

# **KINGS FLATS PROPERTY OWNERS ASSOCIATION**

## **COMPLIANCE GUIDELINES AND ARCHITECTURAL REVIEW COMMITTEE GUIDELINES**

The Architectural Review Committee (ARC) reviews applications and additional information submitted for all new improvements and alterations to existing improvements at Kings Flats. Homeowners can enhance their homes and yards, with respect to any applicable easements and setbacks, to enhance and usefulness and pleasure of their property. However, prior to most modifications, homeowners are required to obtain approval from the ARC. If necessary, a permit from Dorchester County may be required. It is the homeowner's responsibility to verify all building regulations regarding your project.

**Plans for any exterior alteration must be submitted to the ARC for approval prior to commencement of construction or placement. Applications must be submitted with a plot plan showing the footprint of the home and property lines to scale, in relation to the proposed modification(s). Proposed modification(s) must be sketched on the plot plan.** All prior improvements must be included on the plot plan (added sunroom, patio, other landscaping beds, swing set, gazebo, etc.). Samples indicating color selection, style, and product type must be included. It is acceptable for this information to be from websites or brochures. All application and pertinent information should be submitted to:

Kings Flats POA  
c/o IMC Charleston LLC  
1 Carriage Lane  
Suite C100  
Charleston, SC 29407  
OR  
Email (PREFERRED): [Denise@imcchs.com](mailto:Denise@imcchs.com)  
Fax: 843-952-7192

Below is a partial list, this is not inclusive of all items. If in doubt, it is your responsibility to review the Governing Documents for Kings Flats POA and submit an ARC application for any change, improvements, additions, or deletions to your property.

### **ARBORS/PERGOLAS**

**Requires approval.** Arbors may be permitted on rear patios and shall not extend beyond the side walls of the main structure. Pergolas must be a natural wood color or white to match trim of home.

### **AWNINGS**

Awnings are **not permitted**.

### **BASKETBALL HOOP**

Permanent basketball hoops are **not permitted**. Portable basketball hoops are permitted provided they are put away each night no later than sunset in such a manner that they are not left in any driveway or visible from any street (e.g., by placement in the garage of a Unit or by laying the pole down in a rear yard of a Unit).

## **BOATS**

Boats are **not permitted**. Boats may not be parked, kept, or stored any lot or on the streets or in any common area, except for minor repairs, cleaning or waxing which must be completed in less than 24 hours. Boats may be stored in an enclosed garage, provided the garage door remains closed.

## **CLOTHES HANGING**

Laundry hanging and clothes-drying lines or areas are **not permitted**.

## **COMMERCIAL VEHICLES**

Commercial vehicles are **not permitted**. Commercial vehicles are defined as the following:

-All equipment, automobiles, trucks, vehicles, including station wagons or SUVs, which bear a sign, lettering, graphics, logo or equipment or have printed on same some reference to any commercial undertaking or enterprise. This restriction on parking does not apply to temporary parking of commercial vehicles, such as for pick-up, delivery, and other commercial services, during the period reasonably necessary to load, unload or perform the commercial service as applicable nor shall this restriction apply to the temporary parking of public service vehicles, including, without limitation, law enforcement vehicles, for purposes consistent with public safety and welfare, including, without limitation, law enforcement, fire protection, emergency medical, garbage collection and the delivery of mail, or to the permanent parking of passenger type public service vehicles of an Owner or Occupant of a Unit.

## **DECKS**

Decks **require approval**, other than those which may be builder options.

## **DISABLED VEHICLES & VEHICLE MAINTENANCE**

No vehicle which is unlicensed or inoperable may be kept or stored on the Property except out of view in an enclosed garage on a Unit. No repair work to any type of motor vehicle, boat or trailer should be conducted on any Unit other than minor repairs, cleaning or waxing which is completed in less than 24 hours.

## **DOG HOUSES & DOG RUNS**

Dog runs and dog houses are **not permitted**.

## **DRAINAGE**

Changes in grading, e.g. berms, swales, slopes, mounds, etc., or channeling of any drainage water onto neighboring or common areas is **not permitted**.

