

**ARCHITECTURAL CONTROL DESIGN STANDARDS  
FOR  
THE HIGHLANDS AT CLEAR CREEK HOA, INC.**

Version 002

Written By: T. Santinelli  
Effective Date: 1 May 2018  
Approved By: Signature on file

Revision Date: 30 April 2018  
Date: On file

*Georgian Highlands*

HIGHLANDS AT CLEAR CREEK HOA

*Nature is our Amenity!*



Highlands at Clear Creek HOA, Inc.

P.O. Box 1201

Jasper, GA 30143

[www.georgianhighlands.org](http://www.georgianhighlands.org)

# ARCHITECTURAL CONTROL DESIGN STANDARDS AND GUIDELINES

This document is an extension of “Article V, Architectural Standards” found in the Covenants

## Section 1. Architectural Control Committee.

“No exterior construction, addition, erection, or alteration shall be made upon any part of the Community unless and until plans and specifications showing at least the nature, kind, shape, height, materials, and location shall have been submitted in writing to and approved by an Architectural Control Committee (“ACC”).”

## Section 2. Guidelines and Procedures.

Provides for the initial design and development guidelines and the application and review procedures (the “Design Guidelines”) which are applicable to all construction activities within the Community.

This document was developed in accordance with Article V, Sections I and 2 of SOP-005 “Declaration of Protective Covenants for the Highlands at Clear Creek L.L.C., Phases I – III” and Article V, Sections 1 and 2 of SOP-006 “Declaration of Protective Covenants for the Highlands at Clear Creek L.L.C, Phase IV”. It was developed by the Architectural Control Committee (ACC) described in detail within Section V of the above Protective Covenants and approved by the Board of Directors of the Highlands at Clear Creek Homeowners Association, Inc. (HOA). It is applicable to all new residential construction, all exterior additions or alterations to existing homes, all out-buildings on any given lot, and all landscaping activity within the Community. Further, the ACC has adopted an overarching philosophy and general set of standards within this document that are intended to preserve, as much as possible, the natural surroundings and topography of the Community and limit the degree of intrusion on the aesthetics and sense of nature between each dwelling and its immediate neighbors.

## I. General Maintenance Requirements

- Property owners are responsible for maintenance of all structures and grounds on their property. This includes, but is not limited to, such activities as mowing, weeding bedding, trimming shrubbery, removing trash, refurbishing damaged wood trim and rusted railings, painting faded house trim, and removing stains from cement stoops and steps, as well as other structural maintenance in a manner that will ensure the overall appearance of the property is in compliance with its original design and that of neighboring GH properties.
- Any matter of non-compliance as outlined in the Architectural Control Committee Guidelines is deemed as a violation of the Declaration of Covenants.

## 1. Dwelling and Structures

- Homeowners are responsible for maintaining the exterior of their dwellings and any other structures on their lots, such as decks, fences, sheds, and playground-type equipment. While it is sometimes difficult to provide precise criteria for what the Homeowners Association deems as unacceptable conditions, the following examples, though not all-inclusive, represent some of the conditions which would be considered a violation of the Covenants:
  - Peeling and/or faded paint, dry rot and water damaged wood and exposed rust on railings.
  - House trim, shutters, front door and/or garage door not painted with authorized color and finish.
  - Playground equipment which is either broken or in need of repainting/refurbishing.
  - Fences with either broken or missing parts.
  - Homes, structures, fences and/or decks stained with non-approved stain or pigment that is not in compliance with the earth-tone, natural color scheme of the development.
  - Concrete porches and steps sealed with noncompliant clear or pigmented sealers.
  - Wrought iron rails in both front and rear of the dwelling or other structures that are rusted or in need of painting with an authorized color and/or finish.
  - Decks with missing or broken parts, or parts that are stained with mold, or wood that is rotted, dry, cracked, warped, or is otherwise in need of treatment or re-staining.
  - Sheds which are either in need of repair or painting.
  - Foundations in need of repair.
  - Dented, warped, scraped, broken, loose or missing siding, window screens, shutters or garage doors.
- Most residents would not allow any of the above conditions to exist, as they seek to preserve and protect their investment in their homes and to limit their personal liability by keeping all improvements on their lots in good condition.

