporting event, such as a local championship game, regular local games, or the Super Bowl.

5. Flags and banners that carry a political message, advertise a business or service, or are offensive or obscene are prohibited. The Board of Directors reserves the right to ask an owner to remove these prohibited flags/banners. The judgment as to whether a flag/banner is offensive/obscene is in the sole discretion of the Board.
6. Small decorative garden banners are permitted assuming they are in good condition; i.e., not frayed or faded.
7. Front doors and entry area decorations must be tasteful and in keeping with the style and colors of the house. Plants and flowers in pots must always be neat and healthy. Neatly maintained front porch flower pots (maximum of 4) containing evergreens/flowers do not require submission of an ARB Request.
8. Objects will be evaluated on criteria such as location, proportion, color and appropriateness to surrounding environment.

### **GUIDELINE NO. 3**

#### **Vegetable Gardens**

1. An ARB Request must be submitted for vegetable gardens unless all of the following conditions are met:
  - a. The plot is located behind rear line of house;
  - b. The size of the plot is limited to 150 square feet or ¼ of the rear lot, whichever is smaller; and
  - c. The maximum height of plants is less than four (4) feet.

### **GUIDELINE NO. 4**

#### **Play Equipment, Play Houses and Tree Houses**

1. All apparatus such as but not limited to swings, slides, and trampolines must be placed in the rear yard, between the rear corners of the house, out of sight of the street and with minimal visual impact on adjacent properties.
2. Play equipment on golf course lots must be screened from view with dense natural landscaping of a minimum of 36" in height.
3. Play equipment that is not portable may not be placed in the 30' natural setback from the rear property line.
4. All equipment must be neutral in color, exclusive of wearing surfaces (slide poles, climbing rungs, swing seats, etc.). Metal equipment will generally be required to be painted in earthtones to blend into the surrounding environment.
5. Any equipment that is of such a size and weight that it is easily portable must be stored out of sight when not in use.
6. When play equipment is in disrepair, it must be removed or repaired.
7. A baseball backstop or similar item must comply with fence guidelines.

#### **Play/Tree Houses**

1. An ARB Request must be submitted for all playhouses and tree houses.
2. Tree house or playhouse must not be larger than 50 sq ft. or more than 5 ft. tall at roof peak.
3. Tree house or playhouse must be in rear yard, between the rear sidelines of the house with minimal visual impact on adjacent properties.
4. If rear yard is fenced, a tree house or playhouse must be within the fenced area and between the rear sidelines of the house.
5. Tree houses or playhouses are not allowed in the 30' setback on golf course lots.

6. Playhouses on golf course lots must be screened from view with dense natural landscaping of a minimum of 36" in height.

#### **GUIDELINE NO. 5**

##### **Basketball Goals**

1. Permanent basketball goals must receive prior ARB approval.
2. Portable basketball goals do not require prior ARB approval but must conform to the all of the following guidelines:
  - a. Backboard and post are a neutral color.
  - b. Portable goals must be stored near the house when not in use.
  - c. The Legend Oaks Plantation Community Association strongly discourages placing basketball goals in any location where any person's safety is jeopardized during play.
  - d. Consideration must be given to neighbors as it relates to noise.
  - e. Basketball hoops must be kept in good repair.
  - f. Use must not infringe on neighbors' enjoyment of their property nor be positioned to place the neighbors or their property at risk.

#### **GUIDELINE NO. 6**

##### **Private Pools**

1. An ARB Request is not required to be submitted for children's portable wading pools (those that can be emptied at night) that do not exceed 18 inches in depth and whose surface area does not exceed 36 square feet.
2. Above-ground pools are prohibited.
3. An ARB Request must be submitted for all in-ground pools. The ARB Request must address the following information/requirements:
  - a. Appearance, height, and detailing of all retaining walls must be consistent with the architectural character of the house. Some terracing may be acceptable.
  - b. Privacy fencing for lots with pools or spas shall have a maximum six (6) feet height.
  - c. Maximum pool area – 1,000 square feet.
  - d. Glaring light sources which can be seen from neighboring lots may not be used.
  - e. Landscaping enhancement of the pool area and screening with landscaping is required.
4. Neither swimming pools nor copings or pool decks will be allowed to project into rear yard buffer areas.
5. Swimming pools must be maintained and kept clean at all times.