## **DRIVEWAYS**

**Requires approval.** Driveway extensions will be considered on a case-by-case basis dependent on the size of the yard and the size of the extension. Each Owner is responsible for the timely repair, maintenance and/or replacement of the driveway comprising part of the Unit and the driveways in the Common Areas between the lot line of each Unit and the roadways within Kings Flats. Each Owner shall repair or replace all damage to such driveway whether caused by the Declarant, Association or holder of any easement over which such driveway is constructed or otherwise. Any top coating must be approved by the ARC.

## **EXTERIOR AIR CONDITIONERS**

Window units are **not permitted**.

## **EXTERIOR BUILDINGS & STORAGE**

Auxiliary buildings and storage sheds are **not permitted**.

## **EXTERIOR COLORS**

Does not require approval if repainting or new vinyl does not change the home's original colors. Any change in the exterior material type, hue, tone, value or intensity color requires approval.

## **EXTERIOR DECORATIONS**

A reasonable number of holiday and religious lights and decorations may be displayed on any Unit for up to 30 days prior to a publicly observed holiday or religious observance and up to 10 days thereafter without prior approval.

## **EXTERIOR LIGHTING**

ARC approval not required if such alterations or additions should be for the purpose of improving footing, navigation or security. Lighting may not be so installed as to illuminate any portion of an adjoining lot or to shine into any window. The amount of light produced should not be so excessive as to create a distraction or have a negative impact on the neighborhood. Proposed replacements or additions must be compatible in style and scale with the applicant's house, and applications must include their location, number of lights, style, bulb color and wattage. Recommended fixtures include low voltage ground-mounted styles that may be wholly or partially concealed by plantings. It is recommended that before any digging is initiated, the applicant "call before you dig" for locations of existing utility lines. Colored bulbs designed to repel insects may be installed only in lighting fixtures located at the rear of houses. Proposed lighting shall not be approved if it will otherwise result in adverse visual impact to any other property, due to factors including but not limited to location, color or wattage. As the effects of proposed lighting may be difficult to assess prior to installation, the ARC reserves the right to require correction, including but not limited to removal or modification of lighting found to cause adverse impact after installation. **\*\* The installation of lamp posts DOES require ARC approval in advance.**

## **EXTERIOR MAINTENANCE**

Each owner is responsible for keeping the Lot and its improvements in good repair. This includes but is not limited to painting, pressure washing (or other appropriate care), replacement of warped or rotted wood, caulking, roof repair, window and door repair, and siding repair.

## **FENCES**

All fences **require approval** from the ARC prior to the installation. Invisible fences also **require approval**.

### ***Locations:***

Fences are to extend from the rear property line to between one-third and one-half up the side of the house. Variances may be approved or denied at the discretion of the ARC. The ARC approves or denies a fence request on the basis of maintaining the overall appearance of the neighborhood. The ARC does not have the authority to give permission to building a fence within an area that is controlled by a third party (such as an easement or right-of-way). Fences may not impair drainage on any lot and must be built 3 inches above grade if in a drainage easement. The Owner shall bear all the risk if a fence is installed in one of those areas.

### ***Styles:***

6 foot fences must be Charleston Style (trim band at top) privacy. 4 foot fences must be Charleston Style (trim band at top) picket.

### ***Size:***

All fences are required to be 6' privacy style as pictured, except that fences adjacent to water must be 4' picket style as pictured. In this instance the 6' privacy fence must taper down to be 4' high at the rear corner where it adjoins the 4' picket fence.

### ***Materials:***

Fences shall be constructed only out of wood. No vinyl fencing or chain link fencing is allowed.

### ***Staining:***

Requires approval. Fence must have a natural appearance. The Board of Directors has approved a clear stain or Olympic brand transparent stain in either 'Redwood Natural Tone (717)' or 'Fir/Pine Natural Tone (718).' All fences must be stained at all times with no unfinished wood exposed.

## **FIREWORKS & FIREARMS**

The display or discharge of firearms or fireworks in the community is prohibited. The term "firearms" includes "B-B" guns, pellet guns, paintball guns, and other firearms of all types, regardless of the size.