## II. General Construction and Appearance Guidelines for Appendage Structures

### 1. Driveways and Lot Entrances

- Driveways and lot entrances must comply with the Protective Covenants of the Community
- Additional ACC guidelines regarding driveways and points of entry to any given lot include, but are not limited to, the following:
  - All gravel drives must use GO textile underlayment to minimize erosion concerns.
  - All driveways paved or unpaved (graveled) must be maintained.
    - Gravel on the main roadway must be swept back onto the drive to prevent pavement damage.
    - Drainage issues/problems that extend off of the driveway and onto the main roadway must be addressed and resolved by the lot owner at the owner's expense.
    - All drive entrances must have a minimal 18" diameter corrugated pipe installed under the drive to allow for satisfactory drainage.

- Only one point of entry to the property is permitted unless the placement of the home on the lot, necessitated by the topography of that lot, does not provide adequate space for safe vehicle turnarounds. Should this be the case, ACC approval will be required.

Application Contents: An application is required and must include:

- Site plan showing the proposed location of the home and the proposed location of the parking pad.
- Limitations of the site that necessitate a double entrance.
- A landscaping plan for the area adjacent to the driveways which describes how the effect of the removal of additional trees and ground cover will be minimized.

## **2. Decks**

### **A. Ground Level Decks and Patios**

- Patios and ground-level decks will only be permitted in rear yards, and may be constructed of poured concrete, bricks, stone (flagstone, slate), commercial paver tiles or wood/wood composite decking. Proper workmanship to assure sound construction and attractive appearance is required.
- A ground-level deck is specified as that of a height of twenty-four (24) inches or less in elevation. Ground-level decks do not require guardrails.
- Compliance with applicable County code is mandatory.

### **B. Elevated Decks**

- All elevated decks higher than twenty-four (24) inches at the highest point above grade require guardrails. Guardrail height which is measured from the deck floor shall be between thirty-six (36) inches and forty-two (42) inches, with vertical pickets in addition to the top rail.
- Compliance with applicable County code is mandatory.

Application Contents: A completed application is required and must include:

- Site plan showing the relationship of the deck or patio to the house, lot and adjacent properties.
- Specification as to whether the under-deck area will be used for storage. If so, the visual impact must be kept in mind.
- Elevated decks include an under-deck area which has a visual impact on adjacent and nearby areas. Storage must be maintained to present a neat and uncluttered appearance.
- Indicate whether trellis work or solid walls will be used. Solid walls must be treated as an exterior storage enclosure.
- Approval must be obtained for under deck storage.
- A description of material to be used must be included. This description must include all materials for ground level decks and patios, grading and drainage changes.
- The owner must certify that drainage will not be adversely affected by the installation of a patio.

- Dimensions of railings, posts, stairs, benches, privacy lattice and other details are required to clearly describe the proposal. Details of trellis work and/or solid walls are required when applying for under-deck storage. The application must include the deck, guardrail, and privacy lattice styles.
- Proposed treatment, whether transparent or semi-transparent color of stain, and manufacturer, if not allowed to weather naturally.
- Estimated start and completion dates.
- Signatures from adjacent property owners most affected by the proposal.
- Compliance with Fairfax County code is mandatory.

### **3. Solar Energy Collection Devices**

#### **APPROVAL REQUIRED**

- Design Standard Criteria Solar energy collection devices or renewable energy systems, either active or passive, for electricity, water heating, or space heating and cooling regardless of type must only be mounted to the rear side of roofs. They may be flush or elevated, but either placement must not extend above the roof peak or roof edges in order to prevent them from being visible from the adjacent lots, or roadways.
- No other mounting locations are permitted without the prior approval of the ACC. If an owner seeks to install any solar energy collection devices in a manner that is not consistent with these Design Standards, the ACC reserves the right to require the owner applicant to have their solar installation expert attend any hearings before the Board or ACC for the purpose of discussing the proposed application and to answer any questions that may be posed by the Committee or Board regarding the application. The applicant owner shall be responsible for any costs associated with having their solar installation expert attend any hearings before the Committee or Board.
- The ACC may establish reasonable restrictions as to size, place, and manner of placement of such solar energy "collection devices."

