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# **Architectural Guidelines**

**Effective April 16, 2008**

**(Includes Changes Approved by Owners February 15, 2006,  
And Covenants & By-Law Revision of 2005,  
And Reordered for Readability)**



**Timberlake Estates**

**Owners Association**

**P.O. Box 238**

**Chapin, SC 29036**

April 16, 2008

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# **Timberlake Estates Architectural Guidelines**

## **1 STATEMENT OF PRINCIPLES AND PURPOSE**

- 1.1 A great deal of effort was given to the master planning of Timberlake Estates to ensure a thoughtful and harmonious development process. A major concern in the planning is the integration of development with its immediate environment. Man made improvements should, as much as possible, blend with nature. The result will be more pleasing to the eye and a more attractive community in which to live.
- 1.2 In order to assure that these objectives are achieved and to assure a continuity of physical development such that future development will be compatible with existing development, the Declaration of Covenants, Conditions, Restrictions and Easements for Timberlake Estates has been declared and recorded. Article VI of the Declaration of Covenants establishes the Architectural Review Committee (The "ARC") and sets forth its jurisdiction, powers, obligations, and the rules and regulations under which it will conduct its review of proposed improvements. Any statements contained in this document are to amplify or clarify provisions of that Declaration. In the event of a conflict, the Declaration of Covenants' provisions will prevail.
- 1.3 All applicants are urged to review carefully all provisions of the Declaration as well as this document prior to submitting an application to the ARC.
- 1.4 Section 6.02 (a) of the Declaration of Covenants states that "It is intended that the ARC attempt to ensure that all improvements conform and harmonize the existing structures as to external design, quality and type of construction, materials, color, location of the building site, height, grade, finished ground elevation, and all aesthetic considerations set forth in these Covenants or in the Architectural Guidelines".
- 1.5 The purpose of the ARC is to define design standards of construction in Timberlake Estates and to review and either approve or disapprove any and all proposed improvements for a building site within Timberlake Estates including but not limited to: dwellings, garages, outbuildings or any other buildings, construction or installation of sidewalks, driveways, parking lots, mail boxes, decks, patios, courtyards, swimming pools, tennis courts, outdoor athletic equipment, greenhouses, playhouses, awnings, walls, fences, satellite dishes, docks, wharves, rip-rap, bulkheads, boat slips and lifts, exterior lights, any exterior addition to, change, or alteration to existing structures, including without limitation painting or staining of any exterior surface. ARC approval must be obtained for dredging and fill operations, shaping of land areas and drainage, and removal of any trees more than six (6) inches in diameter measured at a height of four (4) feet from the base.

## **2     ADMINISTRATION OF THE ARC**

The Timberlake Estates Covenants, Section 6, establishes the ARC and its administration.

## **3     ARC MEETINGS**

3.1     The ARC will conduct regular monthly meetings providing there is business to conduct. The date, time, and location shall be chosen at the initial meeting each year.

3.2     The ARC may conduct special meetings upon three (3) days notification by the chairperson of the date, time and place of the meeting.

3.3     A quorum requirement will have been met if a majority of the ARC members are in attendance at any regular or special meeting.

3.4     Resolutions, approvals, approvals with conditions, and disapproval's of the ARC may be passed only upon majority vote of those present as long as the quorum requirement has been met.

3.5     For the purpose of passing a resolution, the chairperson may propose resolutions and vote on any resolution. In the event of a tie vote on a resolution, the vote of the chairperson shall be weighted by a factor of 1.5 so as to allow the chairperson to cast the deciding vote.

## **4     PLAN SUBMISSION AND APPROVAL PROCEDURES**

### **4.1     Schematic Presentation/Architectural Renderings**

At the discretion of the applicant, an artist's rendering or a schematic rendering of a proposed construction or improvement may be submitted to the ARC in order to determine the suitability of a particular style or design for construction in Timberlake Estates. The ARC will render an opinion as to whether or not a particular design would be acceptable. Because an artistic rendering is not always an accurate depiction of a design scheme, the ARC's opinion will be strictly non-binding and will be offered only in an effort to save an applicant's time and expense in pursuing a design that would ultimately be disapproved.

### **4.2     Submission**

Two (2) sets of all plans must be submitted along with a completed application form to be provided to the applicant by an ARC member. (See scale requirements under 4.3)

4.2.1 Plans must be submitted at least fourteen (14) days prior to the scheduled ARC Meeting to allow the ARC enough time for a thorough review.

4.2.2 Plans must be submitted to an ARC member.

4.2.3 Plans will be stamped as to the time and day of receipt.

### 4.3 Construction Plans

4.3.1 Complete plans and all of the following required information must be submitted in order to gain approval to commence any construction on a building site, including removal of trees with a diameter greater than six (6) Inches measured four (4) feet from the base:

- a) Registered survey of existing property.
- b) Boundary string-out of property and house to be constructed. Provide property corner stakes and connect lot sideline stakes with clearly visible string or tape. Provide labeled corner stakes at all major house corners and connect with clearly visible string or tape.
- c) Site Plan. - All plans should be submitted in consistent scale of no less than 1 inch=20'. Site plans must depict: (i) access street(s), walkways(s), driveway(s), and other exterior improvements; (ii) culvert(s); (iii) foundation plan if other than slab on grade; (iv) exterior lighting plan; (v) air conditioning, heating, and/or service yard enclosures must be screened from view on all sides; (vi) site plan to scale indicating all structures and other improvements to be included in the scheme; (vii) location and identification of special features, (i.e., drainage ditch, easements, adjacent structures, golf course fairways, tennis courts, etc.). Materials used for all improvements must be shown (e.g., walks - concrete, etc.)
- d) At the time of submission of plans, the applicant shall have laid out the structure with string and posts. Additionally, all trees, six (6) inches or greater in diameter at four (4) feet above natural grade that are to be removed shall be marked with tape. An on-site review will then be made by the person(s) designated by the ARC and a report filed with the application by such designee(s) prior to final consideration for approval by the ARC.