## **FLAGS**

In-ground flag poles **require approval**. The following flags are allowed:

Flags which are no larger than 24" by 36" attached to a Unit and displayed for the purpose of a holiday or sporting event, and the United States of America flags. Any such flag displayed for a holiday or sporting event may be installed up to 72 hours prior to and must be removed no later than 48 hours following such holiday or sporting event. United States of America flags may be installed up to 2' by 4' in size, posted on a 3' pole and attached at a 45 degree angle from the Unit.

## **GARAGES**

No alterations, additions or improvements are permitted to any garage that would defeat the purpose for which it was intended. Garage space is **not permitted** to be converted to a living area (i.e. family room, bedroom).

## **GUTTERS AND DOWNSPOUTS**

Approval not required if the gutters and downspouts are white or match the color of the trim of the house. The downspouts cannot alter the flow of the water in an adverse way to the adjoining property.

## **HOT TUBS, SPAS, AND POOLS**

**Require approval.** Must be in the rear of the yard and fenced in. Hot Tubs require screening at the patio sides with evergreen shrubs or wood fencing of lattice or solid panel to a height of 6'. Must be permitted and follow all city, county and state regulations. Approved on case by case basis. Above ground pools are not allowed.

## **HOUSE NUMBERS**

ARC approval not required for replacement of the like kind. House numbers within the community are required for reasons of security and public safety. Written approval is not required for replacement with like kind. The ARC reserves the right to hold style and size to a community standard regulated in terms of aesthetic appearance.

## **IRRIGATION SYSTEMS**

**Requires approval.**

## **LANDSCAPING**

Major landscaping **requires approval** by the ARC prior to the installation. No approval required if the existing mulch and/or pine needles are replaced with similar materials which are black, brown, or cypress in color. All other colors and materials need approval. Landscape rocks in beds (gravel, river rock, etc.) are **not allowed**. Curb-Crete is **not allowed**. No approval required if existing seasonal plants are replaced with similar plants in size and height. All plantings must be a minimum of three feet from adjoining property line or the distance needed to prevent the plant(s) from impeding the property line. No plants or trees may be planted in a common area. Trees, shrubs, bushes, or other vegetation having a trunk diameter of 6" or more at a point of 4.5' above ground level, or other significant vegetation may not be cut, removed, or mutilated. Owners are responsible for following all Dorchester County and City of North Charleston regarding trees.

## **LAWN MAINTENANCE**

Each owner shall keep their lot and all improvements in good repair. This includes seeding, watering, edging and mowing of all lawns and grounds, the pruning and cutting of all trees and shrubbery. No lawns, grass, weeds, or underbrush shall be allowed to grow to a height exceeding four (4") inches on any lot. Homeowners are responsible for yard maintenance to the curb.

## **LEASING/RENTALS**

An Owner may lease their Unit; provided however, that any lease must be for a term of not less than 30 days. No leases for commercial purposes are allowed (for example, no Unit may be leased for office purposes). Only entire Units may be leased. In no event should occupancy of a leased Unit (except for temporary occupancy by visiting guests) exceed 2 persons per bedroom. No subleasing or assignments of leases of a Unit are allowed. All leases must be in writing and contain provisions requiring all tenants to comply with all Governing Documents and Rules and Regulations for the Association.

## **NOISE**

No owner/tenant/guest shall make or permit any noise that will disturb or annoy other owners/tenants/guests in the community.

## **PARKING**

Vehicles are only allowed to be parked on the driveway but not in whole or partially in the yard. No parking is permitted in the grass. Vehicles are not permitted to block the sidewalk and/or extend over the curb. No disabled or unlicensed vehicles are permitted. Street parking must be with the flow of traffic.

## **PATIOS/PORCHES**

**Requires approval.** Must be constructed of the same materials (siding, shingles, trim, etc.) and colors of the home. Color and material selection samples (via brochure or website) must be provided.