#### **GUIDELINE NO. 7**

##### **Hot Tubs, Spas**

1. An ARB Request must be submitted before any exterior hot tub or spa can be installed. The ARB Request must be accompanied by appropriate brochures which clearly show the model, specifications, manufacturer, supplier and standards to which the hot tub/spa complies.

## 2. Definitions:

- a. **Hot Tub or Non-Portable Spa:** A structure intended for recreational bathing that contains over 24" of water.
- b. **Portable Spa:** A non-permanent structure intended for recreational bathing in which all controls, water-heating and water circulation equipment are an integral part of the product.

## 3. Building Codes:

- a. Installation of hot tubs/spas must conform to all Dorchester County building codes. ARB approval of a hot tub request does not absolve the applicant from acquiring all appropriate electrical and building code permits. These remain the responsibility of the applicant.
- b. Installation of hot tubs/spas must comply with all of the latest and appropriate local, State and Federal codes and regulations for hot tubs and spas.

## 4. Placement:

- a. All hot tubs and related equipment must be located between the rear sight lines/rear corners of the house.
- b. All free standing hot tubs/spas (i.e., not tied to a permanent in-ground swimming pool structure) must be installed on a porch, deck or patio connected to the house or be placed immediately next to (within three (3) feet of) an adjoining edge of a porch, patio, deck or house.
- c. Hot tubs not installed on a porch, deck, or patio must be installed on either a separate concrete pad or pre-fabricated spa pads to ensure a firm, level base to support the unit.
- d. A walkway plan must be included on the ARB Request for hot tubs/spas not installed on a porch, deck or patio connected to the existing house structure.

## 5. Screening and Fencing:

- a. Hot tubs/spas, regardless of installation location, must be adequately screened from all adjacent properties (neighbors and/or golf course). The screening/ fencing plan must accompany the ARB Request. Screening must be non-deciduous in nature and must be a minimum 36" in height at the time of installation.
- b. All hot tubs/spas shall be enclosed by a barrier of a type that is not readily accessible by children and conforms to all current versions of local, State and Federal regulations and codes for Hot Tubs and Spas.
- c. Hot Tubs or Spas with a safety cover which complies with ASTM F 1346 as listed in Section AG107 of the South Carolina Residential Code shall be exempt from the provisions relating to barrier requirements.

## **GUIDELINE NO. 8**

### **Fences**

1. The original design concept of the Legend Oaks Plantation Community promotes a feeling of open space; therefore, fencing is not generally encouraged. An ARB Request must be submitted for all fencing additions, replacements, or changes.
2. Chain link fences are prohibited. White vinyl fences are prohibited.
3. Fences are not allowed unless approved by the ARB. Fences must be metal, natural wood or dark stained wood to blend in with the surroundings. Minimum fence height is 4 feet. Maximum fence height is limited to 6 feet, if approved. "Solid wall" privacy fences are discouraged. Fence design and style will guide minimum and maximum approval heights by the ARB.

