

Lakeshore Homeowners Association, Inc. Architectural Review Board Guidelines

The Lakeshore Homeowners Association (LHA) Bylaws require that “the Property known as Lakeshore Subdivision shall be maintained in an attractive, sightly condition.” Toward that end, the LHA Board of Directors in concert with the Architectural Review Board (ARB) has approved these guidelines to maintain a harmonious community appearance and to address questions by residents and prospective Buyers.

Home Exterior

To preserve the unique character and aesthetics of our subdivision, no exterior brick may be painted. Lakeshore contains 82 homes, all of which are constructed of brick, not simply as a facade, but on all sides of each home. Even the Lakeshore Pool house is constructed of brick. Although there are instances of painting over brick in the nearby subdivision of Hidden Lakes, that neighborhood contains homes constructed of materials other than brick, so a painted home in Hidden Lakes is not an anomaly.

References from the “Lakeshore Homeowner’s Association Inc., Amended Covenants:” All dwellings or other structures to be erected in the Lakeshore Subdivision shall have an exterior finish of brick veneer, except that cornices, gables, and cantilevered second story may be wood, aluminum, or vinyl. The same materials utilized for the exterior and roof of the residence shall also be used for the garage and any other structure erected on the premises.

Accessory Dwelling Units and Short-Term Rentals

Separate buildings for use as an Accessory Dwelling Unit (ADU) are not permitted in Lakeshore, nor may a garage be converted to an ADU.

References from “Lakeshore Homeowner’s Association Inc., Amended Covenants:” All lots shall be used for residential purposes only, and no structure shall be erected, placed, altered, or permitted to remain on any lot other than one single family dwelling, and any accessory structures customarily incident to the residential use of such lots. No structure of a temporary nature shall be erected or allowed to remain on any lot, and no trailer, shack, tent, garage, barn, or other structure of a similar nature shall be used, either temporarily or permanently as a residence.

No Short-Term Rentals (STR) of any kind are permitted. Long-term rental or lease of not less than ninety (90) days is allowed with restrictions.

References from “Lakeshore Homeowner’s Association Inc., Amended Covenants:” No dwelling on any Lot may be used for any short-term rentals (“STR”) of any kind, including without limitation, STR arranged through online websites and listing or booking platforms or services. Restrictions of this section do not limit the Owner from long-term rental or lease of not less than ninety (90) days nor apply to rental by Seller or Buyer during the transition period of a property sale.

Fencing Specification

The developer of the Lakeshore Subdivision began site grading of Phase I in 1992, then began adding utilities, roadways, perimeter fence and constructing individual homes soon thereafter. This means that portions of the wooden perimeter privacy fence are now nearly thirty years old; pushing the limits of life expectancy for this type of construction.

This Fencing Specification was adopted to ensure that any new fencing as well as fencing repairs and replacement are completed to maintain a harmonious community appearance. The neighborhood

should not endure a “patchwork quilt” of fences as sections are replaced; but rather, maintain the original contiguous construction of matching height, style, material, and color.

Fencing Function

Three different functions are served by fencing on individual lots throughout the Lakeshore Subdivision:

- 1) Perimeter Fence – 8-ft tall solid fence erected around the perimeter of the development to provide privacy and security for the community. These fences are situated along the boundary between lots located within the Lakeshore Subdivision and lots outside of Lakeshore as well as along the back of Lots 12 and 13 of Phase II, Section B which had been the Lakeshore Subdivision perimeter before Phase IV was developed.
- 2) Ornamental Fence – fence to provide definition to the lot, as ornamental accent, and to control pets. From the LHA Amended Covenants, “Fences, boundary walls, and hedges shall not exceed four feet in height without written ARB approval.”
- 3) Screening Fence – fencing to screen utilities and trash/recycle bins.

General

Fences are permitted on resident lots; however, their use should be limited. Wherever possible, alternatives such as plant materials are encouraged to be used to define boundaries and create privacy. Fences should minimize the physical and visual impact on neighboring properties. All fences must be well designed, well-constructed and compatible with the architecture of the home.

All fences must be approved, in writing, by the ARB as to materials, size, finish, and location prior to construction (see the ARB Approval Process section below).

