

# **DESIGN GUIDELINES**

## **PACES GREEN COMMUNITY ASSOCIATION**

April 1, 1997

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## **DEFINITIONS**

The **Protective Covenants** contain design review authority and broad, general objectives of the community association.

The **Design Guidelines**, which may be modified from time to time, have been developed to supplement and amplify the covenants. The guidelines serve two purposes:

1. to assist the homeowner, both in designing the proposed improvement and in determining how to apply for approval;
2. to provide criteria for consistent decisions by the current and future Covenants Committees.

## **OVERALL GOAL**

The overall goal of the Protective Covenants and Design Guidelines is to keep Paces Green an attractive and desirable place in which to live.

## **COVENANTS COMMITTEE**

The Committee is appointed by the Board of Directors and reports directly to the Board of Directors. The Committee is to provide assistance in establishing and enforcing community standards on the realm of the association's architectural scheme.

**Goals**—The goal of the Committee is to preserve the aesthetic qualities of the community and the quality of living in the community.

**Organization**—The Committee chair will be appointed by the Board of Directors. The Committee shall nominate from its membership a secretary. The secretary, or acting secretary, shall record the minutes of all Covenants Committee meetings.

## **Responsibilities—**

- A. Be cognizant of the overall architectural plan of the Community.
- B. Protect community standards for architectural control for approval by the Board of Directors. Periodically review standards and guidelines for adequacy and application.
- C. Monitor member compliance with standards and guidelines and provide enforcement procedure recommendations to the Board of Directors.
- D. Be alert to architectural problems and covenant violations shared by members and seek a solution to these problems.
- E. Review all plans for improvement on the common area and elements with respect to their impact on the aesthetic quality of the community.
- F. Review all member Covenant Modification plans and make recommendation for approval or denial, to those modification requests that are outside of the architectural standards and guidelines, to the Board of Directors with respect to their impact on the aesthetic quality of the community.
- G. Provide recommendations to the Board of Directors on improving the covenant modifications process.
- H. Maintain Association property listing (ARTICLE VI).
- I. Maintain a membership roster and minutes (ARTICLE VII).

## **APPLICATION INFORMATION**

1. The following exterior modifications, and only these modifications, do **not** require a Request for Modification Review Form ("Form") to be submitted **if** certain conditions are met.
  - Patios (Guideline 1)
  - Exterior Lighting and Flag Poles (Guideline 2)
  - Garden Plots (Guideline 3)
  - Play Equipment (Guideline 4)
  - Children's Wading Pools (Guideline 6)
  - Ornamental Trees and Shrubbery (Guideline 8)
  - Repainting with the same color (Guideline 12)
2. A complete Form must be submitted through the Covenants Committee for all other types of modifications. **The verbal approval of any sales agent, John Wieland Homes' employee, association representative is NOT sufficient. All modification approvals must be in writing.** When plans are required, they must be submitted with the Form. A Form is attached to these guidelines. Additional Forms are available from the Covenants Committee.
3. The Covenants Committee ordinarily meets twice a month, except when a holiday postpones a meeting. Owners generally receive a response to their request within ten days after the meeting at which the request is considered.

## **COVENANT ENFORCEMENT PROCEDURES**

1. Apparent covenant violations—as reported by **any** source—must be submitted in writing to the Covenants Committee to be referred for appropriate action.
2. If a violation cannot be resolved by the Covenants and Landscape Committee, the matter will be referred to the Board of Directors who will send a letter requesting compliance and/or submissions for approval.
3. If necessary, follow-up correspondence requesting immediate action will be sent. Possible sanctions include:
  - (i) suspension of the right to vote;
  - (ii) suspension of the right to use the recreational facilities;
  - (iii) recordation of notice of covenant violation with the superior court;
  - (iv) imposition of a fine on a per violation and/or per day basis;
  - (v) commencement of legal procedures;
  - (vi) correction of the violation by the association with all costs charged to the violator; and/or,
  - (vii) filing a lien for all fines and costs to correct the violation.

