

DEE-2024014000

Recorded 13 on 04/12/2024 03:29:08 PM

Recording Fee: \$25.00

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ASHLEY B. WILLIAMS REGISTER OF DEEDS

BK:DEE 146-A PG:955-967

# **Pine Valley Homeowners' Association, Inc.**

## **Architectural Guidelines**

# Pine Valley

## TABLE OF CONTENTS

INTRODUCTION.....2

    A.DESIGN REVIEW PROCESS.....2

    B.APPLICATION PROCEDURES .....2

    C.DESIGN GUIDELINES .....3

        1. General Principles .....3

        2. Design Compatibility .....3

        3. Workmanship .....3

        4. Antennas and Satellite Dishes .....3

        5. Decks, Arbors/Ramadas, Covered Patios and Gazebos .....3

        6. Driveway Extensions.....4

        7. Fences.....4

        8. Play Structures.....4

        9. Pools and Spas.....4

        10. Solar Panels .....4

        11. Storage Sheds .....5

    D.LANDSCAPE GUIDELINES – SINGLE FAMILY .....5

        1. Landscaping.....5

        2. Trees .....5

        3. Hardscape .....5

        4. Lighting .....5

        5. Other.....6

EXHIBIT A ..... A-1

    HOW TO MAKE A REQUEST TO THE ARCHITECTURAL REVIEW COMMITTEE ..... A-1

EXHIBIT B ..... B-1

    FENCE GUIDELINES .....B-2

# INTRODUCTION

The Pine Valley Homeowners' Association, Inc. (the "Association") Architectural Guidelines (the "Guidelines") are a supplement to the Covenants, Conditions and Restrictions recorded in the official records of the Spartanburg County Register of Deeds (the "Covenants") and are not to be considered as the sole statement of regulations. Capitalized words used in these Guidelines shall have the meaning ascribed to them in the Covenants, unless expressly provided otherwise herein.

This document is not intended to be comprehensive; rather it is a guideline for Owners considering modification to their Lot or exterior of their dwelling unit. These Guidelines are subject to revision without notice. Unless otherwise defined herein, capitalized words and phrases used in these Guidelines shall have the meanings set forth in the Covenants.

The Covenants and the provisions requiring Owners and other persons to obtain the approval of the Board or Committee with respect to certain actions specified in the Covenants are independent of the obligation of Owners and other persons to comply with all applicable laws, ordinances and regulations, and compliance with provisions of the Association documents shall not relieve Owners or other persons from the obligation to also comply with all applicable laws, ordinances and regulations.

## A. DESIGN REVIEW PROCESS

1. Any change, addition, or modification to a site or a building exterior of a dwelling unit requires the prior written approval of the Committee. Owners with proposed changes should contact the management company, with whom the Association has contracted for community management, to obtain the necessary architectural guidelines and submittal documentation.
2. Simply stated, no improvement, alteration, repair, addition, or other work, including changes in exterior color, is to occur on any Lot or exterior of any dwelling unit from its improved state existing on the date such property was first conveyed by Builder to a purchaser without prior approval of the Committee. The responsibility of the Committee is to ensure that the harmonious, high-quality image of Pine Valley HOA is implemented and maintained.
3. Any Owner requesting approval of any construction, installation, addition, alteration, repair, change or other work to their Lot or dwelling unit shall follow the application procedures listed in the Application Procedure Section below. Response to the submittals will be returned to the applicant within thirty (30) days of receipt. Please confirm that the management company has received your application. If approval is not received within thirty (30) days, the application is automatically denied.

## B. APPLICATION PROCEDURES

1. An Owner shall submit (i) a written request for approval to the Committee via the community website, specifying in detail the nature and extent of the addition, alteration, repair, change or other work the Owner desires to perform, including, without limitation, the distance of such work from neighboring properties, if applicable, and (ii) any additional information, plans and specifications which the Committee may request.