## **PETS**

No animals, livestock or poultry of any kind may be raised, bred, or kept on any Unit, except that a reasonable number of domestic cats and dogs may be kept provided they are kept within the dwelling and are not kept, bred, or maintained for any commercial purposes. No dogs of the Doberman Pinscher, Rottweiler or 'Pit Bull' breed may be kept in or on the property. A 'Pit Bull' is defined as any dog that is an American Pit Bull Terrier, American Staffordshire Terrier, Staffordshire Bull Terrier, or any dog displaying a majority of the physical traits of any 1 or more of the above breeds. No person owning or having custody of a permitted animal may allow the animal to stray or go upon another Owner's Unit without the consent of such other Owner. Pets must be kept on a leash at all times when outside the dwelling, and the Owner must clean up after his or her pet. No animal may interfere with, intimidate, or threaten any Owner, Occupant, other person, other pet, or the peaceful and quiet enjoyment of any other Owner or Occupant, person or other pet. Owners, Residents, and Guests must abide by all the Dorchester County animal regulations.

## **PROPANE TANKS**

All propane tanks and bottled gas for household and/or pool purposes (excluding barbecue grill tanks) must be installed underground or in a manner to be screened from view by landscaping or other materials approved by the ARC and in accordance with all applicable federal, state, and local laws, rules, and regulations.

## **RECREATIONAL EQUIPMENT**

**Requires approval** prior to installation. Must be installed in the rear yards. Must be maintained and kept in good condition. This includes swing sets and trampolines. Swing sets must be wooden. No tree houses or playhouses are allowed. Temporary recreational equipment (bicycles, soccer nets, etc.) should be stored out of site after use.

## **RECREATIONAL VEHICLES**

No terrain vehicles, campers, mobile homes, boats, house trailers, boat trailers, or trailers of any other description is permitted to be parked or to be stored at any place on any Unit, except (a) during the periods of approved construction on a Unit if used in connection with the approved construction, or (b) when parked out of view in an enclosed garage on such Unit.

## **ROOF, DOOR, AND WINDOW REPLACEMENT**

Approval not required if original type, material, and color as the originally installed item. Any exception must have ARC approval. Only black or natural wood colors will be considered.

## **SATELLITE DISH**

Approval not required if dish is one meter or less in diameter and placed on the rear of a dwelling or other location that minimizes visibility from the street fronting the Unit, or from the front yard of the Unit. The dish must be screened from street view where applicable.

## **SCREEN/ STORM DOORS**

Approval not required if screen/storm door trim matches the trim of the house or color of the door. Only clear view storm doors are acceptable.

## **SIGNS**

No sign, banner, advertisement, notice or other lettering may be exhibited, displayed, inscribed, painted or affixed in, or upon any part of Kings Flats that is visible from the outside of a Unit or vehicle parked within the Property without ARC approval, provided however, signs required by governmental agencies and approved by the ARC, as applicable, may be displayed (e.g. permit boards). One 'for sale' or 'for lease' sign may be displayed but only of a design approved by the ARC. No sign may be placed in the window of a Unit or vehicle parked within the Property.

## **SKYLIGHTS/SOLAR TUBES/PANELS/SCREENS**

### **Requires approval.**

All devices or installation shall be rated for the minimum local wind zone code.

The ARC shall have a 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 ARC pursuant to Community Guidelines.

Solar roof top arrays (collection of panels) and devices must be installed on the roof. The installation of such devices shall be allowed on all portions of the roof but must location must strive to have minimal visibility from the street in front of the property, from other side streets and from neighboring properties.

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 ARC may require an alternative configuration of the panels. Tracking platforms or mechanisms that allow the device to tilt seasonally, permanently or by time of day are not allowed.

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 plumbing, piping electrical and utility lines for the solar energy system shall be internal and/or concealed from view. Where appropriate, a fence or other screening of sufficient height may be required to aid in screening the solar energy system as determined by the ARC.

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 POA Board of Directors. If the system becomes a visual and/or aesthetic nuisance, the POA Board of Directors reserves the right to enforce any of its rights to ensure homeowner compliance that may include removal of the system and remedying the area of the removed system to its original state of compliance.

If the homeowner installs a solar system not approved by the ARC or installed not as approved by the ARC, the POA Board of Directors shall impose remedy or removal of such system at the homeowner's expense and the homeowner shall reimburse the POA for any and all expenses, including legal expenses and violation fines, required to enforce this guideline.