4.3.2 Architectural drawings must be drawn at  $\frac{1}{4}'' = 1'$  and include the following:

- a) Total enclosed heated/air-conditioned square footage (stated by floor in the case of a multi-floored residence).
- b) Floor plans including computation of the square footage of each floor.
- c) Approximate elevation drawings of all sides indicating both existing and final grade, finished floor level, and include treatment of building from grade to floor in elevated buildings.
- d) Detailed drawings of typical wall section (drawn at  $\frac{3}{4}'' = 1'$ ), patio wall section, if applicable and other features desirable for clarification, exterior walls, screens, pools, etc. The wall section must clearly show size, profile, and material of typical cornice, etc.; rafter bearing height; typical window with casings and sill; and special features such as belt courses, jack arches, etc.

4.3.3 Descriptive data and samples of exterior materials and colors for major exterior items including brick, stucco, siding, shingles/roofing, cornice,

columns, railings, trim, windows, and doors must be submitted at the time plans for construction are submitted to the ARC.

- 4.3.4 Preliminary landscaping plans (drawn at not less than 1" = 20') must show, in general terms, all house foundation planting, lawn areas, pine straw areas, shrubbery beds and natural areas for entire lot.

#### 4.4 Complete Submission

Any submission that does not include complete information as required by this section will be rejected.

#### 4.5 Approval by the ARC

- 4.5.1 All approvals by the ARC will be in writing; verbal approvals have no standing and are not binding.

- 4.5.2 Approval by the ARC of a submission presumes compliance with all county and state building ordinances and for waterfront property rules of SCE&G.

- 4.5.3 ARC approval presumes compliance with all requirements of Timberlake Estates Documents and the Architectural Review Committee, until and unless the owner receives a written waiver from the committee.

- 4.5.4 ARC approval (including that for variances) expires one year (365 days) from the approval date unless construction and/or land clearing have started. After this time applicant(s) must resubmit their proposal unless the applicant(s) have, in writing, requested and received an extension from the committee. The resubmission will be subject to the rules and regulations in force at the time of resubmission. A new application fee will be required if more than two years (730 days) has elapsed from the original approval.

#### 4.6 Construction Start

- 4.6.1 Construction may not start without written approval of the ARC.

- 4.6.2 The date of start of construction is defined to be the day when any work associated with an approved project commences at the job site; e.g., start of lot clearing.

- 4.6.3 By starting lot clearing and/or construction, owner acknowledges receipt of ARC decisions and agrees to comply with ARC requests and stipulations provided in the ARC approval document and its attachments.

- 4.6.4 At times, the ARC may require applicants to acknowledge receipt of ARC decisions and agree in writing to comply with ARC requests and stipulations before lot clearing or construction may proceed.

## **5 PLAN SUBMISSION PROCESS**

- 5.1 Requests for ARC approval as described below must be submitted at least fourteen (14) days prior to a scheduled ARC meeting to allow the ARC enough time for a thorough review. Any submission that does not include complete information as required by this section will be rejected.
  - 5.1.1 The 14 day advance submission requirement may be waived for plans submitted to special meetings upon approval of the Chairperson.
  - 5.1.2 All plans submitted will be stamped by the ARC as to the date of receipt.
  - 5.1.3 No construction of a building site, including removal of trees with a diameter greater than 6 inches measured 4 feet from the base may begin until approval is obtained by the ARC.
- 5.2 For a plan submission to be considered by the ARC the following must be completed and submitted to an ARC member:
  - 5.2.1 A completed application form.
  - 5.2.2 An application fee of \$400 for each plan submitted for review. The application fee is payable at the time of a first plan submission.
    - 5.2.2.1 The application fee may be increased or decreased from time to time at the sole discretion of the ARC.
    - 5.2.2.2 If major modifications of an approved plan are submitted by applicant/owner, an additional fee of \$50 may be required by the ARC.
  - 5.2.3 A registered survey of the existing property.
  - 5.2.4 Boundary string-out of property and house to be constructed. Provide property corner stakes and connect lot sideline stakes with clearly visible string or tape. Provide labeled corner stakes at all major house corners and connect with clearly visible string or tape.
    - 5.2.4.1 Prior to any clearing, excavating or filling on a lot for construction, a string stakeout review must be performed by the ARC.
  - 5.2.5 All trees, six (6) inches or greater in diameter at four (4) feet above natural grade that are to be removed shall be marked with tape.
  - 5.2.6 A site plan in consistent scale of no less than 1 inch=20'. The site plan must depict: (i) access street (s), walkways, driveway(s) and other exterior improvements; (ii) culvert(s); (iii) foundation plan if other than slab on

grade; (iv) exterior lighting; (v) service yard enclosures; (vi) Heating, Ventilating, and Air Conditioning (HVAC) unit locations; (vii) location and identification of special features (i.e. Drainage ditch, easements, golf course fairways, tennis courts, etc.). Materials of construction for walkways and driveways must be shown.

5.2.7 Two sets of architectural drawings, drawn at  $\frac{1}{4}" = 1'$  that includes the following: (Upon final approval of the submission, one set of plans will be returned to the applicant. One set will be retained by the ARC as part of a permanent record.)