2. The approval of an Application by the Committee shall be in addition to and not in lieu of any approvals or permits which may be required under any federal, state or local law, statute, ordinance, rule or regulation.
3. The approval of an Application by the Committee shall not be deemed a warranty or representation by the Committee as to the quality of such construction, installation, addition, alteration, repair, change or other work or that such construction, installation, addition, alteration, repair, change or other work conforms to any applicable building codes or other federal, state or local law, statute, ordinance, rule or regulation.
4. **It is the Owner's responsibility to ensure that any proposed construction is coordinated with, and where applicable, approved by all applicable governmental federal government agencies, including without limitation, any municipality, county, state or federal agency. The Committee, the management company and the Association assume no responsibility for obtaining these reviews and approvals. An approval by the Committee does not indicate or imply that the request complies with local zoning or building code requirements.**

### C. DESIGN GUIDELINES

1. General Principles. The purpose of the Committee is to promote consistent application of the Guidelines. The Guidelines promote those qualities in Pine Valley that enhance the attractiveness and functional utility of the community. Those qualities include a harmonious relationship among structures, vegetation, topography and overall design of the community.
2. Design Compatibility. The proposed construction must be compatible with the design characteristics of the property itself, adjoining properties and the neighboring setting. Compatibility is defined as harmony in style, scale, material, color and construction details.
3. Workmanship. The quality of workmanship evidenced in construction must be equal to, or better than, that of the surrounding properties. In addition to being visually objectionable, poor construction practices can cause functional problems and create safety hazards. The Association and the Committee assume no responsibility for the safety or livability of the new construction by virtue of design and workmanship.
4. Antennas and Satellite Dishes. While the Association does not prohibit the use of antennas, satellite television dishes or other structures designed for the receipt or transmission of television, radio or other communication signals on any Lot, the Association does regulate the size and location. All antennas, satellite television dishes or other structures are to be located in the rear of house and not be visible from the road. However, corner lots will be reviewed on an individual basis. All antennas, satellite television dishes or other structures are to be submitted to Committee with a diagram showing the location and size of the device to ensure that they do not negatively impact the general development scheme and appearance of Pine Valley.
5. Decks, Arbors, Pergolas, Covered Patios and Gazebos. The Committee encourages creative designs and patterns for decks, arbors/ramadas, patios and gazebos particularly in replacement of existing builder-supplied components. However, plans for such improvements shall be submitted to the Committee for approval and must comply with all City, County and State ordinances.

Pergolas, covered patios and gazebos may be erected in rear yards of single-family homes only subject to prior review and approval by Committee, subject to the following guidelines:

- a. The structure may not extend beyond the sides of the home
  - b. The structure must be painted to match the dwelling unit color and be maintained in good condition.
  - c. The structure may not exceed 10 feet in height
  - d. Color of the structure must match or blend with the colors of the exterior of the home.
6. Driveway Extensions. Driveway extensions will be reviewed for approval provided the following conditions are met:
- a. Only driveway extensions immediately adjacent to the existing driveway located in the side yard of the property will be considered.
  - b. Submittals must include a plot plan with the following noted thereon: the location and dimensions of the proposed extension and the existing driveway dimensions
  - c. Consideration must be given to the existing drainage and water run-off must not be compromised.
7. Fences. All proposed fence locations and details require prior written approval of the Committee and are subject to the following conditions (see **Exhibit B for specific guidelines on installations**):

#### **Single Family**

- a. No above-ground fencing shall be located in the front yard of any Lot.
  - b. No chain link fencing shall be allowed. See Exhibit B for examples of acceptable fence styles.
  - c. **A plot plan or copy of the surveyor's plat, shall be provided to indicate the exact location of the fence in relation to the dwelling unit and property lines. The following dimensions shall be included: length of each fence section and distance of each fence section to its adjacent property lines along with the location and size of gate(s). Applications that do not contain a plot plan will be rejected.**
  - d. Natural or landscaped drainage must not be disturbed in connection with the installation of the fence.
  - e. Consideration should be given to access and ease of maintenance when selecting location and treatment.
  - f. Owners are cautioned that building a fence over easements or access right-of-ways ((e.g., utility easements) may result in removal or destruction of the fence. Such building of the fence is done entirely at the risk and expense of the Owner.
8. Play Structures. No play sets, swing sets or similar playground equipment that would be visible from neighboring property shall be erected or installed on any Lot without the prior written approval of the Committee.
9. Pools and Spas. Pools and spas require prior written approval of the Committee prior to the commencement of any construction. Except for whirlpool spas, above-ground pools are not permitted. All pool and spa submissions must include the plans and specifications, as prepared by the pool or spa contractor, and must include the location of equipment, size of pool and spa, size of deck, setbacks and any proposed safety fencing. Runoff from pool drainage must be considered in overall landscape plan. In addition to the Committee approval, pools and spas must be installed according to all City, County and State requirements.
10. Solar Panels. Except as may be initially installed by the Declarant or builder and if permitted by applicable state regulations or other laws, no solar energy collecting unit or panels shall be placed,

installed, constructed or maintained upon any Lot without prior written approval of the Committee. All solar panels may only be located on the rear of a home out of sight from streets and roadways.

