

Meadow Gate Community Design Guidelines
Revised 2nd Edition September 2006

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INTRODUCTION

The Declaration of Protective Covenants for Meadow Gate provides for a design review process through which property improvements must be approved by an Architectural Review Committee (ARC). This provision applies to both new construction as well as any exterior modification of existing homes/properties, and was created for the sole purpose of achieving harmony, balance and a high standard of quality within the community.

As an administrative arm of the Board of Directors, the ARC's role is to *preserve, protect and enhance* the value of the properties in Meadow Gate by enforcing the Declaration of Protective Covenants. The ARC is chartered with ensuring uniform and equitable compliance with these covenants.

The following *Community Design Guidelines* are provided to amplify and supplement our community's covenants. **Homeowners are encouraged to study these guidelines as well as the covenants.** Note that in the event of a conflict, the Declaration of Protective Covenants will control.

As the final introductory comment, please remember –**REQUEST APPROVAL BEFORE BEGINNING ANY IMPROVEMENTS OR MODIFICATIONS!** The vast majority of problems occur when a homeowner begins a project without written approval from the ARC.

The contents of these guidelines, and any actions of the ARC or its agents, are not intended to be, and should not be construed to be an approval of the adequacy, reasonableness, safety, structural integrity, or fitness for intended use of submitted plans, materials, or construction, nor ensuring compliance with building codes, zoning regulations or other governmental requirements. Neither the Association, the Board, the ARC, nor members thereof, shall be held liable for injury, damages or loss arising out of any approval or disapproval, construction or through such modification to a lot.

APPLICATION INFORMATION

A *Form for Request for Modification Review*, hereinafter, "Form", is provided for use in requesting review/approval of an exterior modification. This Form should be submitted to the ARC **at least 30 days** prior to the anticipated time that you intend to begin work. **Modification requests must be approved, in writing, before any work begins.**

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There are, however, modifications that may be completed without ARC approval. The following exterior modifications, *and only these modifications*, do not require a Form to be submitted as long as certain conditions as described in the following Guidelines are met:

- Repainting with same color (reference Guideline #1)
- Storage Bins and Pods (reference Guideline #1)
- Patios (reference Guideline #3)
- Exterior Lighting (reference Guideline #4)
- Exterior Holiday Decorations (reference Guideline #4)
- Flag Poles (reference Guideline #4)
- Garden Plots (reference Guideline #5)
- Basketball Goals (reference Guideline #6)
- Children's Wading Pools (reference Guideline #7)

A completed Form must be submitted through the ARC for all other types of improvements or modifications. The verbal approval of any sales agent, developer, builder, or association representative is not sufficient. All modification approvals must be in writing.

GUIDELINE #1: Exterior Building Alterations

General Guidelines

A Form **must be submitted for all** exterior-building alterations. Building alterations include, but are not limited to, storm doors and windows, awnings, construction of driveways, garages, carports, porches and room additions to the home.

The original architectural character or theme of any home must be consistent for all exterior components of the home. Once the character is established, whether it is traditional, contemporary, etc., no change may alter that character.

If Gwinnett County authorities make changes to the plans as approved by the ARC, the owner must submit such changes for approval prior to commencing construction.

Homeowners are advised that a Gwinnett County building permit will be required for certain exterior building alterations.

Painting

Repainting requires prior written approval **only if the color is changed**. A paint color change requires the following information:

- a) paint sample;
- b) description of area of home to be repainted.

Awnings

A Form **must be submitted** for all awnings. Awnings or covering must be either canvas or a structural extension of the home's existing roof. Colors or finish must be compatible with the home's primary and trim colors. Addition of awnings or covering requires the following information:

- a) picture or drawing of all windows/doors on which awnings will be installed and their location (back or side – generally, awnings are not allowed on the front of the home);
- b) picture depicting style of awning to be installed; and
- c) color samples and materials list.