Application Contents: A completed application is required and must include:

- Site plan indicating location and size of panels and location in relationship to the roof peak.
- Photographs of similarly installed units may be included but are not to replace a site plan.
- Estimated start and completion dates.
- Signatures of adjacent property owners most affected by the proposal.

### **4. Storage Sheds**

#### **APPROVAL REQUIRED**

- Any exterior storage enclosure has an aesthetic impact on neighboring property. An inconsiderately positioned or poorly designed enclosure can have a negative effect on an otherwise desirable residential area. Therefore, it is important to remember in choosing the type and determining the location of an enclosure, there are requirements other than storage that must be considered.
- ACC guidelines require that storage containers or sheds must be positioned in rear yards in locations which are the least visible from the roadway or other houses.

- Storage sheds or containers shall be prefabricated and made of only metal, plastic, or wood material. Prefabricated materials shall be neutral or earth-tone in color.
- A homeowner may build his own storage container or shed; however, the outer walls and roofing shall match the existing home in color and materials or at a minimum meet the neutral earth tone color scheme.

## **5. Storage Units**

### APPROVAL REQUIRED

- All External Storage units must receive prior review and approval before installation.
- Storage units should be located on the property where visibility from the roadway or adjacent lots is at a minimum.
- Metal sheds or storage containers shall be maintained in order to prevent rust. Units in disrepair are not permitted and must be removed.
- Portable-on-Demand Storage Units (PODS) -PODS are not allowed to be used for storage on any part of a homeowner's property. However, temporary placement while loading or unloading of the container is permissible with prior approval from the ACC. All such requests, if approved, will be for a period of five (5) consecutive days.

## **6. Greenhouses and Screened Enclosures**

### APPROVAL REQUIRED

- Prior approval is required before construction of Greenhouses and screened enclosures. They are only permitted in the rear ground-level and not visible from adjacent lots or the roadway. Architectural drawings are required for all greenhouses and enclosures.
- Exterior Alteration Applications for attached and detached greenhouses will be reviewed with consideration to size, design, placement and materials. Applications for attached greenhouses, screened enclosures or under-deck screened areas will be reviewed as additions. Upper level deck screened enclosures are not permitted.
- An application will not be approved if the construction of any structure would have a negative impact or effect on the unit itself, or on adjacent properties, or the Community.

Application Contents: An application is required and must include:

- Site plan must show the proposed location of the structure.
- Architectural drawings.
- Description to include type and colors of materials to be used, style and manufacturer of prefabricated structure; photographs or manufacturer's product brochures.
- Dimensions of the structure.
- Estimated start and completion dates.
- Signatures of any adjacent property owners most affected by the proposal.

## **7. Spas and Hot Tubs**

### **APPROVAL REQUIRED**

- Design Standard Criteria: spas and hot tubs will only be permitted in rear yards and must not be visible from roadway or adjacent lots.

Application Contents: A completed application is required and must include:

- A site plan showing location and dimensions of the spa and/or hot tub, and other related equipment, and deck, patio, fences, etc., in relation to the applicant's house, property lines, and adjacent dwellings.
- Landscaping plan for the area adjacent to the spa and/or hot tub to include deck area, lighting arrangements, walkways, fences, etc., and pertinent information concerning the water supply system, drainage and water disposal system.
- Estimated start and completion dates.
- Signatures of adjacent property owners most affected by the proposal.

## **8. Recreation and Play Equipment**

### **APPROVAL REQUIRED**

- The Architectural Design Standards listed below are provided to address the desire for play equipment with the goal of minimizing its visual impact. Careful thought should be given to the location and types of equipment to be installed.
- Design Standard Criteria: Recreational and play equipment must be placed in rear yards only and in locations which are the least visible from the roadways and adjacent lots.
- Equipment shall not exceed six (6) feet in height. Equipment such as badminton, volleyball nets, and trampolines shall be stored when not in use.
- No permanently installed basketball backboards and poles are permitted.
- Portable basketball hoops/goals must be stored in the garage or rear yard when not in use and may not be visible from ground-level view from any direction outside of the property.
- A playhouse must conform to the same criteria as a shed. A playhouse is defined as a structure with solid walls (with or without windows) and a solid roof.
- Recreation and play equipment shall not be placed in the street or on community common areas/open space.