## **TIMELINESS OF WORK**

All work approved by the Committee shall be completed within six (6) months of the approval date.

## **BUILDING PERMITS**

1. All homeowner "Request for Modification Review" Forms that involve construction of a structure that requires a building permit from Cobb County will be approved by the Committee based **only** on the Covenants and Design Guidelines, not the structural and permitting requirements of Cobb County.
2. It is the responsibility of the homeowner to confirm if a building permit is required by Cobb County for the requested structure. The Covenants Committee, and the Board of Directors do not have the authority nor the ability to inform homeowners if a building permit is required by Cobb County.

3. The Covenants Committee and the Board of Directors shall not be held responsible for structures constructed by homeowners who do not obtain the proper permits from Cobb County. This is regardless if the structure is approved by the Covenants Committee as the Committee makes decisions based only on the Covenants and Design Guidelines, not the structural and permitting requirements of Cobb County.

#### **GUIDELINE NUMBER 1: PATIOS AND WALKWAYS**

1. Submission of a Form for a patio is **not** required if:
  - (i) The patio does not extend beyond the sidelines of the house and does not extend to within ten (10) feet of the side property lines; and
  - (ii) The patio does not exceed six (6) inches above ground level at any point.
2. Submission of a Form for a walkway is **not** required if the walkway is located in the rear yard and:
  - (i) The walkway does not extend beyond the sidelines of the house and does not extend to within ten (10) feet of the side property lines; and
  - (ii) The walkway does not exceed four (4) inches above ground level at any point.

#### **GUIDELINE NUMBER 2: EXTERIOR DECORATIVE OBJECTS, FRONT PORCH FLOWER POTS, LIGHTING, ETC.**

1. A Form **must** be submitted for all exterior DECORATIVE objects, both natural and manmade (flower pots excluded). Exterior DECORATIVE objects include items such as bird baths, wagon wheels, sculptures, fountains, pools, antennas, free-standing poles of all types, flag poles, and items attached to approved structures and visible from any Paces Green street.
2. Except as provided below, a Form **must** be submitted for all exterior lights or lighting fixtures not included as a part of the original structure. However, a Form is not required if lights meet the following criteria:
  - (i) lighting does not exceed twelve (12) inches in height;
  - (ii) the number of lights does not exceed ten (10); and,
  - (iii) all lights must not exceed one-hundred (100) watts, be white or clear, non-glare type and be located to cause minimal visual impact on adjacent properties and streets.
3. A Form is not required to be submitted for a single flag pole staff attached to the front portion of a house.
4. Front doors and entry area decorations must be tasteful and in keeping with the style and colors of the house. Plants and flowers in pots must always be neat and healthy. Neatly maintained front porch flower pots that match exterior color containing evergreens/flowers do not require submission of a Form.
5. Objects will be evaluated on criteria such as siting, proportions, color and appropriateness to the surrounding environment.

#### **GUIDELINE NUMBER 3: GARDEN PLOTS**

1. A Form must be submitted for garden plots unless **all** of the following conditions are met:
  - (i) The plot is located behind the rear line of the house;
  - (ii) The plantings are in keeping with the general horticultural appearance of the community;
  - (iii) The plot must be properly maintained per the community standards.

2. All garden plots must be located behind the rear line of the house with the exception of cluster houses, houses set on lots at angles and houses on corner lots. All other situations will be considered on an individual basis when a Form is submitted.
3. Garden plots are planting areas or beds that contain anything other than ornamental plants, such as vegetables, herbs, peanuts, watermelons and the like.