5.2.7.1 Total enclosed heated/air-conditioned square footage (listed by floor).

5.2.7.2 Floor plans including computation of the square footage of each floor.

5.2.7.3 Elevation drawings of all sides indicating existing and final grade, and finished floor level.

5.2.7.4 A detailed drawing of a typical wall section (drawn at  $\frac{3}{4}" = 1'$ ). The wall section must clearly show size, profile, and material of a typical cornice, etc; rafter bearing height; typical window casings and sill; and special features such as belt courses, jack arches, etc.

5.2.8 Descriptive data and samples of exterior materials and colors for major exterior items including brick, stucco, siding, shingles/roofing, cornice, columns, railings, trim, windows, and doors.

5.2.9 The name of the proposed builder. (see section 9 for additional requirements and responsibilities of builders in Timberlake Estates)

5.2.10 A preliminary landscaping plan (drawn at not less than  $1" = 20'$ ) showing, in general terms, all house foundation planting, lawn areas, pine straw areas, shrubbery beds and natural areas for the entire lot. See 7.13 for final requirements.

## 6 **APPROVAL PROCESS**

6.1 Upon review of all of the required items described in Sections 4 and 5, the ARC will notify the applicant, in writing, of approval or, if appropriate, of required and/or recommended changes to the submitted plans. Where changes are required, construction cannot start until the revised plans have been resubmitted to the ARC and approved.



- 6.1.1 If an applicant's submission status is pending, a special meeting with two ARC members can be called to verify compliance with the ARC's requests. Agreement by the two ARC members that the requirements have been met is sufficient for approval and authorization to start construction by an applicant.
- 6.1.2 All decisions of the ARC will be final unless appealed pursuant to the Dispute Resolution Procedure set forth in Article IX of the Bylaws of the Association.
- 6.2 All approvals by the ARC will be in writing; verbal approvals have no standing and are not binding.
- 6.3 Approval by the ARC of a submission presumes compliance with all county and state building ordinances and for waterfront property, rules of SCE&G.
- 6.4 ARC approval presumes compliance with all requirements of Timberlake Estates Documents and the ARC until and unless the owner receives a written waiver from the committee.
- 6.5 ARC approval (including that for variances) expires one year (365 days) from the approval date unless construction and/or land clearing have started. After this time applicant(s) must resubmit their proposal unless the applicant(s) have, in writing, requested and received an extension from the committee. The resubmission will be subject to the rules and regulations in force at the time of resubmission. A new application fee will be required if more than two years (730 days) has elapsed from the original approval.
- 6.6 Applicants may have returned to them a copy of plans reviewed by the ARC with appropriate markings to amplify ARC comments or recommendations. Markings, on plans so received, will not bind the ARC to any design indicated thereon, but are offered only as advisory comments.
- 6.7 One (1) set of plans and landscape plans received by the ARC will be retained as part of a permanent record. Special visual aids, such as models, slides, etc., may be reclaimed by the applicant.

## **7 STANDARDS OF DESIGN AND CONSTRUCTION**

### **7.1 Architectural Standards**

- 7.1.1 All construction must comply with aesthetic standards established by the ARC.
- 7.1.2 Manufactured housing and mobile homes of any type are prohibited.

7.1.3 Exterior finish materials such as exposed concrete block or vinyl as the primary finish material are prohibited.

7.2 Building Heights

No structure shall be constructed within a single family area which has a height exceeding forty-five (45) feet above the elevation of the finished surface of the first floor of such dwelling.

7.3 Minimum Size

All single family homes shall have a minimum of two-thousand (2000) square feet of heated floor space with a minimum footprint of 1,400 square feet of heated space, excluding garages and porches.

7.4 Garages

All single family homes shall have a fully enclosed garage (attached or detached) designed to contain a minimum of two cars.

7.5 Dog Pens and Runs

Free standing dog pens and dog runs are prohibited

7.6 Outside Clothes Lines

Outside clothes lines or other outside facilities for drying or airing clothing are specifically prohibited and shall not be erected.

7.7 Mail, Newspaper Boxes

Mail and newspaper boxes must conform to size, style, and color of Timberlake Plantation mailboxes. The ARC may supply construction specifications or suggest a contractor. Nameplates will only be permitted to be mounted on the ARC approved mailbox.

7.8 Satellite Dishes

The ARC must approve the location of satellite dishes which must be no more than eighteen (18) inches in diameter. A typical installation might be on the outside wall within the HVAC enclosure.

7.9 Service Yards

Each homeowner shall provide screened barriers to serve as service yards in which garbage receptacles, fuel tanks, gas & electric meters and air-conditioning equipment must be placed in or stored in order to conceal them from view in all directions including from roads, adjacent properties, lake, and golf course. Any such visual barrier shall be of a sufficient height so as to effectively screen such areas. Said barrier may consist of fencing and/or landscaping and plantings. Landscape material must be of a sufficient height at the time of installation so as to reach a height that will effectively screen such areas in a reasonable amount of time.

7.10 Building Setbacks

No vertical construction greater than eighteen (18) inches in height above natural grade (measured from vertical surface, not roof eaves) will be permitted within building setback areas so designated on recorded plats.

7.11 Flood Requirements

All residential structures constructed on a lot shall (a) have as a minimum first floor elevation the level of the 100 year flood as designated on official Lexington County Flood Plain maps on file with the Lexington County Planning Commission; and (b) be designed and constructed in compliance with the requirements of the Lexington County Building Code related to construction in flood hazard areas.

7.12 Horizontal Improvements

7.12.1 Any horizontal improvements (emplacement of a permanent structure less than 18" above natural grade) must be approved by the ARC.

7.12.2 Horizontal improvements (as defined in 7.12.1) may not be emplaced closer than ten (10) feet to any property line, save for driveways, driveway entrances and exits and turn-arounds which may be no closer than five (5) feet.