4. Fences on lots contiguous with the golf course and on corner lots bordering neighborhood through streets have additional restrictions:
  - a. Golf Course Lots: Fences on lots contiguous with Legend Oaks Golf Course are discouraged, in order to provide a clear, unobstructed view of the course. When requested and approved, fences on lots contiguous with Legend Oaks Golf Course have additional requirements and require approval of the Golf Course (the ARB will seek the approval based on the documents submitted by the property owner). For all lots that directly adjoin the Golf Course, the rear yard setback shall include a thirty (30) foot buffer area in which no cutting of trees, development or grading activity may occur without approval. The Legend Oaks Golf Club requires black metal wrought iron fences, with a maximum height of four (4) feet.
  - b. Corner Lots: Fences on corner lots bordering through streets in the neighborhood are discouraged. However, if and when requested, fences will be limited to a **minimum** of 4 feet in height (preferred) up to a **maximum** of 5 feet in height. Solid wood privacy fences that represent a solid wall appearance are strongly discouraged on corner lots. Corner lot fences must show a degree of architectural style and depth associated with the requested design. Fence design must be approved by the ARB. All fences on corner lots must be acceptably screened from the through street by non-deciduous shrubs at time of installation. The non-deciduous plants must be a minimum 36 inches tall at the time of planting if fence height is 5'.
5. All ARB fencing requests must include the following information:
  - a. Picture or drawing of the fence type: Fence types should generally be privacy, split rail, black wrought iron or picket designs. "Open design" fences are preferred especially for corner lots. These include picket, wrought iron, split rail, etc. Lattice work tops (12" – 18") on privacy fences are acceptable but the overall fence height guidelines cannot be exceeded. In addition if a fence is adjacent to neighbors' fences, they need to adjoin fence to eliminate strip(s) between fences.
  - b. Dimensions: The maximum fence height cannot exceed six (6) feet. The maximum span between posts shall be ten (10) feet. The minimum post size shall be 4 inches x 4 inches and must have 2 x 8 inch rails or three 2" by 6" rails per section.
  - c. Color: The wood fence must be natural or dark stained wood to blend in with the surroundings.
  - d. Site Plan: A site plan denoting the location of the fence must accompany the ARB request. Fences must not be located closer to any bordering through or side street than the rear edge of the home closest to said street.
  - e. Crossbeam: Crossbeam structure shall not be visible from any street (must face inside toward the yard).
  - f. Gate Size: The size for a Single Gate – Four (4'); Double Gate (8'). Single and Double Gating should not be prominent and should always blend in with existing fencing.
6. An ARB Request must be submitted for all dog runs. Dog runs must meet all fence guidelines. If other fencing exists on the property, fencing for dog runs must be of the same type.
7. All fencing is to be maintained/cleaned/painted/etc. as needed to maintain acceptable appearance.

## **GUIDELINE NO. 9**

### **Outdoor Structures**

#### **1. Detached Structures**



No detached structure shall be placed, erected, allowed, or maintained upon any Lot without the prior written consent of the Board or its designee. All detached structures must be consistent in design materials and color with the dwelling on the Lot.

## **2. Gazebos/Patio Covers**

Gazebos and patio covers are permitted as long as they comply with the requirements for outdoor structures as defined in Article VI Section 10, Architectural Standards, and are approved by the ARB. A picture or drawing should be submitted as part of the ARB Request that would detail the site plan, size and material required to build.

## **3. Outdoor Fire Pits/Kitchens and Built-In Barbeques**

Fire Pits/Outside Kitchens and Built-In Bar are permitted as long as they are approved by the ARB. Firewood and/or charcoal must have proper storage. A picture or drawing should be submitted as part of the ARB Request that would detail the site plan, size and material required to build. Outdoor fire pits are, by definition, permanent structures and must be approved. Freestanding fire pits are excluded from this guideline.

