

South Meadows Homeowners Association (SMHOA)

Architectural Control Rules and Regulations

(Revised December 2022)

NOTE: All additions, structures, fencing, outbuildings, and any other improvements made to the existing homes or lots shall be considered grandfathered in, and approved as of the revision of these Architectural Control Rules and Regulations, dated December 2022. All new additions or other improvements will require approval by said committee.

These guidelines are used to protect property values and to present a uniform and neat neighborhood, making it appealing for new buyers to come into the area, and for current homeowners to be proud where they live. Additionally, the Rules and Regulations are to maintain the overall look and appearance consistent with the original intentions of The South Meadows Planned Community.

The SMHOA Architectural Control Committee (ACC), shall be the sole committee for approval of all exterior changes to your home and all additions of structures. Deed Restrictions require approval of any additions to the exterior of a home.

Maintenance of Property

Homeowners do not need approval to maintain existing approved exterior appearances or structures. Approval is not required for the replacement of an existing fence, unless the fencing is different from what is on the property already. Example going from wood to Vinyl. Repainting of a home using the same color does not require approval. Installing a new roof of same color does not require approval. Ordinary landscaping maintenance does not require approval. Planting of shrubbery and replanting of shrubbery does not require approval. The homeowner is responsible for all maintenance costs. The homeowner is responsible for all building permits and building code requirements. Property improvements may not violate any setbacks or easements.

Retaining Walls

The community of South Meadows has used retaining walls on various lots to hold in property, where structures have been erected. The general consensus since the beginning of the neighborhood in relation to retaining walls, regardless of property lines, since most are on the property lines; if the retaining wall is holding up your property from falling into your neighbors property, and that wall gives, then it is your responsibility to repair that wall. No approval is required to repair the retaining wall. If the wall is to be constructed of brick then approval must be obtained to make sure the color of the brick is complimentary to the neighborhood.

Note: Recently, there has been construction activity on some of these lots, to where the construction activity has created the retaining walls to fall down prematurely. The builder of the homes has made some repairs and has installed some new retaining walls. If your home has been the recipient of some of these activities and the wall needs repair, then contact the current homeowner of the property where the wall needs to be repaired, as they have assumed this responsibility from the builder, by the purchasing of the home.

Solar Panels

As of December of 2022, the board voted to not allow any future construction of solar panels on homes within The South Meadows community. If you currently have solar panels on your home these will be grandfathered in, and no additional panels will be allowed to be constructed. If your home requires for these existing panels to be repaired, no approval is required to repair them. Currently, there are only three known homes that have solar panels on them.

Satellite Dishes/ TV antennas, WiFi antennas

These are all allowed, and should be constructed toward the rear of the home when possible, where they cannot be seen from the street from the front of your home. If your home sits to where the signal will not be received by the dish or antennas if they are placed in the rear of the home, then it is permissible to place the dish/antenna at least half way back from the front of the home. If another location is needed for a signal then approval is required. If the dish or antenna is required for signal and placed on a pole, the pole can be no taller than 6', and cannot be seen from the roadway in front of the home. The pole can be placed anywhere in the back yard where a signal can be obtained, as long as it cannot be seen from the roadway. The standard dish according to the covenants is the 24" dish used by satellite TV companies. Any other deviations from these requirements will require the approval of the **SMHOA ACC**.

Roofing

All roofing replacements/repairs will be done with the exact or similar type of shingles that are currently on the home, or in the neighborhood surrounding your home. The shingles should be of the exact color on the home currently or a color that is used in the neighborhood around your home. The idea here is to make the neighborhood uniform to protect property value.

Under no circumstances will metal, wood, or any non-approved roofing be allowed. If you fail to obtain approval and construct your roof of a material not approved, then your roofing will be replaced by SMHOA, and you will be sent a bill for repairs. If the repair is not paid, then a lien will be placed upon your home.

Basketball Goals

These are permissible as long as they are the roll around kind. No fixture may be applied to the house. No permanent goals are allowed.

Exterior (painting)

Your home may be painted with the exact same color that exists on the home. A change of color should match the neighborhood. Only colors that go with the general flow of the neighborhood will be accepted. If you paint your home with a color not acceptable and not within the flow of the neighborhood, then SMHOA will repaint your home to bring it into compliance. A bill will be sent to you for painting. If you fail to pay said bill, then a lien will be placed on your home. No painting of brick will be allowed.