Storm Windows & Doors

A Form **must be submitted** for all storm windows and doors. Storm windows and doors must be made of anodized bronze or anodized aluminum with baked enamel finish compatible with the home's primary and trim colors. Addition of storm windows or doors requires the following information:

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- a) picture or drawing of all windows/doors on which storm windows/doors will be installed.
- b) Picture depicting style of storm window/door to be installed; and
- c) Color.

Detached Buildings

A Form **must be submitted** for all detached buildings. Detached buildings are discouraged but will be considered subject to the following guidelines:

- 1) size shall be limited to 600 square feet
- 2) building must be located in the rear of the primary home within the extended sidelines of the home;
- 3) building may not be used for any purpose that may be deemed by the ARC to cause disorderly, unsightly, or unkempt conditions, and
- 4) detached building exterior materials must match the exterior materials, colors and architectural design (roof pitch, etc.) used on the original home.

Detached buildings being used as a primary garage are an exception to the above general guidelines. In either case though, approval from the ARC is required.

Dog Houses

A Form **must be submitted for** all dog houses. All doghouses must be located where they will have minimum visual impact on adjacent properties or from the street. Construction type, size, and exterior colors/materials will be specific criteria governing approval.

Storage Bins and PODS

Storage bins and PODS may be used for a maximum of thirty (30) days. However, they may only be placed on the driveway and not on the street.

GUIDELINE #2: Decks

A Form **must be submitted** for all decks. The following, without limitation, will be reviewed: location, size, conformity with design of the house, relationship to neighboring dwellings, and proposed use. The following information is required:

- a) a site plan denoting location, dimensions, materials and color;

The following guidelines have been adopted for decks in the community:

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- 1) in most cases, the deck may not extend past the sides of the home;
- 2) materials must be cedar, cypress, or No. 2 grade or better pressure treated pine; and
- 3) color must be natural, white, or finished to coordinate with the exterior color of home.
- 4) Vertical support for wood decks must be a minimum 4x6 inch wood post or painted (black) metal poles, preferably boxed in as to appear to be wood posts – brick or stucco columns matching the home are also acceptable.

Homeowners are advised that a building permit may be required for a deck

GUIDELINE #3: Patios/Walkways

Patios/Walkways

A Form **must be submitted** for patio covers, trellises, permanent seating, railing and other items. Submission of a Form for a patio/walkway is not required, however, if the following guidelines are met:

- 1) the patio/walkway is located in the rear yard;
- 2) the patio/walkway does not extend beyond the sidelines of the house;
- 3) the patio/walkway does not extend to within 10 feet of side or rear property lines; and
- 4) the patio/walkway's elevation above ground level at any point does not exceed 6 inches for patios and 4 inches for walkways.

GUIDELINE #4: Exterior Decorative Objects

General Guidelines

If any decorative objects are placed in the front or side yards, a Form **must be submitted** for **all** exterior decorative objects, both natural and manmade. Exterior decorative objects include items such as bird baths, bird feeders, bridges, wagon wheels, sculptures, fountains, pools, antennas, benches and porch swings, flower pots, free standing poles of all types, and items attached to approved structures. Objects will be evaluated on criteria such as sitting, proportion, color and appropriateness to surrounding environment. A Form **is not** required for holiday decorations. However, the holiday decorations must be removed within thirty (30) days after the holiday.

Exterior Lighting

Except as provided below, a Form **must be submitted** for all exterior lights or lighting fixtures, not included as a part of the original structures. A Form **is not** required if the lights meet the following criteria:

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- 1) lighting fixture does not exceed 12 inches in height;
- 2) the number of lights does not exceed 10; and
- 3) individual lights must not exceed 100 watts, are white or clear, non-glare type and located to cause minimal visual impact on adjacent properties and streets.

Exterior Holiday Lighting

A Form **is not** required for holiday lighting. However, the lighting must be removed within thirty (30) days after the holiday.

Flag Poles

A Form **is not** required to be submitted for a single flag pole staff attached to the front portion of the house. The size of any flag may not be greater than 3x5 feet. Freestanding flag poles will not be approved.