11. Storage Sheds. Storage sheds require prior written approval of the Committee and are subject to the following guidelines:
  - a. Sheds may not be placed on any lot nearer to the front or side property line than the setback line.
  - b. Sheds are limited to 144 SF and only one story tall.
  - c. Quality materials and construction shall be required; no exposed concrete block foundations are allowed.
  - d. Sheds must match the exterior of the dwelling unit in color and roofing materials.
  - e. Sheds must be placed at least 5 feet from the property line.

#### **D. LANDSCAPE GUIDELINES – SINGLE FAMILY**

1. Landscaping. Landscaping improvements or variations from the builder-installed materials shall require prior written approval and must be installed in accordance with plans approved in writing by the Committee.
2. Trees. The removal of a live tree shall require prior written approval unless the tree is less than two (2) inches in diameter at a height above the ground of two (2) feet. Removal of dead trees does not require approval, regardless of size. It is the Owner's responsibility to provide documentation that the tree is dead, if required.
3. Hardscape. The Committee must approve any hardscape items proposed for front yard installation. Hardscape items which will be visible from neighboring property in the rear yard will also require approval. Materials included in hardscape are concrete, brick, tile, wood, and etc. Examples of hardscape items are patios, planters, walkways, retaining walls, decorative walls, outdoor living spaces, fountains, etc...
4. Lighting. Except as initially installed by the builder, no spotlights, floodlights or other high intensity lighting shall be placed or utilized upon any Lot or any structure erected thereon with in any manner will allow light to be directed or reflected on any other property except as approved by the Committee.
5. Flags. An owner may display one portable, removable United States flag, not larger than 4 ½ feet by 6 feet, and one official flag of the State of South Carolina or United States Army, Navy, Air Force, Marine Corps or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size or smaller than the United States flag. An Owner may erect a freestanding flag pole for such aforementioned flags no more than 12 feet high on any portion of the homeowner's real property, if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement. The flagpole and display are subject to all building codes, zoning regulations, setbacks and other applicable governmental regulations, including but not limited to, noise and lighting ordinances.
6. Signs. Temporary signs may be permitted based on the guidelines below:

- a. Signs announcing open house for sales purposes, for private parties and for directional purposes may be installed for short periods of time. Said signs shall not be placed earlier than 24 hours prior to an event and must be removed no later than 12 hours after an event.
  - b. Temporary signs may not be affixed to traffic signs, lamp posts, or other permanent structures. They shall be no larger than 18" by 24" and shall be machine printed or professionally made.
  - c. Party balloons shall not be affixed to signs, lampposts or any other permanent structure. They may be attached to a temporary party or directional sign.
  - d. The display of political signs is permitted based on the following guidelines:
    - i. Permanent political signage, including flags other than those permitted by United States federal law, are not permitted.
    - ii. One temporary sign may be installed on Lots (excluding Townhome Lots and Maintained Lots) 45 days prior to any local, state or national election and must be removed seven days after the election.
    - iii. Temporary political signs may only reference a preference for a specific candidate and may not reference any other political statement or belief;
    - iv. Political signs must remain respectful. No sign may contain profanity or foul messages.
    - v. Political signs are not permitted in the yards of Townhome Lots or Maintained Lots due to the obstruction caused to the landscape provider.
    - vi. All temporary political signs must be professionally made and may only be installed within the boundaries of individual Lots (excluding Townhome and Maintained Lots).
7. Other. Mulch may be installed without approval; however, the color of the mulch must be neutral and natural in tone.





## EXHIBIT A

### HOW TO MAKE A REQUEST TO THE ARCHITECTURAL REVIEW COMMITTEE

A Completed Architectural Review packet will need to be submitted to the appropriate person for any request to be reviewed. To access the Architectural Review Form your neighborhood, visit [www.hinsonmanagement.com](http://www.hinsonmanagement.com) and select "Click here to find your Association Now!" Select your county. Select your subdivision name. Click on the button labeled "Architectural Review Form" on the left side of the page. This PDF form will need to be completely filled out and submitted, along with all supporting documents, to the manager listed at the top of the form.