Fencing

South Meadows has accepted as its norm the 6' wood slat privacy fence, with the smooth side facing outward. If you construct this type of fence no approval is required. As time has gone on, different types of fencing materials have been introduced to the consumer. For example; White Vinyl fencing has been used and allowed in the neighborhood. Rod Iron Fencing has also been used and is allowed. Any other type of fencing will require approval.

Under no circumstances are Chain link fences allowed. Generally, a fence should contain two sides, and a rear to enclose your entire property. If your home backs up to the common area, then a back portion of a fence is not required, this is your choice, but at the same time the common area must be kept up. No dumping of yard debris in the common area is allowed. You may take care of this area and use it as part of your yard, and plantings made must be taken care of.

Fencing will start at the end of the dwelling or at least 15' from the corner of the rear of your home, the choice is yours. The fence will run the entire property line of the home, to the rear property line of the home, thus consisting of two sides and one rear. If the home backs up to the common area, the fencing on both sides will stop at the rear property line. No fencing will be attached to the rear Common area fence. No fencing will be attached to any retaining walls. Temporary fencing is allowed if you are fencing in a garden to keep animals away. At the end of the growing season the garden fencing shall be removed. Temporary fencing is allowed to keep small animals (dogs and cats) in place to keep them from running about the neighborhood. The temporary fencing should not be seen from the front of the home. Animal cages are not allowed. All fencing will be limited to 6' in height.

Sheds/Outbuildings

Only one shed/outbuilding will be allowed on any lot. The sheds/outbuildings shall be 10'x20' and limited to 10' tall. The color of sheds shall be in the general flow of the neighborhood and compliment the home where the shed/outbuilding is placed (conservative colors). Prefabricated or ready to install kits, or site built sheds/outbuildings of metal, wood, masonry, or vinyl are all allowed and should also be of conservative colors complimenting the home on the lot. Roofing material for site built sheds/outbuildings should compliment the home on the lot. According to Aiken county guidelines the shed should be a minimum of 5' from the back property line **or** 5' from the side property line. Approval is required for all sheds/outbuildings. A simple drawing showing where the shed will be erected and what material will be used for construction will be needed by the **ACC** to make a decision. A visit to the property is very helpful in making a decision for approval by the **ACC**.

Patios, Decks, and Deck Covers all require approval for permanent structures. If homeowner is using a temporary structure, such as the canvass covers that are now available to the general public, that are not considered permanent structures, then the use of these coverings is permissible, as long as they cannot be seen from the front of the home. As mentioned previously, any permanent change to the exterior of the home requires **ACC** approval. No garage doors shall be removed from any and all homes.

Stand Alone Flag Poles

These are permissible and are to be placed in concrete per the manufactures requirements. The material must be of metal construction. The height is limited to 30 feet. The placement of said pole must be next to the homes driveway, and limited to 5' in front of the home, nearest corner to the home by the driveway. If you are unsure of the placement, simply contact the **ACC** for guidance and approval.

Decorative Flags

Are permissible and must be attached to the home. They are to be maintained in good condition. Military, State, and The United States Flags are all allowed. Seasonal flags are

allowed as long as the message is not obscene or offensive to your neighbors. The small seasonal signs/flags such as Spring, Autumn, Winter, and Summer, that are on small decorative stick in the yard signs are permissible.

Mailboxes

Replacement of the original mail box/post with the same material that originally came with the home does not require approval. Any deviation from the norm requires approval by the **ACC**. Any mail boxes in need of repair, shall be repaired as soon as practical. Mail boxes must conform to USPS guidelines. Mail boxes and posts maybe painted as long as the paint matches the original color used.

Driveways

Any extension of driveways to the original construction of the home, requires approval from the **ACC**.

Sidewalks

Any sidewalk additions or extensions require approval from **ACC**.

Room Additions

If any addition changes the exterior of the home in anyway, then approval is required by the **ACC**. The additions must be done by a licensed contractor, and building permits pulled by the builder. All must conform to current county or city building codes, which ever is required at the time of construction. **Additions or changes** that are done within the home and do not affect the exterior of the home, then approval is not required. All Building permits are all the requirement of the homeowner.

Rain Gutters

In general, rain gutters do not require approval for construction, as long as the color compliments the home and general flow of the neighborhood. Any deviation from the norm will require approval.