## **GUIDELINE NO. 10**

### **Exterior Landscaping and Maintenance**

1. Dorchester County has issued a new ordinance that restricts homeowners from infringing on easements located on their properties. Homeowners are not permitted, without an encroachment permit from Dorchester County, to build in an easement, plant flowers or trees, build a fence, etc. The purpose of the easement is to allow Dorchester County employees access to properties to maintain/repair utilities, water drains, etc. Please refer to the property's plat to determine where the easement is on the property.
2. An ARB Request is not required to be submitted for ornamental trees and shrubbery. However, an ARB Request must be submitted for screen planting (row or cluster style) and property line plantings, or major landscaping visible from the street.
3. ARB Requests must include a description of the types and sizes of trees and shrubs to be planted and a site plan showing the relationship of plantings to the house and adjacent dwellings.
4. Landscaping should relate to the existing terrain and natural features of the lot, utilizing preferable plant materials native to the Southeastern United States. The amount and character of the landscaping must conform to the precedent set in the surrounding community.
5. All mulched landscape beds must be covered with natural pine straw, chopped pine bark mulch, or wood shavings.
6. The preferred landscape bed edging is a neat 4" – 6" deep trench. Other edging, if used, must be of a uniform type. An ARB Request must be submitted for use of hardscape, i.e., retaining wall, stained bricks, etc.
7. Each homeowner shall keep his lot and all improvements thereon in good order and repair including, but not limited to, seeding, watering, mowing, the pruning and cutting of all trees and shrubbery and the painting or other appropriate external care of all buildings and improvements. This should be done in a manner and with such frequency as is consistent with good property management and the precedent set in the surrounding community.
8. Outdoor storage of garden tools and hoses must be screened from view and kept behind shrubs. Any tools or items stored under a back deck or porch must also be screened from view.
9. Each owner is responsible for removal of debris, clippings, etc., from the property. All planting areas should be properly maintained at all times, and, after the first frost, all affected material should be removed.
10. At the end of the growing season, all dead plants should be removed. It is suggested that the bare earth be covered with pine straw, mulch or similar cover to prevent soil erosion.

## **GUIDELINE NO. 11**

### **Firewood**

1. Firewood piles are to be maintained in good order and must be located within the sidelines of the house and in the rear yard in order to preserve the open space vistas.
2. Woodpile coverings are permitted only if the cover is an earthtone color and the woodpile is screened from the view of street. For example, a tarp-covered woodpile may be located under a deck with shrubs planted around it.

## **GUIDELINE NO. 12**

### **Decks**

1. An ARB Request must be submitted for all decks. The ARB Request must include:
  - a. A site plan denoting location, dimensions, materials and color;
  - b. The deck may not extend past the sides of the home;
  - c. Materials must be pressure-treated wood or composite.
  - d. Color must be natural or painted to match exterior color of home.
2. The following, without limitation, will be reviewed: location, size, conformity with design of the house, relationship to neighboring dwellings, and proposed use.
3. Owners are advised that a building permit may be required for a deck.

## **GUIDELINE NO. 13**

### **Exterior Building Alterations**

1. Owners are advised that a building permit may be required for exterior building alterations.
2. If county authorities make any changes to the plans as approved by the ARB, the owner must submit such changes for approval prior to commencing construction.
3. An ARB Request must be submitted for all exterior building alterations. Building alterations include, but are not limited to, storm doors and windows, construction of driveways, garages, carports, porches, ramps and room additions to the home. Repainting requires prior written approval only if the color is changed.
4. The original architectural character or theme of any home must be consistent for all components of the home. Once the character is established, whether it is traditional, contemporary, etc., no change may alter that character.
5. A paint color change requires the following information:
  - a. Paint sample or picture of paint color used in or approved for this community.
  - b. Area of home to be repainted.
  - c. Photograph of your home and homes on either side.
6. An ARB Request must be submitted for all storm doors and storm windows. The storm doors and windows must be made of anodized bronze or anodized aluminum with baked enamel finish compatible with the primary and trim colors. Unobstructed Full View type storm doors are preferred. Partial View and Half View type storm doors along with screen doors without glass are not allowed on the front entry of the house.
  - . The ARB Request must contain the following information:

- a. Picture or drawing of all windows/doors on which storm windows/doors will be installed.
- b. Picture depicting style of storm window/door to be installed; and
- c. Color.

#### 7. Window and Vinyl Panel Tinting

- a. Windows facing the street may not be tinted.
- b. Windows/vinyl on porches and sunrooms may be tinted upon approval of the ARB.
- c. Mirrored finishes or other reflective finishes are not allowed.
- d. Project applications for replacement windows or new additions must specify the type, materials and finish of any new window installation.

8. An ARB Request must be submitted for all tennis courts. Lighted courts (other than the community courts) are prohibited.

