

## 1. Purpose

The purpose for the Architectural Control Committee (ACC) Design Standard is to adopt, promulgate, amend, revoke and enforce guidelines for:

1. Governing the form and content of plans and specifications to be submitted to the ACC for approval pursuant to the provisions of this Declaration;
2. Governing the procedure for such submission of plans and specifications;
3. Establishing guidelines with respect to the approval and disapproval of design features, architectural styles, exterior colors and materials, details of construction, location and size of Structures and all other matters that require approval by the ACC pursuant to the Declaration; and
4. Assuring the conformity and harmony of the external design and general quality of the Rose Creek Development.

The background and rationale for the ACC Design Standard is in support of the Rose Creek Declaration of Covenants, Conditions, Restrictions and Easements as revised on 17 June 2005. Specific guidance is found in ARTICLE V Architectural Control and ARTICLE VI General Covenants and Restrictions.

**NOTE:** This Design Standard is written to provide amplifying guidance and further definition of specific sections of ARTICLE V and ARTICLE VI. All sections of these articles, even if not detailed in this document, shall pertain and apply to all lots and structures within the Rose Creek community.

## 2. Scope

This Design Standard shall apply to all lots and structures within the boundaries of Rose Creek as defined in Exhibit “A” of the Declaration of Covenants. This applies to all areas of lot and structures such as front, side and back yards.

## 3. Responsibilities

Rose Creek Property Owners: The Owner has the primary responsibility to follow this Design Standard within the Rose Creek Homeowners Association (HOA).

Architectural Control Committee (ACC): The ACC has the primary responsibility to uphold and enforce the Design Standards.

## 4. Procedure

As specified in Section 5.06 of the Declaration of Covenants, any changes to existing lots and structures must be approved by the ACC. Attachment “A” (Architectural Control Request Form) to these Design Standards shall be used to request any such changes. The Architectural Control Request Form must contain detailed plans and specifications to include:

- A site plan showing location of all existing Structures on the Lot including building setbacks, open spaces and driveways.
- A foundation plan.
- Exterior Elevations of all proposed Structures and alterations to existing Structures.
- Specifications of materials, color schemes and other details affecting the exterior appearance of all proposed Structures and alterations to existing Structures.

All plans must allow for conformity and harmony with the quality, designs and standards of the neighborhood and the development.

These standards shall also be used during periodic property inspections to assure the conformity and harmony of the external design and general quality of the Rose Creek Development.

The specific design standards are detailed in the following sections.

#### A. Section 6.02 Maintenance

*“Each Owner shall keep and maintain each Lot and Structured owned by him/her, as well as all landscaping located thereon, in good condition and repair, including, but not limited to (i) the repairing and painting (or other appropriate external care) of all Structures; (ii) the seeding-watering and mowing of all lawns; and (iii) the pruning and trimming of all trees, hedges and shrubbery so that the same are not obstructive of a view by motorists or pedestrians of street traffic. If in the opinion of the ACC, any Owner shall fail to perform the duties imposed by this Section, the ACC shall notify the Association. If the Board shall agree with the determination of the Master ARC or the ACC with respect to the failure of said Owner to perform the duties imposed by this Section, then the Board shall give written notice to the Owner to remedy the condition in question, setting forth in reasonable detail the nature of the condition and the specific action or actions needed to be taken to remedy such condition. If the Owner shall fail to take responsible steps to remedy the condition within thirty (30) days after the mailing of said written notice by certified mail, then the Association shall have the Right of Abatement as provided in Section 8.02 hereof. Guidelines relating to the maintenance of Structures and landscaping may be included in the Design Standard of the ACC.”*

In addition to all stated requirements of Section 6.02, the following shall apply:

- Structures are comprised of but not limited to roof, gutters, downspouts, siding, windows, doors, chimneys, molding, stairs, decking, porches, walkways, driveways, fencing and any other structure-related items not normally considered landscaping. All structures shall be clean and in good condition. Any structure that has items which are broken, missing, rotten, dirty, unpainted, rusted, faded paint or otherwise in need of repair shall be replace or repaired.
- Primary building materials shall be brick, stone, stucco or hardboard wood or vinyl siding that reflects the traditional character of Rose Creek Subdivision.
- Landscaping is comprised by not limited to all lawn, trees, flowers, bushes, shrubs, surrounding “beds”, yard decorations and any other items not normally considered Structure. All Landscaping shall be maintained in good order and free of weeds and dead/diseased parts. Any area of “washout” due to erosion shall be repaired and corrected. All landscape areas adjacent to sidewalks and driveways shall be “edged” so no grass or other landscaping overgrows on the sidewalk or driveway. All “beds” shall be covered with natural ground cover (any plant that grows over an area of ground), natural mulch or pine straw to provide protection from erosion and drought, and to improve its aesthetic appearance.
- Yard decorations shall be limited to 3 tasteful items such as benches, fountains or birdbaths. No plastic edging, artificial flowers or ornamental figurines such as Disney or gnome shall be allowed. Items such as boulders and cement edging shall be presented to ACC for approval.