7.12.3 All driveways shall be surfaced with materials and according to specifications specifically approved by the ARC.

7.13 Landscaping

Within 90 days following issuance of the Lexington County Certificate of Occupancy (CO), a formal landscape plan must be submitted and within 60 days following submission of the formal plan, the basic plan of lawn and shrubs must be implemented. If the basic plan has not been implemented within 150 days of issuance of the CO, fines will begin to accrue as defined in Section 11.

7.13.1 Landscaping plans must show all house foundation plantings, lawn areas, pine straw areas, shrubbery beds, and natural areas for entire lot.

7.13.2 All right of ways and easements shall be landscaped and maintained.

7.13.3 Grass lawns will be permitted to extend into the road right-of-way.

7.13.4 The ARC reserves the right to disapprove any type of grass it feels is unsuitable for planting in a certain location.

7.13.5 That area of lots within thirty (30) feet of the golf course property must be landscaped in general conformity with the overall landscaping plan of the golf course.

- 7.13.6 No hedge or shrubbery planting which obstructs sight-lines at elevations between two (2) feet and six (6) feet above streets and roadways within Timberlake Estates shall be placed or permitted to remain on any lot within the triangular area formed by the street property lines and a line connecting such lines at points fifteen (15) feet from the intersection of the street lines (see Figure 1) or, in the case of a rounded property corner, from the intersection of the extended street property lines. The same sight-line limitations shall apply to any lot within ten (10) feet from the intersection of a street property line with the edge of a driveway (see Figure 2).

7.14 Garden Walls and Fencing

- 7.14.1 All garden walls and fences must be approved by the ARC.
- 7.14.2 No chain-link fences shall be permitted within Timberlake Estates.
- 7.14.3 In a suburban setting with small lot sizes such as here in Timberlake Estates, fences are discouraged. There may be situations where fences may not have a negative impact on the community and in such they may be approved.
- 7.14.4 In general, lakeside fencing is deemed inappropriate for lakefront property. It is not in keeping with minimizing impact on the environment and blending with nature as is dictated in Section 1.1. Additionally, lakeside fencing would be very visible and detract from the open lake environment.

7.15 External Appearance

- 7.15.1 Solar Panels are to be no more than six (6) inches high, parallel to the roof, non-reflective and they may not be placed on the street side of the house.
- 7.15.2 No foil or other reflective materials shall be used on any windows for sunscreens, blinds, shades or other purpose, nor shall any window-mounted heating or air-conditioning units be permitted.
- 7.15.3 On lakefront, golf course and corner lot homes, window, and door trim on the lakeside and golf course facing elevations shall be in keeping with the street front trim detail.
- 7.15.4 Side elevation windows and doors require trim in keeping with the street front trim detail.
- 7.15.5 Side elevations require an appropriate number of windows to ensure appropriate side appearance for homes of the caliber in Timberlake Estates.

- 7.15.6 Unless otherwise approved by the ARC, the exterior of all chimneys shall be clad in brick, stone or stucco.
- 7.15.7 Plumbing vent pipes that pass through roofs must be painted to blend with the roof color.
- 7.15.8 Gas Appliance vents (types B, BW, and L gas appliance vents) shall not terminate more than 30" above the roof and shall be painted black or to match the roof color.
- 7.15.9 All four sides must be constructed of the same material. Approval will not be given for a design which has, for example, a brick front and hardy plank siding on one or more of the other sides. Materials may be mixed on a single elevation (for example a front elevation might have brick and some stucco for accent).
- 7.15.10 In most cases, brick and stucco homes should have a belt course. When appropriate, lakefront and golf course homes should have this on all four elevations.
- 7.15.11 All brick and stucco trim pieces such as quoins, jacks, and belt courses should not be flush, but protrude a sufficient amount to produce a shadow line.
- 7.15.12 Windows need to have adequate space between them and the fascia above them. In some cases this will require increasing the height of the soffit.
- 7.15.13 Frieze boards, fascia, and other trim must be appropriately sized to match the overall size and appearance of the house.
- 7.15.14 Sanitary sewer clean-outs and lift pump tanks and controllers must be hidden or screened from view in a manner approved by the ARC.

## **8 CONSTRUCTION START**

- 8.1 Construction may not start without written approval of the ARC.
- 8.2 The date of start of construction is defined to be the day when any work associated with an approved project commences at the job site: e.g., start of lot clearing.
- 8.3 Before lot clearing and grading commences, a silt fence must be installed at or above the 360 contour on all lake front homes and along any side property line where run off of mud could run onto a neighboring property.

- 8.4 By starting lot clearing and/or construction, owner acknowledges receipt of ARC decisions and agrees to comply with ARC requests and stipulations provided in the ARC approval document and its attachments.
- 8.5 At times, the ARC may require applicants to acknowledge receipt of ARC decisions and agree in writing to comply with ARC requests and stipulations before lot clearing or construction may proceed.

## **9 BUILDER REQUIREMENTS AND RESPONSIBILITIES**

### **9.1**

#### Builder File

The ARC will maintain a file on each Builder/Contractor in Timberlake Estates (TE). This file will contain their Certificate of Insurance, current builder's license, a list of homes in TE completed by the Builder, any fines levied against the builder by the ARC or the Board and copies of any written correspondence between the Builder and the ARC. The builder must agree to comply with the Architectural Guidelines prior to the start of construction.

### **9.2 Security Deposit**

9.2.1 A Builder (or General Contractor) is required to post a security deposit for each project as defined below. This deposit is to assure adherence to rules and regulations covered herein and to the plans submitted and approved by the ARC. When a builder's previous performance justifies it, the ARC may, solely at its discretion, increase the amount of security deposit required from that builder on future homes.