## **TRASH RECEPTACLES/ RECYCLING BINS**

Each owner must maintain all trash receptacles, racks or similar facilities in a sanitary condition. Except when placed curbside on the day of or the night before regularly scheduled garbage, trash, and/or recycling pick up days, all garbage, trash and recycling containers and bags and the like must be kept in a closed garage or other approved building within the Unit or placed inside of or behind walls, fences or hedges, or garbage storage area. Garbage and trash containers and bags and the like must not be visible from any adjacent or neighboring Unit, Common Area or street.

## **WINDOW TREATMENTS**

The only acceptable window coverings that may be affixed to the interior of any windows visible from the street, adjacent Unit, or from the Common Areas are drapes, blinds, shades, shutters and curtains. The side of such window coverings that is visible from the exterior of any Improvements must be white, off-white or, if blinds or shutters, a natural wood color, unless otherwise approved by the ARC. Only clear glass is permitted in any window and no window tinting or reflective coating may be affixed to any window that is visible from any street, adjacent Unit, or from the Common Areas, unless otherwise approved by the ARC.

## **YARD ART AND DECORATIVE ORNAMENTS**

All yard art and other decorative ornaments are subject to ARC approval. However, an excessive number of objects could be considered to be not harmonious to the appearance of the community.

***ANY EXISTING OR PROPOSED IMPROVEMENT WITHIN AREAS DESIGNATED AS DRAINAGE AND OTHER EASEMENTS CARRIES WITH IT SOME RISKS TO THE OWNER. OWNERS WISHING AND APPROVED TO MAKE ANY MODIFICATIONS WITHIN DRAINAGE EASEMENTS DO SO WITH AN UNDERSTANDING, AGREEMENT, AND ACCEPTANCE OF THE FOLLOWING:***

***MODIFICATIONS WITHIN ANY EASEMENTS ARE SUBJECT TO REMOVAL BY ANY AUTHORIZED ENTITY OR MUNICIPAL AUTHORITY***

***REQUIRING ACCESS INTO THE EASEMENT AREA. SUCH REMOVAL MAY BE COMPLETED WITHOUT PRIOR NOTICE TO THE OWNER. NEITHER THE DEVELOPER, BUILDER, ARC, POA, OR MANAGEMENT COMPANY ARE UNDER ANY OBLIGATION TO REPAIR, RESTORE, OR REPLACE ANY OR PART THEREOF REMOVED OR DAMAGED WITHIN THE EASEMENT.***

***HOMEOWNERS ARE REQUIRED TO OBTAIN ENCROACHMENT PERMITS FROM LOCAL MUNICIPALITIES FOR FENCES CONSTRUCTED WITHIN DRAINAGE EASEMENTS.***