9. Detached buildings will be considered only for lots of one (1) acre or more. If the lot contains less than one (1) acre, only attached storage will be considered.

10. An ARB Request must be submitted to replace a roof. In order to be consistent with all components of the home, a physical sample of the shingle style, texture, brand name, and color must be submitted with the ARB Request for review. Substantial fines will be imposed when a roof is replaced without prior ARB approval. Materials not considered acceptable for roofing are corrugated steel, tile, slate and other materials not commonly used in the community. If installed without approval, replacement may be required.

11. An ARB Request is required for all dog houses. All dog houses must be located where they will have minimum visual impact on adjacent properties.

### **GUIDELINE NO. 14**

#### **Vehicles and Parking**

Per Article VI, Section 1, Use Restrictions and Rules, the Board has the right to define vehicle types and associated restrictions with respect to operation and parking. These restrictions are necessary to maintain the aesthetic appearance of the community and to ensure public safety.

1. All vehicles will be parked in their garages or in the driveways for their lot.
2. All vehicles parked in open view must be operable, licensed, and in good repair. Storing vehicles in open view is prohibited.
3. Overnight street parking of any vehicle is prohibited.
4. The parking of vehicles on streets for long periods of time (more than 4 hours) during the day or night, except for social gatherings, is prohibited. Homeowners are responsible for guest parking and must ensure that guests park in a safe manner and do not impede traffic or access to other driveways.
5. No vehicle may be parked on any yard or any portion of the lot other than the driveway or garage.
6. No vehicle may be parked on any common area at any time.
7. Large commercial vehicles and trailers of any type and/or vehicles with ladders, tool or material racks are prohibited, except while work is being performed. Large vehicles are those that will not fit wholly within the garage.

8. Boats, trailers, campers, motor homes, golf carts or other similar vehicles must be stored wholly within the garage with the garage door shut or outside the neighborhood.

a. These recreational vehicles may be parked temporarily in a private driveway for not more than 24 hours to be able to load, unload and clean or to prepare for trips and outings.

b. These recreational vehicles may be kept overnight but must be removed the next day. If a longer time is needed, call the property management company and request an extension.

9. Construction dumpsters and temporary storage containers can remain in the driveway for no longer than a week. After a week, approval must be obtained from the property management company.

#### **GUIDELINE NO. 15**

##### **Golf Carts, Go-Carts, All-Terrain Vehicles, and Other Unlicensed/Unregistered Vehicles**

1. Golf carts must be registered with the Department of Transportation and the registration sticker must be displayed. Driving and drivers must conform to state traffic regulations. Golf carts can be operated:

a. On secondary roads only (within the neighborhood, but not on the highway),

b. Only by licensed drivers (a learner's permit is not sufficient and underage drivers are not allowed).

c. During daylight hours only.

2. All types of unlicensed/unregistered vehicles are not allowed on community streets. Unlicensed/unregistered vehicles do include go-carts, all-terrain vehicles, etc.

#### **GUIDELINE NO. 16**

##### **Golf Course Lots**

1. All golf course lots must screen play areas, gardens, dog houses, and fencing from view from the golf course with dense natural landscaping of a minimum of 36" in height.

2. All golf course lots must retain a thirty (30) foot natural setback from rear property line for a buffer area. This space cannot be used for patios, storage, parking, or structures of any kind. No trees may be cut in this area. Only cutting of underbrush may be permitted.

3. Exterior storage of household or automotive goods may be stored on rear porches or decks of homes, but on golf course lots such storage is prohibited.

4. All lots directly adjacent to Legend Oaks Golf Course will require submission of an ARB Request for a rear yard landscaping plan, which shall be subject to approval. Specifically, the plan shall include appropriate screening for underneath of decks, heating and air conditioning appurtenances and utility meters or as may be deemed necessary by the ARB.

#### **GUIDELINE NO. 17**

##### **Mailboxes**

1. Mailboxes and posts are to be kept in good condition at all times with maintenance and painting performed as needed.

2. Mailbox and post materials and paint color are to be consistent with the original plans of the builder in each individual section of the Legend Oaks Community. The property management company maintains a list of approved paint colors.