Trash Receptacles (cans)

Generally the trash can/receptacle should not be seen from the roadway out in the open, from the front of your home. You may conceal the trash can behind a vinyl or wood fencing partition on the side of your home. The partition should be no higher than 4 feet. The trash can/receptacle should sit on a pad, of concrete, concrete paver stones, or organic pad material. Some people have hedges or plantings that they can place their trash receptacle/can behind, to where it is not sen from the road way. This is also permissible. No trash can/receptacle shall be stored in the front of the home in the yard or driveway. The trash receptacle/can maybe stored in your backyard or in your garage. If your home is such that it can not conceal the trash container behind a partition, contact the **ACC** for guidance. Generally, we want the neighborhood looking neat with trash and debris hidden from site, as one were to look at your home from the street.

Swimming pools and Coverings

All swimming pools either in ground or above ground that will be a permanent structure, require approval by the **ACC**. The temporary pools for the season are permitted as long as they cannot be seen from the roadway from in front of your home. These temporary pools require no approval.

Personal Storage (excluding sheds and outbuildings)

No commercial vehicles, boats, motor homes, camper trailers, house trailers, horse trailers, or similar type vehicles shall be parked or stored on any lot except carports, garages, or rear portions of the lot, to where it cannot be seen from the street.

No vehicle that is not currently licensed or has been disabled for more than 60 days, shall be parked or stored on any lot except in a carport or garage, or rear portion of the lot to where it cannot be seen from the roadway.

Parking of vehicles

Vehicles shall not be parked on any grass or lawn area in the front yard of your home.

Vehicles are to be parked in your driveway or on the street. Any extension of driveways shall require approval from the **ACC**.

Landscaping and lawn-care

Every lot should contain grass and live vegetation. Homeowners are required to maintain the front of their homes, which includes cutting grass, weeding flower beds, and trimming shrubs and bushes. All plantings of ground coverings, trees, plants, shrubs and bushes, must be of likeness to the community and your neighbors. Fruit and vegetable gardens shall be planted in the back yard, and are not to take up more than ¼ of the backyard area towards the rear of the yard. Any changes to the grade on any lot will require the approval of the **ACC**.

Common areas/ HOA Property

Under no circumstances can this property be altered, occupied, purchased, or settled on. If your home backs up to the common area, then a back portion of a fence is not required, this is your choice, but at the same time the common area must be kept up. You have the right to trim trees and take care of the area as if it were a part of your yard. No permanent structures may be erected in this common area. In general, homeowners have the right to walk the properties and have a duty to uphold and maintain the integrity of the properties.

Enforcement of Violations of Architectural Control Rules and Regulations

1. The first violation shall be dealt with by the mailing of a warning letter. The homeowner shall have 30 days to respond/rectify the violation.
2. The second violation will be a certified letter, citing the violation and a \$50.00 Fine. The homeowner shall have 30 days to rectify the situation and to pay the fine.
3. The third violation shall be a certified letter with a \$150 fine. The homeowner shall have 30 days to rectify the situation and pay the fine.
4. The fourth violation shall be a certified letter and a \$250 fine. The homeowner shall have 30 days to rectify the situation and pay the fine.
5. The fifth Violation shall be a \$250 fine and a lien filed on the home for the fine, repairs, legal fees, and or any other administrative costs or expenditures required by the South Meadows Homeowners Association. A letter shall be sent to the homeowner/lot owner, stating the actions.

When any fine or damage repair assessment is made against a homeowner/lot, the ACC shall outline the findings in writing, and send the same to the homeowner. The homeowner shall have 30 days to request a hearing/review from the South Meadows Homeowners Association Board. If no hearing/review is requested within the 30 day period, then the fine imposed shall accrue at the rate of 5% per annum, until the fine is paid. If the amount is not paid by the time the new dues are due for the following year, then the fine amount plus interest shall, and dues for the new year, shall be placed in a lien against the home for non-payment.

If a hearing/review is requested by the homeowner, then the SMHOA shall schedule a hearing within 30 days of the request from the homeowner. The hearing will be conducted by the Board and the President/Vice President of the SMHOA shall be the presiding officer. All parties shall be heard at the hearing. Any parties involved may have counsel at the hearing. After all statements have been made at the hearing, the board shall make a determination/finding by a simple majority vote. The findings of the board are final. All parties will be notified in writing of the findings by the board.

Fees and costs

In addition to any fine imposed, the homeowner shall be responsible for all lien fees, filing fees, attorneys costs, and repair costs associated with the cited violation. The homeowner/lot owner shall also be responsible for any and all administrative costs incurred by the SMHOA Board in connection with the violation. The enforcement for actions under this section shall be the same as enforcement for failing to pay any delinquent assessment.