- a) \$1000 for new home construction
- b) \$500 for Improvement Projects involving potential for significant road dirt such as a pool, retaining wall or driveway replacement.
- c) For small improvement projects such as enclosing a deck, retiling of a patio or deck, etc, the homeowner is responsible to see that the contractor abides by the Timberlake Estates Covenants, By-Laws, and ARC Guidelines, and will be responsible for any fines that occur as a result of failure of the contractor to abide by these documents.

9.2.2 The security deposit must be paid prior to the start of any construction work.

9.2.3 Any fines assessed against a builder will be drawn from this deposit.

9.2.4 Upon completion of the construction project, clean-up of trash from the construction lot and from adjacent lots, repair of any damage to adjacent lots and final ARC final inspection of the project to ensure the home built agrees with submitted plans, the security deposit will be returned. Any

deviations from the approved, submitted plans that need to be corrected by the builder will need to be completed before the security deposit is returned. Failure of the builder to do so within 90 days will result in forfeiture of the security deposit.

9.3 Construction Related Signs

- 9.3.1 Signs may only be placed on a building lot upon receipt of ARC approval to commence construction. Signs may indicate the name of the contractor and architect provided that such information is contained on the same sign face. When the names of the design company and the contractor are on a sign, the companies information shall have equal weighting with neither having dominance or preeminence over the other.
- 9.3.2 Signs may contain company names and logos with the approval of the ARC.
- 9.3.3 Sign posts, when used shall be painted a color that readily blends with the natural surroundings. Timberlake green is preferred; however other colors may be used with ARC approval. White or bright colors are prohibited.
- 9.3.4 Signs may be placed on a lot fifteen (15) feet from the front property line along the mid-line of the lot (half the distance between the side property lines).
- 9.3.5 Only one sign may be placed on a lot. No sign will be permitted on lot side facing golf courses or waterways.
- 9.3.6 Signs shall be single-faced only and must be placed with the sign face parallel to the roadway.
- 9.3.7 Signs must be removed promptly upon completion of construction.
- 9.3.8 Subcontractors, including landscaping firms, will not be permitted to place their signs on a building site.
- 9.3.9 Signs not complying with the provisions of this Section may be removed and disposed of by the ARC after five (5) days written notice to the builder without further notice.

9.4 Trailers

Trailers for the purpose of security may be utilized only during the period of construction with the approval of the ARC.

9.5 Portable Outdoor Toilet Facilities

9.5.1 For new home construction, a portable outdoor toilet facility must be provided. For Improvement Projects, with the approval of the homeowner, portable outdoor toilet facilities may not be required.

9.5.2 Facilities may be placed only in a location approved by the ARC. They may not be emplaced prior to final construction approval by the ARC and must be removed promptly upon completion of construction.

9.5.3 Effluent removed from the facilities may not be disposed of in the Timberlake Estates sanitary sewer system.

9.6 Care of Specimen Trees During Construction

9.6.1 All specimen trees, as designated by the ARC will be protected from damage during construction.

9.6.2 Batter-Boards will be erected and maintained around each tree so designated by the ARC.

9.6.3 Excavation and installation of underground utilities will be performed in such a manner as to avoid damaging the root system of specimen trees.

9.7 Working Hours

9.7.1 Contractors doing new home construction or improvement projects requiring ARC pre approval may work only 7:00 A.M. – 8:00 P.M., Monday through Friday and 8:00 A.M. – 5:00 P.M. on Saturdays. No construction requiring ARC pre approval, or lot clearing may be conducted on Sunday or the following holidays: New Years Day, Memorial Day, 4<sup>th</sup> of July, Labor Day, Thanksgiving or Christmas.

9.7.2 Material deliveries may be made subject to the same provisions of Section 9.7.1 herein.

9.8 Worker Behavior

9.8.1 Section 8.10 of the Covenants prohibits obnoxious or offensive activities (including loud music) that are objectionable to neighbors. Contractors, sub-contractors, material delivery men and any other agent of the owner doing business in Timberlake Estates will be required to conduct themselves accordingly.

9.8.2 The builder (General Contractor) is responsible to see that all his direct employees and his subcontractors and their employees adhere to all of the applicable Timberlake Estates rules and requirements: specifically those in this Section and those of Table A (Fines) at the end of this document.

9.9 Keeping Roads Clean



The builder (General Contractor) shall diligently try to minimize the amount of dirt and mud tracked onto roads during construction. The use of crush-run gravel is strongly encouraged where vehicle access to a lot is required during construction. When unacceptable amounts of dirt have been tracked (or washed etc.) onto the roads from a job site, the builder is responsible to see that it is cleaned up quickly.

9.10 Defacing Adjoining Properties or Public Areas

The builder (General Contractor) is responsible to see that all his direct employees and his subcontractors and their employees shall not deface adjoining properties or public areas. This defacement (damage) includes, but is not limited to, damage caused by vehicles and debris.

9.11 Trash and Debris

Trash and debris on building sites shall be kept to a minimum, contained in an acceptable manner and shall not become a nuisance to adjacent property owners or unsightly to the neighborhood.

9.12 Burning or Fires

Burning or fires in open areas are hereby prohibited.

9.13 Payment of Contractors Fines

Contractor fines are due within 15 days of notification to the contractor. In the event that fines against a contractor are deemed uncollectible, the lot owner is responsible for payment under Section 6.07 of the Declaration of Covenants.

9.14 Periodic Review

The ARC will periodically review the building site to verify that the design is according to the plans approved by the ARC and that the Architectural Guidelines are being adhered to.