The owner of the lot burdened by an easement shall be responsible for the cost of removing and replacing plantings, fencing, and any other improvements installed in an easement if required to provide access to, or use of, the easement by the owner of the easement.

No part of the fence shall encroach onto other properties.

Caution: locate all underground pipes (water, sewer, storm drain lines, etc.) and wires (electrical, communications cable, etc.) before you dig.

All utilities must be readily accessible for meter reading, testing, or necessary repairs.

The fence should connect with the property line or with existing fences on adjacent property. Permission to connect to or tie-in with any neighbors’ existing fence must be obtained from that neighbor in writing by the owner and that written permission submitted with the ARB Request. It is recommended that the owner obtain a survey for accurate fence placement and to prevent encroachment. Fence placement, surveys, or placement in any easement are the sole responsibility of the owner of the lot to obtain and verify.

Fencing cannot obstruct or interfere with surface water drainage. Existing drainage shall not be altered in any manner so as to divert the flow of water onto an adjacent lot or lots.

The lot owner is responsible for maintaining all fences and the lot property, whether inside or outside of the fence line.

Perimeter Fence Specification

Fence posts: 4-in x 4-in x 12-ft pressure treated pine (0.40 percent ACQ Ground contact, available at most local lumber & supply stores), each post anchored with a minimum of 50 pounds of concrete mix. 6-ft center to center post spacing.

Rails: Three 2-in x 4-in pressure treated pine rails are required between each pair of posts. To reduce potential for rot, a minimum of 6" must be allowed between the bottom 2-in x 4-in rail and ground.

Vertical Slats: Nominal 1-in x 6-in (actual 3/4-in x 5-1/2-in) x 8-ft pressure treated pine. Slats must be vertical and plumb. "Dog ear" style slats must be turned down toward the ground so that the top of the fence is square and flat. Slats must be butted against each other with a maximum of 1/4-in spacing. The finished side of the fence is facing the home (and Lakeshore community), with the rails and posts outside the fence slats. All fence tops shall be level and not slope or undulate with grade and must align with each neighbor's fence. Minimize earth to wood contact to prolong fence life.

Hardware: Hot dipped galvanized or stainless steel.

Finish: Perimeter fences may remain unfinished and allowed to weather. A clear waterproofing sealer product may be applied, but NO paint or stains may be applied.

Prohibited: The perimeter fencing provides security for our neighborhood. Therefore, no gates or openings are permitted in the fence. No section/panel fencing is permitted.

Ornamental Fence Specification

Fences shall be designed, constructed, and finished so that the supporting members shall face the property of the owner of the fence (finished side out). Fences shall not exceed four feet in height without written ARB approval.

No Ornamental fencing shall extend toward the street beyond the back of the house, except for houses on corner lots where the fence may extend to the back side corner nearest the street. Front yard fences are strictly prohibited. By plat restrictions, no fence is allowed within the drainage easements surrounding the two stormwater ponds.

All fence tops shall be level and not slope or undulate with grade and must align with each neighbor's fence. Minimize earth to wood contact to prolong fence life.

Screening Fence Specification

The Lakeshore Amended Covenants require that "Garbage cans, equipment, wood storage piles, etc. shall be walled in or otherwise screened to conceal them from the view of neighboring lots or streets. No cans, boxes or refuse of any kind may be placed on the curb for pick up prior to the evening before the specified day of pick up by the Town of Mount Pleasant Waste Management Division. Exceptions will be allowed four (4) times per calendar year per lot. All residential utility service and lines to residences shall be underground. All fuel tanks must be buried or screened from view. Air conditioning units must be screened from street view. All screening must be approved in advance by the ARB.

The term equipment is interpreted to include air conditioning equipment, water heaters, EV charging stations, irrigation pumps, propane tanks, and generators which shall not be located in the front of any property.

NO "Grandfather Clause"

Utilities that do not match this specification and carry over from previous years are no longer approved for replacement in kind. When the time comes to remove, replace or relocate, the utility must be brought to current requirements.

“Grandfathered in” is a commonly used term for an existing non-conforming use or structure that the present owner does not want to bring into compliance with now current regulations, rules, or ordinances.

To be properly “grandfathered in,” the condition at issue must have complied with the original regulations, rules, or ordinances and/or specifically exempted. It is not the same as not being caught at the time of original installation.