Architectural Committee Request forms will only be accepted from the owner of the property and will only be reviewed once the completed packet is received.

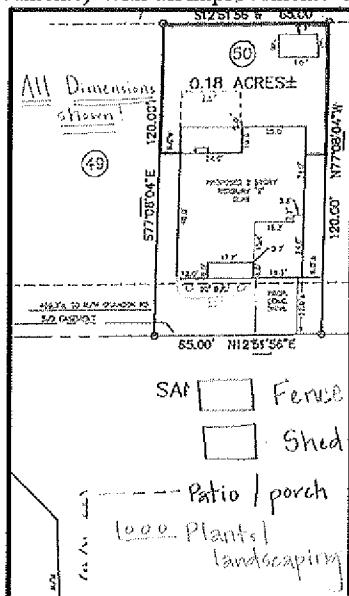
### Architectural Committee Request Form Instructions

Examples of Site Plan with location and dimensions of improvements indicated.

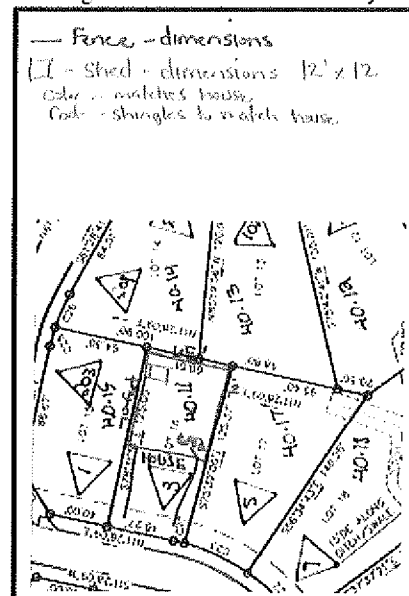
You must submit your site plan using a form like one of the two below. You must include the dimensions of all requested improvements as well their distance from your property lines

#### Preferred

Foundation survey (typically included in your closing documents) with all improvements drawn.



Plat of the community with your house and improvements drawn on your lot. This plat can be found on the Register of Deeds website for your county.



## Architectural Committee Request Form Instructions

This guide will aid you in completing an Architectural Committee Request, incomplete requests will not be accepted. If you have any questions, contact your representative via the information on the top of the form. Requests will not be accepted by any third party.

### The Form

Where to return your form, email is preferred, and contact information for your representative.


Check any box that applies to the improvements you are requesting. You may request multiple projects in one packet if they will be completed at the same time.

Further information and an example on the following page

A visual representation of your requested improvement. This can be a drawing, picture from a brochure or an image from the internet.

You must sign and date your request before submitting, electronic signatures are not accepted.

**NEIGHBORHOOD ARCHITECTURAL COMMITTEE REQUEST**



**HINSON**  
Management, Inc.

Return Complete Packet to:  
**Hinson Management, Inc. ATTN: Name**  
[name@hinsonmanagement.com](mailto:name@hinsonmanagement.com)  
 8199 Valley Falls Road (physical address)  
 PO Box 160207, Boiling Springs, SC 29316  
 Phone: (864) 599-9019 ext. 107

Manager Use Only

Received \_\_\_\_\_

Name \_\_\_\_\_

Received Address \_\_\_\_\_

Property Address: \_\_\_\_\_

Homeowner Name: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**Category of Improvement (Check all that apply)**

<input type="checkbox"/> Out Building Shed	<input type="checkbox"/> Driveway/Parking	<input type="checkbox"/> Fence Height _____
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Patio Screened Porch	Style _____
<input type="checkbox"/> Addition	<input type="checkbox"/> Other: _____	Color _____

It is the responsibility of each owner to install all approved fencing in a manner that ensures an adequate distance for future maintenance of said fencing and also the entire property from the fence line to the property line. It is also the property owner's responsibility to obtain permission to attach to a neighboring fence if applicable.