9.15 Transfer From Contractor to Homeowner

In cases where the homeowner is also the General Contractor on a house in which the homeowner intends to occupy the house (e.g. not a spec house), the homeowner is considered a contractor/builder for purposes of these Guidelines until a certificate of occupancy is issued for the house. From that time on, the homeowner is considered an owner (not a contractor) for purposes of these Guidelines.

**10 POST CONSTRUCTION INSPECTION**

When construction has been done contrary to approved plans, the ARC may force removal of the improvement, reconstruction to meet the approved plan, or any other action that the ARC deems is appropriate, including fines.

**11 FINES**

Fines for failure to comply with Timberlake Estates Architectural Guidelines are shown in "Table A" at the end of this document.

**12 DOCKS AND FIXED PIERS, BOAT LIFTS, LAKEFRONT LOT IRRIGATION, RIP-RAP & DREDGING**

**12.1 General**

12.1.1 Both ARC and SCE&G approval are required for dredging, installation of docks, fixed piers, boat lifts, lakefront lot irrigation systems, and/or rip-rap. Both approvals are required before any construction may begin.

12.1.2 ARC requirements for docks, fixed piers, boat lifts, lakefront lot irrigation systems, and/or rip-rap may be more restrictive than SCE&G.

12.1.3 In order to avoid confusion and possible delay, any submission to SCE&G must meet the ARC requirements defined in this Section.

12.1.4 An ARC application should be used for applications in this section. No fee is required.

12.1.5 Submissions under this section may be approved at a special meeting by 2 members of the ARC.

**12.2 Docks and Fixed Piers**

A dock application must include a site plan showing the location of the dock and/or fixed pier and detailed plans and profile drawings to include dimensions and materials.

**12.3 Site Planning**

12.3.1 Typical lot set-backs are as follows:

- a) Side lot line set-back 15'
- b) Opposite (adjacent lot) dock set-back (separation) 50'

12.3.1.1 As standard design criteria, the overall dock length should not exceed 75' as measured along the dock surface from the beginning of the fixed pier to the end of the floating dock.

12.3.1.2 As a general rule, two opposing docks should not exceed 25% for each dock of the overall dimension from shore to shore. A minimum of 50% of this should be maintained as circulation space.

**12.3.2 Typical Dock Dimensions & Requirements**

12.3.2.1 Dock area should not exceed 450 square feet including walkways.

- 12.3.2.2 Floating dock should not exceed 35 feet in overall length. The height of the floating dock should not exceed a height of 2 feet above the waterline. Handrails are restricted from use on the floating dock. Floating materials may not be visible.
- 12.3.2.3 The fixed pier should not extend horizontally more than 20 feet from the 360' contour and not exceed 4-1/2 feet in width; however, specific site conditions will be taken into consideration. The fixed pier is required to be at a vertical elevation between 360' and 362'.
- 12.3.2.4 In general, sitting areas on fixed docks must start at the 360' contour and may not project more than 16' towards the lake (this requirement may be modified based on impact to shoreline trees). Sitting areas on fixed docks may not be in the middle or lake-end of the fixed dock.
- 12.3.2.5 The hinged ramp should not exceed 30' in length or 4' in width.
- 12.3.2.6 Handrails shall be used on fixed piers, sitting areas and hinged ramps. Railings must be no more than 3'6" above the finished surface. On fixed docks and sitting areas, the handrails should have upright 2 x 2 pressure treated pickets which are 6" on center with a cap width not to exceed 8 inches. It is preferred that handrails on hinged ramps not have pickets, however, they are allowed.
- 12.3.2.7 Where, in the opinion of the ARC, the overall length combination of fixed pier and hinged ramp might have an adverse impact on the views from neighboring lots the ARC may require that a long ramp without pickets and/or a floating walkway be used to connect to the floating dock. When a floating walkway is required it must be at least six (6) feet in width.
- 12.3.2.8 Materials of Construction
  - 12.3.2.8.1 Fixed Piers, sitting areas or floating docks constructed of exposed metal are prohibited.
  - 12.3.2.8.2 All fixed piers, sitting areas and floating docks should be constructed of #1 pressure treated lumber, treated to a retention of 0.40 or better.

12.3.2.8.3 Hinged ramps may be constructed of #1 pressure treated lumber, treated to a retention of 0.40 or better; or metal (galvanized or painted) with #1 pressure treated lumber used for the walkway surface.

12.3.2.8.4 Flotation materials shall be "muskrat-proof" and meet the requirements of SCE&G (no exposed Styrofoam is permitted).

12.3.2.8.5 Nails shall be annular threaded, zinc dipped, dipped galvanized, or stainless steel. No electroplated nails are allowed.

12.3.2.8.6 All hardware shall be galvanized or primed and coated.

12.3.2.8.7 All bolts and fasteners should be stainless or galvanized, not electroplated.

12.3.2.8.8 The bumper material shall be manufactured rubber material for the intended use.

12.3.2.8.9 Only semi-transparent paint or bleaching oils are permitted. No solid body paints or stains are allowed on the lumber surfaces.

12.3.2.9 Covers are prohibited over sitting areas of docks.

12.3.2.10 Overhead lighting is restricted (see Section 13 for specifics).

12.3.2.11 Attached benches and seats are restricted from use on the hinged ramp and floating dock.

12.3.2.12 Wooden or synthetic dock boxes are allowed only on the fixed sitting area.

12.3.2.13 Boathouses and free standing boat covers are prohibited.

12.3.2.14 Boat-slip covers are prohibited

12.3.2.15 Boat ramps are prohibited.

#### 12.4 Boat Lifts

Boat lifts must be designed and built as a low profile type lift (the mechanism of the lift must not exceed the 363 contour).