#### **GUIDELINE NUMBER 4: PLAY EQUIPMENT, PLAY HOUSES, & TREE HOUSES**

1. A Form is not required to be submitted for play equipment if the play equipment is located:
  - (i) within the extended sidelines of the house;
  - (ii) in the rear yard;
  - (iii) within the screened fenced area of the rear of the house, if yard is fenced; and,
  - (iv) such that it will have a minimum visual impact on adjacent properties.
2. Metal play equipment, exclusive of wearing surfaces (slide poles, climbing rungs, swing seats, etc.) are preferred to be painted to blend into the surrounding environment (earth tone colors comparable to dark green or brown). All play equipment, play houses and tree houses must be properly maintained in good and safe condition.
3. A baseball backstop or similar item is **not** play equipment and must comply with the fence guidelines.
4. A Form must be submitted for all play houses and tree houses.
5. Play houses and tree houses must be located where they will have a minimum visual impact on adjacent properties. In most cases, material used **must** match existing materials of the house and the play house or tree house may not be larger than one-hundred (100) square feet.
6. Play houses and tree houses will not be permitted in common areas.

#### **GUIDELINE NUMBER 5: BASKETBALL GOALS**

1. Basketball goals on individual lots are discouraged due to the proximity of houses in the Community and the potential for disturbing the peaceful enjoyment of neighbors. Should a lot owner desire to erect one anyway, a Form must be submitted and will be considered if all of the following requirements are met:
  - (i) The Form contains the signatures showing approval of all neighbors who may be impacted by play.
  - (ii) The goal backboard, if not located in the backyard, will be perpendicular to the primary street.
  - (iii) The backboard will be white, beige, clear or light gray.
  - (iv) The post is painted black.
2. Owner must maintain the appearance of the pole and goal at all times.
3. If free-standing or portable, one rectangular guideline surrounding the hoop is permissible.
4. All portable goals are to be stowed away in garage or in backyard when not in use. If backyard is chosen for storage, the goal must be stowed in such a way that its visual impact on adjacent lots will be minimal.
5. Please be considerate of your neighbors and limit play between the hours of 8:00 a.m. - 10:00 p.m.

## **GUIDELINE NUMBER 6: PRIVATE POOLS**

1. A Form is **not** required to be submitted for children's portable wading pools (those that can be emptied at night) that do not exceed eighteen (18) inches in depth and whose surface area does not exceed thirty-six (36) square feet.
2. Above-ground pools are prohibited.
3. A Form **must** be submitted for **ALL** in-ground pools.
  - (i) Appearance, height, and detailing of all retaining walls must be consistent with the architectural character of the house. Some terracing may be acceptable.
  - (ii) Privacy fencing for lots with pools or spas must comply with the fence guidelines.
  - (iii) Maximum pool area is one-thousand (1,000) square feet.
  - (iv) Glaring light sources which can be seen from neighboring lots may not be used.
  - (v) Landscaping enhancement of the pool area and screening with landscaping is required.
4. A Form must be submitted for exterior hot tubs and must be screened from adjacent properties and streets.

## **GUIDELINE NUMBER 7: FENCES**

1. The original design concept of a John Wieland Community promotes a feeling of open space; therefore, fencing is not generally encouraged. A Form must be submitted for **ALL** fencing.
2. Chain link fences are prohibited.
3. All Forms must include the following information:
  - (i) Picture or drawing of fence type. Permissible fence types are privacy fences, inclusive of privacy shadow-box styles, and of the size and color listed below.
  - (ii) Dimensions.
    - a. The height must be six (6) feet.
    - b. The maximum span between posts shall be ten (10) feet. Fences are permitted to have spires as part of the wood posts.
    - c. The minimum post size shall be 4" x 4".
    - d. Crossbeams shall consist of either two (2) 2" x 6" rails or three (3) 2" x 4" rails per section as a minimum (two (2) 2" x 8" rails or three (3) 2" x 6" rails are also acceptable. (Crossbeam structure must face inside toward the yard).
  - (iii) Color. The color shall be natural or stained a natural wood color. Painting of fences is not permitted.
  - (iv) Site Plan. A site plan denoting the location of the fence must accompany the Form. Fences shall not be located closer to any street than the rear edge of the home except for the following conditions that will be considered on a case by case basis:
    - a. On corner lots, the fence shall not be closer to any street than the building line of the adjacent lot(s).
    - b. If the "rear" door of a house (basement, crawl space, or main level) or the air conditioner unit(s) is on the side of the house within six (6) feet of the "rear" of the house, fence construction will be allowed to begin at the door or the air conditioner unit(s) so that the door or air conditioner unit(s) is within the fenced-in area.
4. A Form must be submitted for all dog runs. All dog runs must meet all fence guidelines and must be contained within the fenced-in back yard.
5. Each homeowner must maintain the fences located on his/her respective property regardless of origin of construction or location.