Application Contents: A completed application is required and must include:

- Site plan showing relation of proposed play equipment to adjacent property lines, applicant's house and adjacent houses.
- Manufacturer's brochure, or photograph and/or sketch of proposed play equipment.
- Dimensions of the assembled equipment.
- Color and type of materials.
- Estimated start and completion dates.
- Signatures of adjacent property owners most affected by the proposal.

## 9. Portable Window Air Conditioning Units and Exterior Compressor Units

### APPROVAL REQUIRED

- Portable window air conditioning units extending from windows or protruding from the existing structure are prohibited.
- Additional exterior compressor units, which are typically installed on a level pad on the ground, or the relocation of existing compressor units, may be considered so long as they are also placed on a level pad on the ground near existing units and do not have an adverse audible or visual impact on adjacent lots.

Application Contents: A completed application is required and must include:

- Site plan showing location of proposed compressor unit.
- Manufacturer's brochure, or photograph and/or sketch of proposed compressor unit.
- Dimensions of the compressor unit.
- Signatures of adjacent property owners most affected by the proposal.

## 10. Antennas and Satellite Dishes

### APPROVAL REQUIRED

- For visually aesthetic purposes, the recommended location for antennas and satellite dishes is on the rear roof of the house with its highest point below the peak of the roofline. Note that installers are notorious for telling homeowners that a certain location is essential for good reception which is usually a location near the ground, thus making it easier/faster for the installer to complete the work. If you insist on a location that may be more aesthetically pleasing for you and your neighbors, and is in compliance with the Architectural Design Standards, installers will generally comply, but will always opt for the "easiest, most accessible" location under the pretense of ensuring better reception. The HOA has found that a "roof" location is often not favored by the installer due to the difficulty it presents.
- All wiring for antennas and satellite dishes must be properly secured. Wiring must not be readily visible from roadways or adjacent lots, otherwise, it may be required to be concealed. It is the homeowner's responsibility to ensure the provider of cable television service takes appropriate action to bury/conceal underground cables. This includes cables that run from connection boxes in common areas/open space to inside the homeowner's property line.
- Owners shall complete and submit a Notice of Installation of Antenna (the form is attached to the Association within 3 days of installation of an antenna. The antenna shall be installed in one of the preferred locations indicated on the Notice.

Antenna Size and Type:

- Owners (or anyone acting with the Owner's written permission) may install a DBS dish that is one meter (39 inches) or less in diameter. Satellite dishes which are larger than one meter in diameter are strictly prohibited.
- Owners (or anyone acting with the Owner's written permission) may install a MDS antenna that is one meter or less in diameter. MDS antennas which are larger than one meter in



- diameter are strictly prohibited.
- Owners may not install any type of antenna which transmits a signal of any sort that disrupts the reception of the radios and television sets of neighbors. Such antennas are strictly prohibited.
- Owners (or anyone acting with the Owner's written permission) may install no more than one antenna for each type of service.
- The Association designates certain locations as preferred locations for the installation of a satellite dish. Owners must install their antenna in one of the following designated locations:
  - At ground level in the rear of any home not easily visible from the roadway or adjacent lot(s);
  - In the rear roof of the house with its highest point below the peak of the roofline, preferably as close to the chimney as possible; or above the walking surface of the deck, providing that no portion of the device projects more than six inches above the height of the deck railing.
  - Attached to the outside of the back railing of the deck, provided that no portion of the device is higher than six inches above the height of the railing.

"If an Owner cannot receive an adequate signal reception from any of the designated locations, he/she may apply for an alternative location, provided he/she submits; a written certification that installation of the antenna in the approved locations would not afford sufficient signal strength for adequate reception and a precise statement describing the alternative location where sufficient signal strength is adequate for reception. The Owner must submit such written certification within three (3) days of the satellite dish installation.