There is NO specific language regarding a “grandfather clause” in either the Lakeshore HOA Amended Covenants or the Lakeshore HOA Bylaws.

Screening may be achieved by planting shrubbery of sufficient size and density with full-year foliage. Alternately, a solid screen may be erected. The height of this solid screen should only be tall enough to hide the unit; currently, the utility bins supplied by Charleston County are 48”.

Replacement verses Repair

As a general rule, if problem areas in the fence involves 20% or less of the total fence, then this qualifies as a repair. If a greater portion is in disrepair, then a replacement is required. This maintains continuity of appearance and may also be the most cost-effective solution.

NO “Grandfather Clause”

Fences that do not match this specification and carry over from previous years are no longer approved for replacement in kind. When the time comes to rebuild, the fence must be brought to current requirements.

“Grandfathered in” is a commonly used term for an existing non-conforming use or structure that the present owner does not want to bring into compliance with now current regulations, rules, or ordinances.

To be properly “grandfathered in,” the condition at issue must have complied with the original regulations, rules, or ordinances and/or specifically exempted. It is not the same as not being caught at the time of original installation.

There is NO specific language regarding a “grandfather clause” in either the Lakeshore HOA Amended Covenants or the Lakeshore HOA Bylaws.

Lawns and the use of artificial turf

Use of artificial turf must be approved by the ARB and shall be restricted to the rear of a property. Artificial turf will be included in the 65% of a property’s requirement for grass, with the remaining 35% designated for shrubs and landscaping. For further clarification on required lawn and maintenance, see the “Lawns and Other Maintenance Required By Owner” clause in the Lakeshore Amended Covenants located on <http://www.lakeshorehoa.net/>

ARB Approval Process

Written approval for homeowner projects may be granted by the ARB after the owner submits the following to the Lakeshore ARB:

- 1) A completed Lakeshore ARB Approval Request form.
- 2) A plot plan or similar drawing of the property showing the location of existing and proposed changes (e.g., fencing, patio, paving, and landscaping).

- 3) A drawing and/or photograph of the type and style the proposed installation and a description of the same.
- 4) Written approval of any neighbor who will be impacted (*e.g.*, existing fence will be tied-into).

No construction may commence until written approval is received. The ARB may grant variances to these specifications if warranted. Any scope changes must be submitted to the ARB for approval before implementation. Once the project is completed, the owner must contact the ARB for a representative to inspect the finished project to assure that the Association’s requirements have been met.

Fences installed without proper approvals shall be removed at the homeowners expense.

Regulatory Authority

Lakeshore Homeowners Association, Inc. Amended Covenants

Amended Bylaws of Lakeshore Homeowners Association, Inc.

Article V - Board of Directors of the Association

Section 2. Authorities and Duties. The Board of Directors shall provide for the following:

- 4. the enactment of reasonable regulations governing the operation and use of the common properties, including any necessary “house rules.” It shall be necessary to record regulations newly adopted or the amendment or repeal of existing regulations. No Member shall be bound by any newly adopted regulation or any amendment or repeal of existing regulation or any amendment until the regulation has been recorded in the ROD Office for Charleston County, South Carolina;

Title 27, Chapter 30 - South Carolina Homeowners Association Act of the South Carolina Code of Laws

SECTION 27-30-130. Enforceability of governing documents; recording requirements; rules, regulations, and amendments.

(B)(1) Rules, regulations, and amendments to rules and regulations:

- (a) are effective upon passage or adoption; and
- (b) must be made accessible to a homeowners association member upon the request of that member of the homeowners association, and, at the option of the homeowners association, via electronic mail or through methods provided by the homeowners association’s bylaws that ensure actual notice, unless they are:
 - (i) posted in a conspicuous place in a common area in the community; or
 - (ii) available on an Internet website maintained by the homeowners association, where they may be downloaded by the homeowner.

State of South Carolina
County of Charleston

The foregoing document was acknowledged before me by Glen Pellett, President of Lakeshore Homeowners Association, Inc. on January 22nd, 2024.

Alex Rummel

Signature of Notary

Expiration 10/9/2033

Lakeshore Homeowners Association, Inc.

[Signature]

Brad Marcoe, ARB Chairperson

[Signature]
Witness

Alex Rummel
Witness