#### B. Section 6.06 Landscaping

*“No construction or alteration of any Structure shall take place without the prior written approval of the ACC of plans and specifications for the landscaping to accompany such construction or alteration.*

*Guidelines for the landscaping to accompany the construction or alteration of any Structure may be included in the Development Guidelines of the ACC."*

- Landscaping associate with the construction or alteration of a structure shall be harmonious with current lot and adjacent lots landscaping. In landscape areas viewable from the street, mulch and pine straw are acceptable. All other products much have prior approval from the ACC. Complete details and drawings shall be included with the ACC request.

#### C. Section 6.07 Trees

*"No living tree having a diameter of six (6) inches or more (measured from a point two (2) feet above ground level) shall be removed from any Lot unless such removal is in conformity with approved landscaping plans and specifications submitted pursuant to the provisions of Section 6.05 hereof. Guidelines relating to the preservation of trees and other natural resources and wildlife upon the Property may be included in the Design Standards of the ACC."*

- Removal of trees as stated above is not permitted without ACC approval.
- Planting of trees or shrubs is not permitted without ACC approval.
- All trees and shrubs shall be maintained and trimmed so as not to touch any structure on the lot.
- All dead limbs and branches shall be removed and disposed. No limbs or branches shall be left on the lot.

#### D. Section 6.11 Fences

*"No fence or wall of any kind shall be erected, maintained or altered on any Lot without the prior written approval of the ACC of plans and specifications for such fences and walls may be included in the Design Standards of the ACC."*

- All fencing shall be of a wood material.
- No plastic, wire or chain-link material shall be used.
- No fencing shall be over 8 feet high.
- New fencing installed that ties into an existing fence shall be of the same or commentary style to the existing fence.
- No fencing shall be constructed forward of the front corners of the residence.
- Fencing shall be maintained in a natural wood color stain or color in conformity with the neighborhood and Development as approved by the ACC.
- Fence must be maintained in state of good repair at all times, including color, preservation and general condition.
- All retainer walls and structures built for purposes of holding earth, including landscape walls, must have prior approval of the ACC and must be in conformity and harmony of external design and general quality with the existing standards of the neighborhood and with the standards of the development.

## E. Section 6.12 Roads and Driveways

*“No road or driveway shall be constructed or altered on any Lot without the prior written approval of the ACC of plans and specifications for such roads and driveways. Guidelines relating to the design and location of roads and driveways may be included in the Design Standards of the ACC.”*

- Driveway extensions or additions must have prior approval of the ACC. No colored concrete stain is allowed on driveways or front walkways. Driveways must be sealed with clear sealant only.

## F. Section 6.14 Clotheslines, Garbage Cans, Etc.

*“No clothes-lines shall be permitted. All equipment, garbage cans and woodpiles shall be kept in garage or screened by adequate planting or approved fencing so as to conceal them from view by neighboring residences and streets.”*

- Adequate planting shall be in accordance with Section 4.2 Landscaping of this document and shall conceal subject items.
- Approved fencing shall be in accordance with Section 4.4 of this document and shall conceal subject items.
- Equipment shall include but is not limited to items such as: yard maintenance machines and devices, ladders, wheelbarrows, tools and unused flowerpots. Exceptions to this are when ongoing maintenance activity is in progress. Under no circumstances shall any equipment be left in view for over five (5) consecutive days. This includes but is not limited to all material associated with such maintenance as package or piles of topsoil, mulch and pine straw.
- No trailer, trailer house, boat or recreational vehicle or work vehicle of one ton or more, or with 6 tires or more, shall be parked on any Lot or driveway for longer than 3 consecutive days. This time period of 3 consecutive days is considered as an occasional period and shall not happen more than once per month.
- All automobiles must be parked in a garage or driveway. No automobile shall be parked in the yard, on the sidewalk or street other than for special events or occasions.
- All lighting for purposes of illuminating the front or sides of any Lot must be approved by the ACC prior to installation.
- No artificial or man-made device which is designed for collection of or heating by solar energy or other similar means shall be placed, allowed or maintained on any portion of the Rose Creek Development, including any Lot, without prior written approval of the ACC.
- All exterior “Do-it-yourself” projects are governed by the standards outlined within this document and must have the approval of the ACC.
- Any exterior hot tubs or spas must be approved in writing and screened from adjacent properties and streets. All pumps, filters, equipment, etc. must also be screened from view from neighboring lots by an approved means.
- No detached structures shall be placed, allowed or maintained on any portion of the Rose Creek Development, including any Lot, without the prior written approval of the ACC. No Freestanding storage buildings or prefabricated structures of any kind are allowed on residential lots without prior written approval by the ACC. Construction material must be of wood and painted and sided as existing home. Roofing shingles must be used. Size will be limited to 12' x 10' x 10'.