3. Each mailbox or post is to show clearly the number of the house address as required by the United States Postal Service. Numbers must be a minimum of 1 inch in height and on the side of the box from which the carrier approaches. It is recommended that the house number be displayed on both sides to aid in identification from both directions of the residence.

4. Names may be included on mailboxes if desired by the homeowner. No other permanent mailbox decorations are allowed. Small, temporary holiday decorations such as holiday wreaths or flags are allowed but must be removed following the holiday.

5. Safety for the mail carrier should be of the utmost concern to all homeowners. Shrubs and flowers planted at the post are to be trimmed and kept free from the mailbox itself.

#### **GUIDELINE NO. 18**

##### **Animals and Pets**

In addition to the limitations set forth in Article VI, Use Restriction and Rules, Section 7, the following conditions apply:

1. Dogs must not be allowed to bark for long periods of time. Barking dogs are subject to the general noise rules below.
2. The owner or caretaker must remove animal waste from lots to avoid noxious smells and health hazards. During walks, pet waste must be removed immediately from common areas and other lots.
3. Complaints should be directed to Dorchester County Animal Control authorities for appropriate action and/or fines according to existing ordinances. The management company should be notified also to track complaints.

#### **GUIDELINE NO. 19**

##### **Nuisance**

In addition to the limitations set forth in Article VI, Use Restriction and Rules, Section 8, the following conditions apply:

##### 1. Fireworks

- a. Carefully choose where fireworks are aimed to avoid property damage.
- b. Clean up all firework debris immediately.
- c. Limit the use of fireworks to reasonable hours and holidays. Respect your neighbors by keeping these celebrations to a minimum and avoid late hours (usually after 10 PM).

##### 2. Noise

- a. Limit the volume of music and the sounds from activities to reasonable hours (usually not before 8 AM or after 10 PM).
- b. Work Hours: Scheduled contractor work hours in the Legend Oaks Plantation Community HOA-1 are designed to accommodate the neighborhood residents, the homeowner contracting the work and the contractor. If contracted/scheduled work is being performed on the exterior of a residence or in the resident's yard, the acceptable work hours will be Monday through Saturday from 7:00 AM until 7:00PM. Interior contractor work can be performed Monday through Sunday from 7:00AM until 9:00 PM. In the case of an immediate household emergency (i.e. water leak, gas leak, HVAC failure, etc.), the emergency work hours can be accommodated to prevent further household damage or safety issues.

##### 3. Burning

- a. Outdoor burning of trash or yard waste is not allowed.

## **GUIDELINE NO. 20**

### **Yard Sales**

Individual yard or garage sales are not permitted under Article VI, Use Restrictions and Rules, Section 2, Use of Lots.

## **GUIDELINE NO. 21**

### **Tree Removal**

1. An ARB Request must be filed to request the removal of any tree. The decision of a certified arborist may be required regarding the health and safety issues of the tree in question. A Dorchester County permit for tree removal does not meet the requirement for Legend Oaks ARB approval.
2. Trees removed without prior ARB approval will be considered as live trees and shall result in a fine levied against the homeowner.
3. In order to maintain the treed appearance of the community, tree mitigation may be required for tree removal. The mitigation would be evaluated on an individual basis depending upon the lot's particular situation.
4. The imposed fines shall be substantial and tree replacement may be required in mitigation when a tree is removed without prior ARB approval, as allowed under assessment provisions granted by protective covenants.
5. Approval is not required for trimming and pruning of any tree or shrub to retain its health and appearance.
6. The Board of Directors may require a homeowner to remove, at homeowner's expense, any tree that dies or becomes a hazard.