- Owners shall not install an antenna in such a way that it encroaches upon any common area, or any other Owner's individual lot, including the air space.
- Owners must locate their antenna in a place and manner that shields it from view from the nearest street(s) and from other lots in the community to the maximum extent possible.
- Owners are strictly prohibited from installing antennas on the common areas of the Association.
- Antennas shall not be larger or installed higher at the point of installation than is necessary for reception of an acceptable quality signal.
- Antennas must be properly secured so they do not jeopardize the safety of any passerby.
- Antennas shall be installed and secured in a manner that complies with all applicable building codes and manufacturer's instructions. Prior to installation, Owners shall provide the Association with a copy of any applicable governmental permit if it is required for safety reasons.
- Owners are required to exercise their best options to install their antenna in such a way and location where they can obtain an adequate signal with the least adverse impact upon the lot's aesthetic appearance. In this regard, technology now offers a number of highly efficient, economical, and aesthetically harmonious or invisible antenna alternatives for receiving broadcast television signals, in lieu of, or in addition to DBS or MDS antennas.
- Antennas shall be permanently grounded to minimize the possibility of electronic and fire damage.
- The ACC reserves the right to require Owners to camouflage any portion of the antenna so that it matches or is reasonably compatible with the color of the structure to which it is attached. If such a requirement would void the warranty from the manufacturer, the Owner must submit a copy of the warranty to the Association in order to be absolved of the requirement.

- Owners must install exterior wiring for the antenna in the least obtrusive manner.
- Owners who install or maintain antennas are responsible for all associated costs, including, but not limited to, the costs to:
  - Place (or replace), repair, maintain, and move or remove antennas.
  - Repair damage to any property caused by the Owner's failure to properly install, maintain or use the antenna.
  - Pay medical expenses incurred by persons injured by the Owner's failure to properly install, maintain, or use the antenna.
  - Reimburse residents or the Association for costs incurred to correct damage caused by the Owner's failure to properly install, maintain or use the antenna.
  - Owners shall have a continuing duty to prevent their antennas from falling into disrepair or becoming a safety hazard. Owners shall be responsible for antenna maintenance, repair and replacement, and the correction of any safety hazard.
  - If an antenna becomes detached, the Owner must remove or repair such detachment within 72 hours of the detachment. If the detachment threatens anyone's safety, the Association may remove the antenna at the expense of the Owner.
  - Owners shall be responsible for antenna repainting or replacement if the appearance of the exterior surface of their antenna deteriorates or is damaged in any way.
  - The Association reserves the right to grant a variance from any of the guidelines expressed herein but shall endeavor to protect the community from architecture blight to the degree possible and shall strive to ensure that all concerns over safety are addressed.
- The Association reserves all its legal remedies in the event of an owner's violation, including, but not limited to fines.
- If any antenna installation poses a serious, immediate safety hazard or threat to the community, the Association reserves the right to remove the antenna without notice; however, whenever feasible, the Association shall provide advance written notice to the Owner of the Board's concerns for safety and its request of the Owner to remove, relocate, or re-secure the antenna.

## **11. Exterior Decorative Objects**

### **APPROVAL REQUIRED**

- The ACC guidelines for exterior decorative objects include those that are both seasonal and non-seasonal. Objects will be judged based on, but not limited to, type, size, color, location, and aesthetics in relation to the house and surrounding properties.
- Approval is required for all exterior decorative objects, including both natural and man-made. Exterior decorative objects include, but are not limited to, plaques, bird baths, wagon wheels, sculptures, window boxes, fountains, pools, stumps, driftwood piles, boulders, free standing poles of all types and items attached to approved structures.
- These items must not be visible from the roadway or adjacent lots.
- Reasonable holiday decorations and those used for other observances are exempt from these requirements. The HOA encourages the display of such decorations that make the neighborhood appear friendly and festive. These decorations do not require an application, however, must be removed no later than thirty (30) calendar days after the holiday.

- Items located within an enclosed side and/or rear yard will be allowed and do not generally require prior approval unless they may be viewed from any ground level view outside the property.