**Checklist of Items ARC will need to proceed:** \*Requests will not be sent to the committee for consideration without all supporting documentation included. If you have questions, please refer to the instructions included with this form.\*

- Site Plan with location and dimensions of improvement indicated
- Photo, Brochure or Sketch of Improvement
- Written description of improvement including materials, colors and sizes

Contractor: \_\_\_\_\_ Phone Number: \_\_\_\_\_

By signing below the applicant understands that by completing this form he/she agrees to all guidelines set forth by the architectural review committee and all decisions are final. It is understood that the applicant is responsible to comply with all Federal, State, County, and Local codes. It is the applicant's responsibility to locate all easements, utilities, and property lines. Approval is void if improvement is not started within ninety (90) days from the approval date. Standards of the neighborhood's governing documents apply to completion guidelines. Items submitted to the committee will not be returned.

Homeowner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

FOR BOARD OR COMMITTEE USE ONLY

APPROVED: \_\_\_\_\_ Date: \_\_\_\_\_

DENIED: \_\_\_\_\_ Date: \_\_\_\_\_

Notes: \_\_\_\_\_

Your contact information, so we can contact you with information regarding your request

If you are requesting a fence, indicate the height, style and color here

Describe your requested improvement. Include what you are requesting, where it will be placed and a description of what it will look like.

Include the name and phone number for the contractor completing the project. If you will be doing the work yourself, simply write "self" on this line.

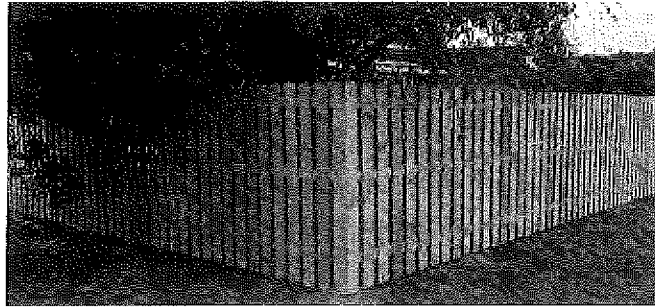
# EXHIBIT B

## FENCE GUIDELINES

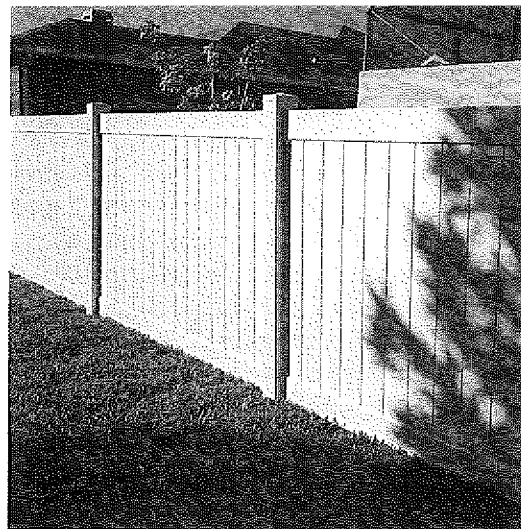
## FENCES

- Chain link fences or chain link dog runs are not permitted.
- The following types of fences are the allowed styles within the community:
  1. Wood – stained clear or in a natural wood tone
  2. White vinyl
- Proposed fencing cannot negatively impact or impede the community drainage plan. (example: Fence pickets cannot be buried in the ground, which would restrict the natural drainage flow of surface water across the properties.) Fencing must be installed to exactly 6 feet in height.
- Generally, fences should be installed on property lines and connected to any neighboring fences – where applicable and when permission is granted by neighboring owner(s). However, owners are permitted to install fences up to 3 feet from the property line provided that the owner remains obligated to maintain any landscaped areas outside the fence. No two adjacent fences may be installed so that they abut each other; owners may either 1) tie into a single fence run; 2) offset any fence by 3 feet from the neighboring property line. Exceptions to this rule can be made by the Architectural Review Committee based on certain features of individual lots that may make installation on the property line impractical, impossible, or interfere with drainage or other easements
- On corner lots, fencing must be placed a minimum of 10 feet from the property line as noted on the official survey/plot plan.
- Fences installed within an easement area are subject to removal for maintenance within the easement.
- Owners bear the risk of re-installing any fence that must be moved within an easement.
- The maximum span between posts shall be ten (10) feet. The minimum post size shall be 4 X 4 inches and must have two 2 rails per section.
- Generally, fences shall not be located closer to any street than halfway up the side of the home as measured from the rear corner to the front corner of the structure.
- On corner lots, the fence shall not be closer to any side street than the building line of the lot.
- All fence posts for all fences must be set in concrete.

Approved Fence Examples:



6 foot dog eared wood fence or decorative wood fence



6 foot white vinyl fence