Plants and Flower Pots

Front doors and entry area decorations must be tasteful and in keeping with the style and colors of the house. Plants and flower pots must always be neat and healthy. Neatly maintained front porch flower pots that coordinate with exterior home colors and containing evergreens/flowers **do not** require submission of a Form.

GUIDELINE #5: Exterior Landscaping & Maintenance

General Guidelines

Landscaping should relate to the existing terrain and natural features of the lot, utilizing plant materials native to the Southeastern, United States. The amount and character of the landscaping must conform to the precedent set in the surrounding Meadow Gate Community. The following maintenance guidelines apply:

1. Each homeowner is responsible for removal of debris, clippings, etc. from the property line to the center of the street. Any grass clippings blown into the street must be swept up promptly. All planting areas should be properly maintained at all times, and, after the first frost, all affected material should be removed. At the end of the growing season, all dead plants should be removed.
2. Each homeowner should keep the lot and all improvements thereon in good order and repair including, but not limited to, seeding, watering, mowing, pruning and cutting of all trees and shrubbery and the painting or other appropriate care of all buildings and improvements. This should be done in a manner and with such frequency as is consistent with good property management and the precedent set in the surrounding Meadow Gate Community.

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3. Mulching. . . . All landscape beds must be covered with suitable mulch such as pine-straw, chopped pine bark mulch, wood mulch, etc. Use of rock, stone, or pebbles must be submitted to the ARC for approval. *Only earth-tone colors will be approved.*
4. Edging. . . . The preferred landscape bed edging is a neat cut trench. Any other style of edging must be submitted to the ARC for approval.
5. Tool Storage. . . . Outdoor storage of garden tools must be screened from view and hoses must be screened from view when not in seasonal use. Any tools or items stored under a back deck or porch should also be screened from view.
6. Garbage, Trash Bins. . . . Outdoor storage of garbage cans and trash bins must be screened from view. Garbage/trash must be placed in bins supplied by the sanitation company. Overflow must be in sealed and secured containers next to trash/garbage bin. Exceptions are large bulky trash only items that will not fit into a container such as cardboard, furniture, vacuum cleaners, etc.

Trees and Shrubbery

A Form **is not** required to be submitted for ornamental trees and shrubbery. However, a Form **must be submitted** for screen planting (row or cluster style) and property line plantings. Forms must include a description of the sizes and types of trees or shrubs to be planted and a site plan showing the relationship of plantings to the house and adjacent dwellings.

Vegetable Garden Plots

A Form **is not** required for garden plots if **all** of the following guidelines are met:

1. the plot is located behind the rear line of the house so as to minimize the visual impact on adjacent properties or from the street;
2. the size of the plot is limited to 150 square feet, and
3. the maximum height of plants, at full growth, is less than four (4) feet.

All garden plots must be cleared at the completion of the growing season.

Firewood

The following guidelines apply to the storage of firewood:

1. Firewood piles are to be maintained in good order and must generally be located within the sidelines of the house and in the rear yard.
2. Woodpile coverings are allowed only if the cover is an earth-tone color and the woodpile is screened from the view of the street. For example, a tarp-covered woodpile may be located under a deck with shrubs planted around it.

GUIDELINE #6: Play Equipment

General Guidelines

A Form **must be submitted** for all play equipment. The following guidelines apply:

1. the play equipment shall be located in the rear yard and within the extended sidelines of the house.
2. the play equipment shall be located within the screened fence area of the rear of the house, if the yard is fenced; and
3. the play equipment shall be sized and located such that it will have minimal visual impact on adjacent properties.

Metal play equipment, exclusive of wearing surfaces (slide poles, climbing rungs, swing sets, etc.) will generally be required to be painted to blend into the surrounding environment (earth-tone colors comparable to dark green or brown).

NOTE: A (permanent) baseball backstop or similar item is not play equipment and must comply with the fence guidelines.