## **12. Exterior Lighting and Electronic Insect Traps**

### APPROVAL REQUIRED

- Replacement of porch or entryway lighting on the front of a home must substantially match the original construction design established in the community.
- Walkway, garden, or other ground-level lights must be unobtrusive in nature, with a black, brown or dark green finish. Lighting in the front or rear yard must be placed so that the light does not shine outside the property in a manner which could disturb neighbors. Care must be taken in arranging the angle of a spotlight. Sodium or mercury vapor lights/lamps are prohibited unless they are approved by the ACC for areas requiring extra security for residents.
- Flood/spotlights are allowed in front of homes provided they are not obtrusive to adjacent lots. Rear and side installation are allowed but must be placed so that light does not shine outside the property in a manner which could disturb neighbors. By exception, homeowners are encouraged to install motion-sensitive spotlights facing downward near wooded areas to enhance security of the overall Community.
- Electronic insect traps will be regulated based on the same criteria as exterior lighting. In addition, no device shall be installed or maintained in such a way as to cause discomfort from noise to adjacent homeowners. These devices may be operated only during those times when the residents and/or their guests occupy the immediate area protected by the trap.

Application Contents: An application is required and must include:

- Site plan showing the relation of the insect trap or lighting to house, property line, and adjacent neighbors.
- Picture and/or detailed drawing of the insect trap or lighting to include all dimensions and height of fixture above ground.
- Wattage of bulb to be used.
- Estimated start and completion dates.
- Signatures of adjacent property owners most affected by the proposal.

## **13. Firewood**

- Storage of a reasonable amount of firewood does not require approval if it is not visible from any ground-level location surrounding the property. Stacks measuring no more than four (4) feet wide by six (6) feet long by four (4) feet high is considered reasonable.
- Firewood shall be kept neatly stacked and located in the side/rear of the residence, within the homeowner's property lines.
- Under no circumstances shall firewood be stored on common areas/open space. Piles longer than six (6) feet should be a minimum of two (2) rows deep.
- Firewood piles must contain only stacked firewood. Stacks of firewood can attract pests and must be frequently inspected by the homeowner/resident. Firewood with clear evidence of ants, termites, and/or other pests to include rodents must be removed immediately.

- If the condition of the firewood is deemed 'unsafe,' then immediate corrective action must be taken by the homeowner/resident to eliminate the possibility of the return of like pests in and around the firewood.
- In all cases, the location of stacked firewood should be in such a manner as to minimize its visibility. In certain instances, e.g., where the stack may be observed from any point on the ground, screening may be required.
- Firewood cannot be used to create a fence or barrier between properties.

#### 14. Flagpoles

- Any permanent free-standing flagpole shall be approved prior to installation and not visible from the roadway or adjacent lots in the Community.
- Temporary flagpole staffs, which do not exceed six (6) feet in length and are attached at an angle do not require prior approval.

#### 15. Storage of Boats, Trailers, Campers, Mobile Homes, Recreational Vehicles, Automotive Equipment and Parts and Commercial Vehicles.

- **Recreational Vehicles:** No recreational vehicle may be parked or stored in open view on any lot, roadway, or on common areas/open space. A "recreational vehicle" is defined as:
  - Any boat or boat trailer.
  - Any motor home or other self-contained camper.
  - Any camper slip-ons not mounted on the vehicle.
  - Any mobile home, trailer or fifth-wheel trailer.
  - Any pop-up camp/tent trailer or other similar recreation-oriented portable or transportable facility or conveyance.
  - Any other vehicle not defined above which could not normally or regularly be used for daily transportation, including, but not limited to, ATV/UTV, dune buggies, nonoperative automobile collections, or other automotive equipment or parts not licensed for use on roadways in the State of Georgia.
- **Commercial Vehicles:** No commercial vehicle may be parked or stored in open view on property, roadway, or on common areas/open space except as provided herein. A "commercial vehicle" is defined as:
  - Any vehicle defined as a commercial vehicle by applicable County Code.
  - Any vehicle that has commercial signage or advertising or visible commercial equipment, excluding public service vehicles.
  - Any private, school or church buses.
  - Any oversized vehicle, including, but not limited to, box trucks, tow trucks, moving vans, semi tractors and trailers, equipment trailers, stake trucks, flatbed trucks, vehicles with ladder racks/equipment racks on the top/sides, and construction vehicles.
  - Commercial vehicles are permitted to be parked in the Community if the vehicle resembles residential automobiles, SUV's and pick-up trucks that are used for daily transportation of their owners and whose signage remains covered. This practice is permitted only if the following criteria are met:

- The commercial signage must be covered by a flexible, magnetic cover which is the same color as the background to which it adjoins.
  - Similarly, any commercial appurtenances to include, but not limited to, the roof light of a taxi, commercial signs, etc., must be totally covered by a tight-fitting car cover of a neutral tone of fabric.
  - The cover must not be unreasonably large, of unusual color or unreasonably configured and shall be designed to not draw attention to the commercial nature of the vehicle. However, the cover does need to completely cover the vehicle and be secured in such a way as to not be blown partially or completely off the vehicle.
  - The vehicle cover must be approved by the ACC.
- **Motor Vehicles:**
    - No portion of a homeowner's property or Community common areas/open space property shall be used to facilitate the repair and/or storage of motor vehicles.

## **16. Awnings, Canopies and other Sun-Control Devices**

### **APPROVAL REQUIRED**

- Sun-control devices require pre-approval by the ACC. Reflective materials, tin foil and tinting on windows is prohibited.
- The way sun-control is implemented can have a significant effect on the exterior appearance of a unit and the desirable benefits of sun exposure in the spring, fall and winter.
- Sun-control devices must be compatible with the architectural character of the house in terms of style, color and materials. Trellises should be consistent with the design of the houses to which they are attached. The location of any trellis must not adversely affect views, light, winter sun or natural ventilation of adjacent properties. Solid colors are required. Trellis work must match the trim or deck if part of the deck or match the dominant color of the applicant's house.
- Fixed position awnings are prohibited.
- Retractable awnings are permissible if the application demonstrates that the awning shall be clearly compatible with the Architectural Design Standards and the congruousness of the home. The retractable awning must meet the following criteria:
  - The awning is in the rear yard as part of a decking or patio design.
  - The awning is of a plain design without decorative features.
  - The awning's color is compatible with the color scheme of the house.
  - The awning must be consistent with the visual scale of the house to which the awning is attached.
  - The pipe frames or structural supports for awnings must be painted to match the trim or dominant color of the house.
  - The awning must be in a closed position between dusk and dawn.

Application Contents: An application is required and must include:

  - Site plan showing location of sun-control device, trellis and/or retractable awning.
  - Sketch and/or photograph of house and adjacent properties affected by your device.

- Sketch, photograph, or manufacturer's product information of proposed sun-control device including dimensions, construction details showing how the retractable awning or trellis is attached to the house, materials, and color. In the case of retractable fabric awnings, submissions of the material and color must be included.
- Estimated start and completion dates.
- Signatures of adjacent property owners most affected by the proposal.

### **17. Trash Cans and Recycling Bins**

- Trash and recyclables collection are the responsibility of the homeowner.
- Only trash containers with lids, recycle bins designed to withstand animal intrusion are permitted.
- Trash and recyclables shall not be placed at the curb for pickup prior to dusk the evening before the day of collection.
- Contact the trash collection company for details regarding pick-up of oversized and bulk items.
- Emptied trash cans and recycle bins must be removed from the location of trash/recycle collection no later than the evening of trash day.
- Storage of trash cans and recycle bins are not permitted to be stored at any time in front or side yards where they are visible from roadway or adjacent lots.
- No accumulation or storage of items such as trash, new or used building materials, appliances, furniture, or other items, shall be permitted on any lot.
- Every resident is responsible for picking up litter on their property.
- Similarly, every resident is also responsible for preventing wind-blown or otherwise scattered debris that has originated from their property or from the location where they place their trash/recyclables on designated trash pickup days to be left for others to pick up. This includes trash that has been scattered due to foraging wildlife (raccoons, crows, bears, etc.).

### **18. Tree Removal**

#### **APPROVAL REQUIRED**

- Approval is required from the ACC prior to removing any tree with a trunk diameter of over six (6) inches. This rule applies unless the tree poses a risk to others, is a diseased or storm-damaged tree leaning toward the driveway or home.