**12.5 Rip-Rap, Shoreline Protection, and other Erosion Control**

12.5.1 All erosion control will be done by use of filter cloth and rip-rap.

12.5.2 Filter cloth shall be heavy grade geotextile material.

12.5.3 Rip-rap will be "one man" granite rip-rap, 25-150 lbs., with heavier weights preferred.

12.5.4 Consideration will be given to sea walls that meet or exceed SCE&G guidelines.

**12.6 Lakefront Lot Irrigation**

12.6.1 Irrigation pumps must be hidden from view in a manner approved by the ARC.

12.6.2 Irrigation pipes drawing water from the lake must be concealed (buried, or totally concealed by some other means) down to the 352 ft elevation in a manner approved by the ARC.

**13 EXTERNAL LIGHTING**

13.1 General Policy: For the purpose of these guidelines, exterior lighting is defined as safety or accent lighting that is located on a home or property which illuminates landscaping, driveways, walkways, porches, decks, docks, etc.

13.2 Each homeowner has the responsibility to insure that the exterior lighting on their home or property does not:

- a. shine directly on to adjacent properties.
- b. shine into or cause reflections off of neighboring home windows, etc. that are distracting to those neighbors.
- c. illuminate in a manner that will hinder navigating boats on the lake, driving cars, or walking along roadways.

13.3 Lighting fixtures may only be used in an application for which they were designed. For example, spotlights or floodlights may not be mounted below dock handrails to illuminate walkways, floating docks, or boats.

13.4 Lighting on dock ramps, seating areas and fixed piers should be mounted no higher than the handrails on these structures, be directed downward and be low wattage (25 watts or less). Low voltage or solar lights are the preferred design. Lights on floating docks for purposes of safety shall be 10 watts or less.

13.5 Placement of lights on poles securing floating docks or poles supporting boatlifts is prohibited.

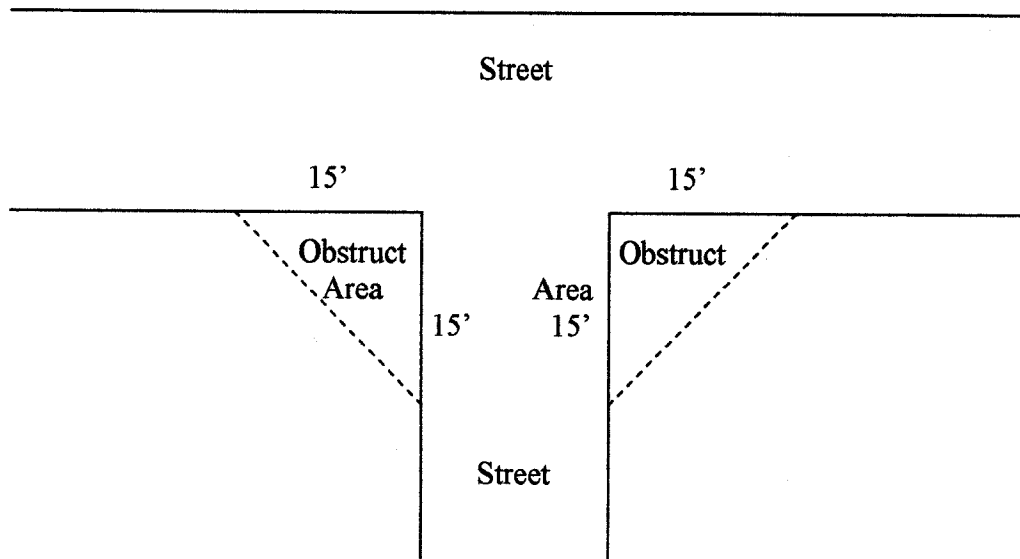
- 13.6 Pole and post mounted lights that provide 360 degrees of illumination are prohibited from the rear and side yards of lakefront homes.

**14 AMENDMENT**

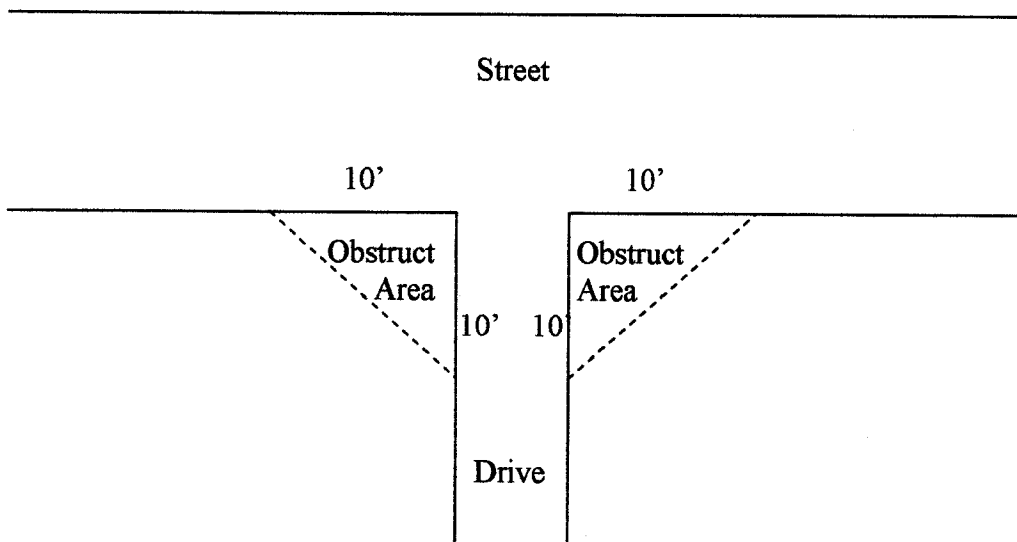
- 14.1 Any proposed changes to these Guidelines, made by the ARC, are subject to the process defined in Section 6.04 of the Declaration of Covenants.
- 14.2 Any preliminary or final plan, marked received, shall be subject to the rules and regulations applicable at that time.