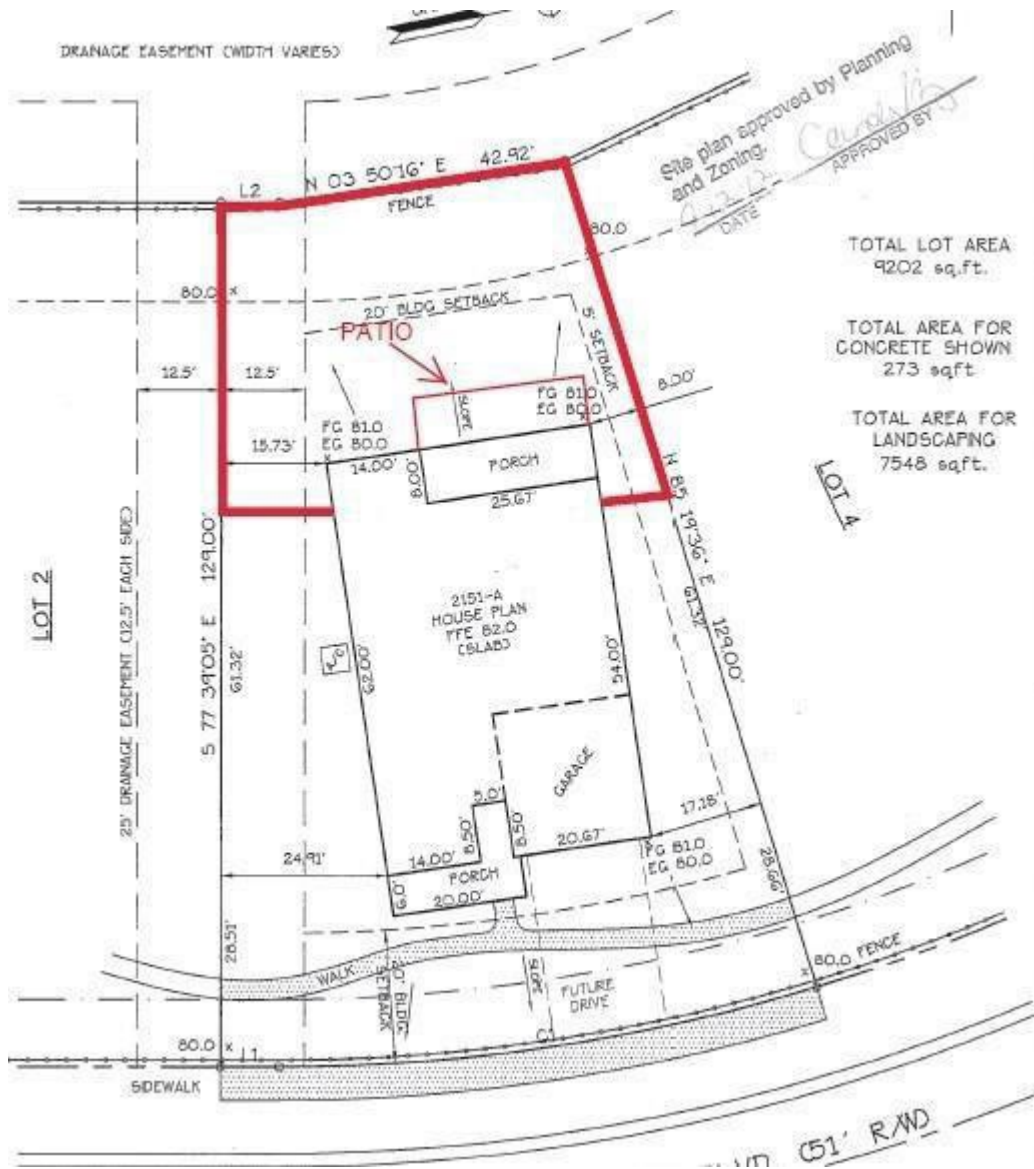
***THIS DISCLAIMER AND THE ASSOCIATED ARC RULES WILL BE MODIFIED FROM TIME TO TIME.***

***All owners and their guests shall abide by all rules and regulations of the Association, and all zoning ordinances, building codes, and regulations of all government bodies of competent jurisdiction. The Board of Directors shall have the power to impose reasonable fines upon an owner, his guests, invitees, or lessee.***

UPDATED AUGUST 30, 2018 BY THE BOARD OF DIRECTORS OF KINGS FLATS POA, INC.

# APPENDIX A

## Plot Plan Example





## APPENDIX B

### *Fence Style Option #1*



### ***6ft Charleston Style Privacy and Gate***

- Caps: Faux copper caps.
- Note: Top trim board should be a 2x4 over a turned 1x4. 2x4 should be flush with 4x4 post, and overhang the turned 1x4 by .5". Top 2x4 should be screwed down to ensure it doesn't warp/bend up.

## ***Fence Style Option #2***



### ***4ft Charleston Style Picket and Gate***

- Caps: faux copper caps match the fence above.
- Note: Top trim board is a 2x4 over a turned 1x4. 2x4 should be flush with 4x4 post, and overhang the turned 1x4 by .5". Top 2x4 should be screwed down to ensure it doesn't warp/bend up. Bottom of fence should have a 1x4 turned at the bottom of the post on both sides.

# APPENDIX C

## *Landscaping*



***Metal/Plastic Landscape Edging***



***Natural Stone Landscape Border***