## **GUIDELINE NO. 22**

### **Satellite Devices**

1. Satellite devices must receive prior ARB approval.
2. No trees are permitted to be removed to facilitate efficient installation.
3. Contractors must be licensed for satellite installation.
4. Devices must meet federal, state and local regulation and licensing requirements.
5. The preferred location for satellite devices is the rear of the home, but other locations will be considered on an individual basis.
6. Satellite device installation must be approved by the golf course for those Lots with golf-course views.

## **GUIDELINE NO. 23**

### **Wind Turbines/Wind Mills**

1. Wind Turbines/Wind Mills are not allowed.

## **GUIDELINE NO. 24**

### **Solar Energy Systems**

1. A solar energy system is defined as any solar collector or other solar energy device/devices or any structural design feature of a building whose primary purpose is to provide for the collection, storage and distribution of solar energy for space heating, space cooling, electric generation or water heating.

The following common solar systems are examples of items that would be considered solar energy systems:

- Photovoltaics (PV) – solar electric
  - Residential Building – Integrated Photovoltaic Systems – solar electric
  - Solar water heating (SWH) for use within building and space heating
  - Solar fan and ventilation
  - Solar pool heating
  - New technologies may be considered if sufficient information is available.
2. All solar device plans must receive prior ARB approval before installing any solar energy device or system. Properties adjacent to golf course shall require additional approval from golf course management. The ARB shall pursue the discussions with golf course management and include results with the ARB Request response to owner.
  3. The ARB shall not be responsible for the system design nor the verification of the system's compliance with any and all applicable governing regulations, requirements, standards and building codes. The homeowner shall insure and document that the proposed system complies with all applicable governing regulations (federal, state and Dorchester County), requirements, standards and building codes before submitting ARB Request. Wiring shall be installed in rigid conduit from roof area to inverter, disconnect and meter.
  4. All devices and installation shall be rated for the minimum local wind zone code.
  5. The proposed system must comply with all requirements pertaining to structures on each property such as setbacks and easements.
  6. The ARB shall have the right to disapprove any proposed solar energy system based on aesthetics pertaining to location, profile, size, color, texture, material and other aesthetic criteria considered by ARB pursuant to our Community Guidelines.
  7. Solar roof top arrays (collection of panels) and devices shall not be installed on the front facing roof of the house or the front areas of the property. Solar rooftop devices must be visually integrated with the architecture of the house regarding style, location, size and color and shall maintain the aesthetic nature of the existing structure. The installation of such devices shall minimize visibility from streets in front of property, from other side streets and from neighboring properties.
  8. Any and all roof mounted fixtures, features, equipment and systems located on the roof shall be within the vertical wall line of the structure. If the roof overhang is minimal, additional distance between roof edge and solar device may be required.
  9. Solar panels shall be installed on the plane of the roof material and shall not extend above the ridge line of the roof. If the array is not aesthetically acceptable, the ARB may require an alternative configuration of the panels.
  10. Tracking platforms or mechanisms that allow the device to tilt seasonally, permanently or by time of day are not allowed.
  11. The solar panel array shall be roof mounted and integrated into the roof structure. Solar energy system yard arrays are not permitted. Panels shall be flush mounted with roof, and the panels shall have a maximum panel clearance (distance from the roof surface to the top surface of panel) of 8 inches. The panels shall be flat with no ridges and no curves.
  12. Solar panels shall have non-reflective surfaces. The panels shall be dark in color and be consistent with the character of the roof and structure. The color of the panel frame shall be consistent with the color of the roof. All roofing materials, including portions of underneath and/or abutting solar energy systems, shall be compliant with Community Guidelines.
  13. All plumbing, piping, electrical and utility lines for the solar energy system shall be internal and/or concealed from view. Any associated fixtures, devices, features, equipment and systems not located on the roof shall be located in accordance with setbacks and easements for the subject property and concealed from the neighboring properties' view and not visible from the street. PV system inverters shall be installed on the same plane as the existing utility meter and the inverters, disconnect and meters shall not be visible from the street. Where appropriate, a fence or other screening of sufficient height may be required to aid in screening the solar energy system as determined by ARB.