**If in doubt, homeowners should seek the ACC's advice and approval before removing any trees.**

### **19. Fencing and Gates**

#### **APPROVAL REQUIRED**

- Proper fencing can have a unifying effect upon a neighborhood, whereas inadequate, poorly constructed fencing can detract from the community's overall appearance.
- The preservation of common areas/open space and natural features of the Community greatly enhances the appeal of the neighborhood.
- Fencing carelessly constructed or poorly positioned can encroach upon adjoining neighbor's property or common areas/open space.
- An inconsiderately positioned fence can box in a neighbor or destroy their view.

- Any and all fencing must receive approval prior to installation.
- Fencing must be maintained by repairing missing or broken parts, and/or by power washing or re-staining all wood surfaces using an approved clear, translucent/transparent or semitransparent/semi-solid stain as needed, thereby maintaining its general structural integrity.
- Only those building materials as described in the Architectural Design Guidelines are permitted.
- Fencing or screening of any type is not permitted in any front or side yard if it is visible from the roadway and/or adjacent lots.
- Chain link and vinyl fencing must be consistent with the Guidelines and must be approved prior to installation.
- Fencing will conform to the existing grade.
- All fence heights are measured from the existing grade unless a change in grade is proposed in the current application.
- All fence materials will either be cedar, pressure treated #2 pine, or a better grade, or plastic products designed specifically for decking to appear like a wood product (i.e., having wood grain imprinted in the product and of a color that appears like natural wood decking products).
- Fencing boards must be finished on both sides. Fencing may be left to weather naturally or treated with an approved clear, translucent/transparent or semi-transparent semi-solid stain only.
- Gates should be constructed with material compatible with fencing and be maintained using the same method as that for fencing.

Application Content: An application is required for all fencing including a gate and must include:

- Site plan showing the relationship of the fence and gate to the house, adjacent houses, and property lines.
- The location of fences in all immediately adjacent lots must be shown on the site plan.
- A description of material to be used.
- Dimensions of fencing and gate.
- Proposed treatment, whether transparent or semitransparent color of stain, and manufacturer, if not allowed to weather naturally.
- Estimated start and completion dates.
- Signatures of adjacent property owners most affected by the proposal.
- A picture of adjoining fencing, while not required, would assist the ACC in reaching a timely and accurate decision.

## **20. Mailboxes**

- Mailboxes shall be located on each lot where a home exists.
- Mailboxes are the responsibility of the homeowner to maintain and keep in proper working order.
- If a mailbox is damaged (i.e. hit by a car, victim of vandals, etc.), it is the responsibility of the homeowner to repair or replace the mailbox as necessary.

- Mailboxes must conform to the rules and regulations of the US Postal Service as regards type, elevation, and placement at the end of the driveway.
  - According to USPS regulations, curbside mailboxes must be approved by the Postal Service. Pre-approved mailboxes can be found in most home supply stores or on the Internet.
  - The mailbox must be installed at a height where the bottom of the mailbox is 41 to 48 inches from the road surface on the right-hand side of the postal workers direction of travel. It must also have an inset distance of 6 to 8 inches from the road.
  - The mailbox must also include address information, such as street name and/or house number. No additional attachments are allowed on the mailbox except for a newspaper delivery box attached to the pole under the box.
- The mailbox and post must conform to the following ACC guidelines as well.
  - Mailbox posts must be constructed of cedar or pressure treated wood, aluminum, cast iron or cement and be of at least 3" in diameter and of 5' in length (this allows for approximately 2' of the post to be buried and 3' to be exposed above ground).
  - The mailbox and post should be minimally ornate so as to limit their detracting from the natural surroundings.
  - Acceptable box and post colors: Black, Brown
  - No decorative or memorabilia type of design is permitted (examples: a box that looks like a fish, truck, house, barn, etc.) Also, boxes with sports team colors and emblems are not permitted.
  - Mailbox structures constructed of cement covered by natural stone that **matches** the exterior scheme of the home are permitted provided they meet the above criteria. When in doubt, contact the ACC.
- Mailbox types and designs should be submitted for review to the ACC for compliance with the harmonious earth or forest tone and natural scheme of the Community.