## **GUIDELINE NUMBER 8: EXTERIOR LANDSCAPING AND MAINTENANCE**

1. A Form is not required to be submitted for ornamental trees and shrubbery provided that **all** of the following guidelines are met.
  - (i) Tree plantings (row or cluster style) are not permitted from the front line of the house to the street. In the case of corner lots, trees (row or cluster style) are not permitted from the front corner of the house on the adjacent lot(s) to the street.
  - (ii) However, row or cluster tree plantings are permitted from the front corner of the house to the rear corner of the property line. These plantings must be one foot inside the property line and must be in keeping with the horticultural appearance of the community.
2. Each owner is responsible for removal of debris, clippings, etc. from the property line to the center of the street. 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. Bare earth must be covered with pine straw, mulch or similar cover to prevent soil erosion.
3. Landscaping should relate to the existing terrain and natural features of the lot, utilizing plant materials in keeping with the horticultural appearance of the community. The amount and character of the landscaping must conform to the precedent set forth in Paces Green.
4. All landscape beds must be covered with natural pine straw, chopped pine bark mulch, or wood shavings.
5. The preferred landscape bed edging is a neat four (4) inch to six (6) inch deep trench. Other edging, if used, must be flush with the ground and be of a uniform type.
6. Each homeowner shall keep his/her lot and all improvements thereon in good order and repair including, but not limited to, seeding, watering, mowing, the pruning and cutting of all trees and shrubbery, and the painting or other appropriate external 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 forth in Paces Green.
7. Outdoor storage of garden tools and hoses must be screened from view and be kept behind shrubs. Any tools or items stored under a back deck or porch must also be screened from view.
8. All debris, clippings, etc. must be properly removed from lawns, driveways, sidewalks, streets, etc. Hosing, raking or blowing materials into the streets and into the storm water management system is not permitted.

## **GUIDELINE NUMBER 9: FIREWOOD**

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

## **GUIDELINE NUMBER 10: DECKS**

1. A Form must be submitted for **ALL** decks.



2. The Form must include the following:
  - (i) a site plan denoting location, dimensions, materials and color;
  - (ii) in most cases, the deck may not extend past the sides of the house;
  - (iii) materials must be cedar, cypress, or number 2 grade or better pressure treated pine; and,
  - (iv) the deck must be natural or stained a natural wood color.
3. Vertical supports for wood decks must be a minimum 6" x 6" wood posts that match the color of the deck or black painted metal poles. It is **preferable** to have metal poles boxed in so as to appear to be 6" x 6" wood posts.
4. The following, without limitation, will be reviewed: location, size conformity with design of the house, relationship to neighboring dwellings, and proposed use.
5. Home owners are advised that a building permit may be required by Cobb County for construction of a deck.