Play Houses/Tree Houses

A Form **must be submitted** for all play houses and tree houses. The following guidelines apply:

1. Play houses and tree houses must be located where they will have minimal visual impact on adjacent properties.
2. In most cases, materials used must match existing materials of the home.
3. Play houses or tree houses may not be larger than 100 square feet or 12 feet in total height.

NOTE: Play houses and tree houses, once approved, must be maintained to preserve the approved décor.

Basketball Goals

A Form **is not** required to be submitted if **all** the following guidelines are met:

1. goal backboard is perpendicular to primary street;
2. goal is placed no further than one half way from house to street;
3. backboard is white, beige, clear or light gray;
4. backboard is in good condition, not broken with good net;
5. post is painted black only; and,
6. if freestanding or portable, one rectangular guideline surrounding the hoop is permissible.

NOTE: Negative impact related to time of use, lighting and noise on adjacent properties should be avoided. As with all improvements, once installed, basketball goals must be maintained to the condition as originally installed.

GUIDELINE #7: Private Pools

Children's Portable Wading Pools

A Form **is not** required to be submitted for children's portable wading pools (those that can be emptied at night) as long as they do not exceed 18 inches in depth and whose surface area does not exceed 36 square feet. Portable wading pools must be stored when not in use.

Above-Ground Pools

Above-ground pools are prohibited.

In-Ground Pools

A Form **must be submitted** for all in-ground pools. The following information is required:

- a) appearance, height, and detailing of all retaining walls must be consistent with the architectural character of the house – some terracing may be acceptable;
- b) privacy fencing must meet fence guidelines;
- c) maximum pool area is 1,000 square feet;
- d) glaring light sources which can be seen from neighboring lots may not be used; and
- e) landscaping enhancement of the pool area and screening with landscaping is required.

Hot Tubs

A Form **must be submitted** for exterior hot tubs. Hot tubs must be screened from adjacent properties and streets.

GUIDELINE #8: Private Tennis Courts

A Form **must be submitted** for all tennis courts. Lot size and shape will be specific criteria governing approval. Tree removal will have a negative impact on the request. Lighted courts (other than community courts) are prohibited.

GUIDELINE #9: Fences

The original design concept of Meadow Gate promotes a feeling of open space; therefore, fencing is not generally encouraged. However, should an owner desire to erect a fence, a (request) Form **must be submitted** to the ARC for approval. A request for fencing must include the following information:

- a) a picture or drawing of fence type listing all materials being used;
- b) dimensions including height, span between posts, post size, and crossbeam size and number of rails;
- c) color;
- d) a site plan denoting the location of the fence together with information as to existing fences erected on adjacent properties;
- e) acknowledgement of adjacent property owners approval or disapproval.

The following guidelines have been adopted for fences in the community:

1. wood or aluminum fencing is preferred. However, only black or dark green coated chain link fencing is to be used on the sides and back of the rear yard. All fencing facing the street must be wood or aluminum.
2. the maximum height must not exceed 6 feet;
3. the maximum span between posts shall be 10 feet;
4. the minimum post size shall be 4x4 inches and the maximum shall not exceed 5x5 inches;
5. the crossbeam structure (rails) shall not be visible from any street (e.g. finished sides of the fence must be turned to the outside);
6. the minimum number of horizontal rails must consist of two 2x6 inch or three 2x4 inch per section;

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7. the fence must be left natural (if wooden) or finished to coordinate with the house exterior trim colors;
8. fences shall not be located closer to any street than the rear edge of the home (on corner lots, the fence shall not be closer to any side street than the building lot line); and the fence should join the home at the rear corners on both sides;

Other items to be considered include:

- a) the initial finish and maintenance aspects of the fence in relation to weathering and deterioration over time;
- b) the ability to maintain property between fences;
- c) the minimum height requirement established by the county for a private pool fence is 4 feet; compatibility (style and finish) of proposed fence to any existing fence on adjacent properties;
- d) the chosen fence style should be proportionate to the home and lot;
- e) drainage – is there space between the fence and the ground in areas where water needs to pass underneath?
- f) utilities – has consideration been given to provide access to electric and gas meters, and has consideration been given to utility easements (i.e. sewer)?