**15 SEVERABILITY**

This document shall not be rendered invalid or unenforceable should any of the provisions of this document or the application or effect thereof be invalid or unenforceable for any reason and to any extent. These provisions which are not invalid or unenforceable shall be enforced to the greatest extent permitted by law.



**Figure 1**  
Area that can't be obstructed at a street intersection  
(See Paragraph 7.13.6)



**Figure 2**  
Area that can't be obstructed at a drive and street intersection  
(See Paragraph 7.13.6)

Timberlake Estates Owners Association Table A Fines

Violation	Fine
Violation of Architectural Guidelines or non-compliance with said guidelines by an owner. <i>4.5.3 g.</i>	Up to \$30.00 per day for each event of non-compliance or violation.
Unauthorized removal of trees. <i>5.13 g.</i>	Replacement of trees as directed by the ARC and a fine of up to \$100 per tree.
Start of construction without ARC approval. <i>8.1g.</i>	\$400 per occurrence plus \$50 per day until unresolved issues are closed and written ARC approval is granted
No silt fencing on construction site. <i>8.3 g.</i>	\$200.00 initially. After 5 working days, \$50.00 per day until installed.
No trash container on site at commencement of construction. <i>9.11 g.</i>	\$200.00 initially. After 5 working days, \$50.00 per day until installed.
No portable toilet on site at commencement of construction. <i>9.5.1 g.</i>	\$200.00 initially. After 5 working days; \$50 per day until installed.
Unightly lot or debris not picked up. This includes debris and/or damage to adjacent property or public areas. <i>9.11g</i>	\$200.00 per occurrence plus cost of cleanup.
Excess dirt/mud tracked onto roads (applicable if due diligence has not been exercised). <i>9.9 g.</i>	\$100.00 per occurrence plus cost of cleanup.
Working during non-approved days or hours. (Approved Hours: Mon to Fri: 7 am to 8 pm, Sat: 8 am to 5 pm, No work on Sunday or Holidays – Christmas, Thanksgiving, New Year's Day, Memorial Day, July 4 <sup>th</sup> , Labor Day.) <i>9.7.1 g.</i>	\$250.00 per occurrence.
Obnoxious noises (loud radios, etc.). Obnoxious behavior. <i>9.8.1 g.</i>	\$100.00 per occurrence
Prohibited fires <i>9.12g</i>	\$100.00 per occurrence.
Construction is abandoned for more than 90 days. <i>8.22 cov</i>	\$20.00 per day until resumption.
Incomplete construction after a 12-month period. <i>8.22 cov.</i>	\$25.00 per day until completion.
Repair or reconstruction is not commenced within 180 days of loss/damage. <i>11.01 cov.</i>	\$25.00 per day until commencement of repair of reconstruction.
Failure to start repair of damage or destruction to improvement on a lot within 180 days of such damage or destruction; or abandoning repair work for a period of more than 90 days once repair work has started. <i>11.01 cov.</i>	Up to \$100.00 per day on lot owner until repair/reconstruction has commenced, unless the owner can prove to the satisfaction of the association that such failure is due to circumstance beyond his/her control..
Failure to repair damage to the interior of or to the grass adjacent to the road on any lot other than the lot on which you have been approved to work within 15 days of completion of the approved project. <i>9.10 g.</i>	\$200 per damaged lot plus cost to repair any damage. (Repairs will be made by the contractor hired to maintain the Timberlake Estates Landscaping; cost will be what he charges.)
Failure to submit final landscaping plan within 90 days of issuance of CO. <i>7.13 g.</i>	\$25.00 per day until submitted.
Incomplete landscaping after 150 days of issuance of CO. (Includes completion of HVAC & Trash Screening) <i>7.13 g</i>	\$25.00 per day until completed
Construction vehicles may be parked on owner's property during non-working hours and overnight. Equipment required for new construction or improvements, e.g. dumpsters, portable toilets and construction materials must be confined entirely to the owner's property "not on the street". <i>8.02 Cov., 8.20 Cov, 12.02 Cov.</i>	\$200 per occurrence

Note: Timberlake Documents - ARC Guidelines *g* - Covenants – Cov.



State of South Carolina  
County of Lexington

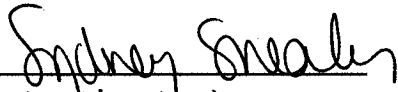
Secretarial Certification and Acknowledgment

I hereby certify that this document was duly promulgated by the Timberlake Estates Owners Association pursuant to its governing documents and is now being recorded pursuant to §27-30-130 (B, C and D), South Carolina Code Ann (2018).

  
(Donna Elgie, TEOA Secretary)

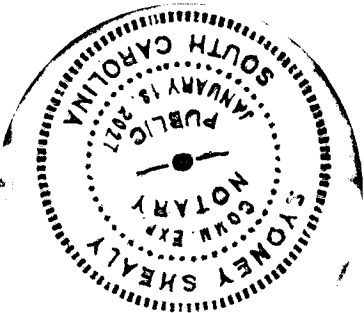
Before me, a Notary Public for South Carolina, on October 2, 2018 appeared the above-named corporate secretary, who acknowledged executing the above certificate.

Notary Public for South Carolina

x   
(notary signature)

print name of notary: Sydney Shealy

my commission expires: January 13, 2027



September 25, 2018