14. SWH systems shall possess SRCC (Solar Rating Certification Corporation) certification to insure high quality standards, shall be installed flush to the roof with no more than a 3-inch rise in elevation above the roof and shall be flat and clear with no ridges, curves or external piping.
15. The solar energy system and devices shall be preferably owned by the homeowner, but leased products from third parties may be considered. Ownership must be clearly identified on the ARB Request. ARB Request shall only be submitted by owner and not by third party leasing company. All approvals shall be designated to the homeowner and not third party leasing company. The homeowner shall be responsible for ensuring a third party leasing company's solar energy system installation, operation and maintenance complies with approved Community Guidelines and such appropriate compliance language shall be included in the leasing documents. A copy of the proposed lease document shall be submitted with ARB Request prior to approval and installation.
16. Prior to installation of any roof top systems, the roof surface shall be verified and documented to have a minimum roof life of 10 years. Roof life shall be determined by proof of roof installation date, professional roofer certification or professional home inspector certification; in each case in form and substance acceptable to ARB.
17. All PV installations should have a minimum manufacturer's power performance warranty of 20 years, and minimum panel efficiency of a PV system should be 12%. All SWH installations should have a minimum manufacturer's power performance warranty of 10 years and should have non-mechanical overheating protection mechanisms.
18. The homeowner of an approved and installed solar system shall properly maintain such system to ensure that it does not deteriorate or create visual and/or aesthetic nuisance as determined by the Home Owners Association (HOA) Board of Directors. If the system becomes a visual and/or aesthetic nuisance, the HOA Board of Directors reserves the right to enforce any of its rights to insure homeowner compliance that may include, but not limited to, fines and/or removal and shall include remedying the area of the removed system to its original state of compliance.
19. If the installed solar system is no longer functioning, in use or in violation of any governmental regulations or requirements, the HOA Board of Directors has the right to require owner to maintain the system in good and aesthetically pleasing condition pursuant to the Community Guidelines that may include removal of the system and remedying the area of the removed system to its original state of compliance.
20. If the homeowner allows installation of a solar system not approved by ARB or installed not as approved by ARB, the HOA Board of Directors shall impose remedy or removal of such system at homeowner's expense, and the homeowner shall reimburse the HOA for any and all expenses, including legal expenses and violation fines, required to enforce this guideline.
21. No trees shall be removed or vigorously pruned to facilitate efficient installation and/or operation of the system without formal ARB approval. Only trees on homeowner's property that create shading greater than 10% of the total panel area between 9:00 AM and 3:00 PM (EST) shall be considered for removal. Mitigation may be required when tree removal is approved by ARB. If the owner's property cannot facilitate a new tree without interfering with the solar system, the owner shall be responsible for the cost of planting a hardwood tree on HOA public space.
22. Once a solar energy system has been approved and installed on a property, the adjacent properties must receive ARB approval before any planting of trees or construction of structures that would cause shade interference on the solar panels.
23. Contractors shall have state licenses required for solar system installation.
24. The ARB Request submittal shall include the following:
  - Verification of minimum 10 year roof life for roof mounted systems and current roof material and color.
  - Written statement from contractor or leasing company that the proposed solar energy system complies with all applicable governing regulations, requirements, standards and building codes.
  - Documentation of the system specifications and warranties and SRCC certification for SWH system.
  - Information relating to panel manufacturer, panel efficiency rating, panel color, panel frame color and material including photos of panel in frame.
  - A color visualization and/or simulated image of the installation that includes the exact location and number of collectors. Construction drawing(s) to scale for the proposed installation. The exact location and number of collectors, means of attachment to roof structure and location of all exterior components must be shown. Also, a site map showing the orientation of home in relation to other properties and streets is required.
  - Mitigation proposal if application requests tree removal from the property. Trees to be removed shall be clearly identified on the ARB application and in the homeowner's yard.
  - If third party lease, a copy of leasing documents showing compliance to Community Guidelines.



25. ARB reserves the right, prior to final approval, to seek nearby homeowner input on proposed plans.

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