Fences traditionally are the most frequent request received by Architectural Review Committees of any homeowner's association. At the same time, **fences tend to generate the most controversy between an ARC, the homeowner, and owners of adjacent property.** Meadow Gate's fence guideline is intended to establish a standard that is appropriate to the aesthetics and values of the community.

GUIDELINE #10: Vehicles & Parking

The following guidelines apply:

1. No boat, trailer, camper or recreational or any other type vehicle may be parked or stored in open view on residential property for longer than a 48 hour period.
2. No commercial vehicle or any vehicle displaying signage may be parked or stored in open view on residential property for longer than a 24 hour period.
3. All vehicles parked in open view and not in a garage must be operable and may not be unsightly.
4. No vehicle may be parked on any yard.

5. As a general rule, parking of vehicles on the street is prohibited. Temporary parking (four hours or less) is allowed if not a nuisance to neighbors or impeding traffic flow. Homeowners are responsible for guest parking and must ensure that guests park in a safe manner and do not impede access to other driveways and traffic.

GUIDELINE #11: Antennas, Satellite Dishes

This guideline applies to installation, attachment and maintenance of direct broadcast satellite (“DBS”) dishes or antennas and multi-channel multipoint distribution services (“MMDS”) dishes or antennas (herein collectively called “Satellite Dishes”, which definition shall include the supporting mast, cabling and all other components or accessories thereof) at the Meadow Gate subdivision.

SATELLITE DISHES MAY BE INSTALLED AT THE SUBDIVISION FOR RECEPTION, BUT NOT TRANSMISSION, IN ACCORDANCE WITH THESE GUIDELINES, NO OTHER ANTENNAS OR SIMILAR DEVICES MAY BE INSTALLED AT THE SUBDIVISION WITHOUT APPROVAL OF THE ASSOCIATION’S ARC.

Before installation or attachment of any Satellite Dish is permitted at the subdivision, the lot owner or occupant must notify the ARC in writing using the attached Satellite Dish Notification Form. If the Satellite Dish is installed in an approved location and in accordance with these guidelines, then no further action is required by the lot owner or occupant except providing the notification form to the ARC.

General Guidelines:

1. **Satellite Dish Size Limits.** Satellite dishes shall be no larger than one meter in total size. Satellite Dishes or antennas mounted on masts are prohibited except where necessary for reception of an acceptable quality signal and within the total size limit provided. Concealed cabling shall not count toward this total size guideline.
2. **Location.** With submission of a notification form as provided above, and without further approval of the Board or ARC, **Satellite Dishes may be installed, in order of priority, in the following locations:**

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- a) Satellite Dishes must be mounted in or on the rear of the home within the sidelines of the home so as not to be visible from the street.
- b) If ground mounted, satellite dish must be screened from view by natural landscaping – no lattice. Any cables must be buried.
- c) Rooftop mounting of satellite dishes is allowed only on the rear of the home.

The Tree or Satellite Dish must be placed in the location that is least visible to public view.

If it is determined that the Satellite Dish cannot receive an acceptable quality DBS or MMDS signal in any of the pre-approved locations designated above, then, prior to installation in an alternate location, the owner or occupant who wants to install a Satellite Dish must submit to the ARC a written request to install the Satellite Dish in an alternation location, along with specific, written documentation as to why the pre-approved locations are not acceptable. The ARC shall respond to such written request for approval of an alternate location as promptly as practical.

- 3. **Installation.** The Satellite Dish must blend into the background to which it is mounted or placed. Wiring or cabling shall be installed so as to be minimally visible and blend into the material to which it is attached. No cabling shall be allowed on the roof surface, or on the surface of the exterior siding or brick of any home.

The owner or occupant shall be responsible for the maintenance and repair of the Satellite Dish including, but not limited to, (i) reattachment of Satellite Dish, and any components thereof, within forty-eight (48) hours of dislodging, for any reason, from its original point of installation; (ii) repainting or replacement, if for any reason the exterior surface of the Satellite Dish becomes worn, disfigured or deteriorated.