- Above ground pools, other than children's pools not exceeding sixty-four (64) square feet, shall not be permitted in the Rose Creek Development.
- Free-standing basketball poles, backboards and goals may be erected immediately adjacent to the driveway on a lot provided they are set back at least twenty (20) feet from the front of the lot, the poles are metal and painted black and the goal and backboard are manufactured and not homemade. Basketball goals and hoops shall not be attached to any exterior portion of any house, garage or other building structure constructed on any Lot or placed on any other portion of Lot except as provided above.
- No window air conditioning units or installed window fans shall be permitted.
- Play equipment should be located in the backyard or to the rear of the house. Metal play equipment is required to be painted a dark color to blend into the surrounding environment. Plastic semi-permanent play equipment larger than 4x4x4 must be approved by the ACC and must be screened from view where visible from the street. Portable play equipment should be removed when not in use.
- Trampolines must be screened from view of the street and adjacent properties.
- All exterior lighting should be low level, non-glare type, located to cause minimum visual impact on adjacent properties and streets. Landscape lighting must be approved prior to installation.
- Colored lights shall not be used except those decorative holiday lights and ornamentation used during the holiday season from Thanksgiving through the weekend following New Year's Day. All outdoor landscape lighting must be well maintained. Decorations for other holidays may only be displayed up to two weeks in advance of the occasion, or the month of the occasions, whichever is longer, and must be removed no later than seven (7) days following the holiday. Holiday displays must not create a nuisance for adjacent property owners.
- Small professional security signs, which are 64 square inches or less in size, are permitted without prior ACC written approval, so long as said alarm warning signs are maintained in good condition, as determined in the sole discretion of the ACC.
- Campaign signs less than 2' x 2' may be erected on individual property no more than 14 days prior to an election and must be removed within 48 hours after an election. A maximum of two signs are allowed per yard.
- Maintenance signs less than 2' x 2' may be erected on individual property only during the hours that the maintenance company is actively and physically working on that property, and no longer than ten (10) days after work is completed.
- Dog or pet houses must be approved. Exterior colors and materials of dog/pet houses should relate to the exterior of the house. Dog/pet houses must be screened from surrounding streets and neighboring lots. Fenced dog runs or pens are not permitted.
- Trellises may be permitted provided the style, size, location and quantity agree with the character of the house and community-wide standard. The ACC reserves the right to impose restrictions.
- Satellite dishes and antennas used to receive wireless transmissions must be less than one meter (approximately 39") in diameter. Roof mounted exterior television antennas may not extend more than 12 feet above the roofline. Satellite dishes or antennas must be placed in the

least visible location having clear reception. Landscaping, painting or screening may be required by the ACC to minimize visual impact.

- The United States flag, Georgia State flag, as well as sports, seasonal and decorative flags may be displayed by a bracket attached to the home. Flags may be up to a size of 3' x 5' and on a removable pole no longer than 5 feet. Flags may not be torn, tattered, faded or controversial in nature.
- Window treatments that are visible from the streets or neighboring properties must be backed in white or off-white including blinds, shutters, shades, drapes or curtains. However, natural wood blinds are acceptable. The use of foil, paper, plastic, towels, sheets, paint or any temporary covering are no permitted.

## 5. References

Controlling reference document for this standard shall be Rose Creek Declaration of Covenants, Conditions, Restrictions and Easements as revised on 17 June 2005. In the event of a conflict between the provisions of this document and the Declaration, the Declaration shall control.

## 6. Definitions

The frequently used terms or acronyms within this document are listed in ARTICLE I Definitions.