GUIDELINE #12: Business Use

General Guidelines

Each lot shall be used for residential purposes only, and no trade or business of any kind may be conducted in or from a Lot or any part of the Property, including business uses ancillary to a primary residential use, except that the Owner or Occupant residing in a dwelling on a Lot may conduct such ancillary business activities within the dwelling so long as. . .

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- a) the existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from the exterior of the dwelling;
- b) the business activity conforms to all zoning requirements for the Property;
- c) the business activity does not increase traffic on the Property;
- d) the business activity does not increase the insurance premium paid by the Association or otherwise negatively affect the ability of the Association to obtain insurance coverage; and,
- e) the business activity is consistent with the residential character of the Property and does not constitute a nuisance or a hazardous or offensive use, or threaten the security or safety of other residents of the property.

The terms “business” and “trade”, as used in this provision, shall be construed to have their ordinary, generally accepted meanings, and shall include, without limitation, any occupation, work, or activity, undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider’s family and for which the provider receives a fee, compensation, or other form of consideration, regardless of whether: (i) such activity is engaged in full or part-time; (ii) such activity is intended to or does generate a profit; or (iii) a license is required thereof. Notwithstanding the above, the use of a Lot by an on-site management company operating on behalf of the Association shall not be considered a trade or business within the meaning of this subparagraph.

COVENANT ENFORCEMENT PROCEDURES

Apparent covenant violations – as reported by any source – may be submitted to the ARC to be referred for appropriate action. Should a management company be hired, then they too would be a point of contact. The first action will be confirmation that a violation exists. If substantiated, the homeowner in violation will be contacted, the violation explained, and be requested to provide corrective action in a reasonable time period according to the following policy:

1. Upon recognition of a violation, a letter will be forwarded from the Chair of the ARC (or a designated management company) advising the homeowner of the violation, stating the steps necessary to remedy the violation and a time period in which to either respond (in writing) and/or remedy the violation.

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- a) Homeowners that do not submit the required pre-approval Form to the ARC before starting any major construction including, but not limited to change of exterior paint color, detached buildings, decks, play equipment, tree houses, swimming pools, hot tubs and fencing will receive an automatic \$200 fine.
 - b) Other violations including, but not limited to landscaping, yard debris, yard ornaments, vehicle parking, antennas, satellite dishes, basketball goals and trash containers left at curbs will be handled as follows:
 - 1) First violation-letter will be sent to homeowner giving adequate time to rectify offense.
 - 2) Second violation-letter will be sent to homeowner with automatic \$25 fine.
 - 3) Third violation- ARC and Board of Directors will review the offense and set fines accordingly, using their discretion, per Meadow Gate Design Guidelines. If the offense continues, a \$50 per day fine will be imposed until offense is corrected.
2. As the final step, if there is still no corrective action or completed corrective action, the particular violation will be forwarded to the Association's attorneys. The homeowner will again be asked to remedy the violation and consequences for failure to take appropriate action will be documented. Failure to comply could result in any or all the following sanctions:
- suspension of the right to vote in Association matters;
 - suspension of the right to use the recreational facilities and/or common areas;
 - recordation of notice of covenant violation with the Superior Court;
 - imposition of a fine on a per violation and/or per day basis;
 - correction of the violation by the Association with all costs charged to the homeowner; and/or,
 - filing of a lien for all fines and costs, including but not limited to legal fees, to correct the violation.
3. As the last resort, if the action is still outstanding, then it may be necessary for the Association to file a lawsuit in order to enforce the covenants.

SUMMARY

It is hoped that these guidelines serve the intended purpose of providing help in understanding our community standards. If you are unsure of the need to submit a Form for a project not specifically referenced by these guidelines, please call any member of the ARC for assistance.

Also, please remember that these are Guidelines. If you feel you have a unique situation that bears consideration, submit a request. The ARC will make every attempt to approve the request, given there is neither direct violation of the covenants nor any negative impact on the community as a whole.