#### **GUIDELINE NUMBER 11: EXTERIOR BUILDING ALTERATIONS**

1. A Form must be submitted for all exterior building alterations. Building alterations include, but are not limited to, storm doors and windows, construction of driveways, garages, carports, porches and room additions to the house. Repainting requires prior written approval **only** if the color is changed from the original color of the house.
2. The original architectural character or theme of any home must be consistent for all components of the home. Once the character is established, whether it is traditional, contemporary, etc., no change may alter that character.
3. A Form requesting a paint color change requires the following information:
  - (i) paint sample or picture of paint color used in or approved for this or another John Wieland Community in the same county. The address of the home and community where the color has been approved must be identified;
  - (ii) area of house to be repainted; and,
  - (iii) photograph of the house to be painted and the houses on both sides (in most cases, adjacent houses cannot be painted the same color).
4. Storm doors must be made of anodized bronze or anodized aluminum with baked enamel finish compatible with the primary and trim colors of the house. Storm doors must be of solid glass with no decorative or protective metal workings. A Form must be submitted and must contain the following information:
  - (i) picture or drawing of the door on which storm door will be installed;
  - (ii) picture depicting style of storm door to be installed; and,
  - (iii) color.
5. Storm windows must be made of anodized bronze or anodized aluminum with baked enamel finish compatible with the primary and trim colors. Storm windows must be of solid glass with no decorative or protective metal workings. The Form must be submitted and must contain the following information:
  - (i) picture or drawing of all windows on which storm windows will be installed;
  - (ii) picture depicting style of storm window to be installed; and,
  - (iii) color.
6. If County authorities make any changes to the plans as approved by the Covenants Committee, the owner must submit such changes for approval prior to commencing construction.
7. Tennis courts are prohibited (other than the community tennis courts).

8. Detached buildings will be considered for lots of one (1) acre or more. If the lot contains less than one (1) acre, only attached storage structures will be considered.
  - (i) Detached structures must be located within the extended sidelines of the home.
  - (ii) Detached structures shall be limited to 500 square feet.
  - (iii) Detached structures may not be used for workshops, garages, or any other purpose that may be deemed by the Covenants and Landscaping Committee to cause disorderly, unsightly, or unkempt conditions.
  - (iv) Detached structure exterior materials must match the exterior materials used on the home.
9. Home owners are advised that a building permit may be required by Cobb County for construction of any structure, attached or detached.
10. A Form must be submitted for all dog houses. All dog houses must be located where they will have minimum visual impact on adjacent properties.

#### **GUIDELINE NUMBER 12: VEHICLES AND PARKING**

1. The recreational area parking lot is intended for the use of Paces Green Homeowner Association members (in good standing) during their use of the pool and tennis courts.
  - (i) No boat, trailer, camper, recreation or any other type vehicle may be parked or stored in open view on residential or common property for longer than a twenty-four (24) hour period **without** a Paces Green parking permit issued by the Paces Green Covenants Committee.
  - (ii) A special temporary parking permit must be obtained from the Paces Green Covenants Committee in order to park vehicles of any nature overnight in the recreation area parking lot.
2. All cars parked in open view and not in a garage must be operable and may not be unsightly.
3. No vehicle may be parked on any yard or sidewalk.
4. Parking of vehicles on the street is prohibited. However, temporary parking (four hours or less) is allowed if it does not pose a nuisance to neighbors or impede 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 (i.e. park only on one side of the street).
5. No commercial vehicles are to be parked overnight on neighborhood streets.

#### **GUIDELINE NUMBER 13: SATELLITE DISHES**

1. A Form is required to be submitted for satellite dishes. All of the following requirements must be met:
  - (i) Satellite Dishes must be no larger than eighteen <sup>36</sup>~~18~~ inches in diameter. (1 meter)
  - (ii) If ground mounted, satellite dishes must be screened from view by natural landscaping -- no lattice. Any cables must be buried.
  - (iii) If mounted on the house, satellite dishes must be mounted on the rear of the house, and within the sidelines of the house so as not to be visible from the primary street.
  - (iv) Front yard mounting of satellite dishes is prohibited unless a signal cannot be received from the recommended placement.
  - (v) Roof-top mounting of satellite dishes on the front and side of the house is prohibited. Roof-top mounting of satellite dishes on the rear of the house (out of public view) is preferred.
2. Color of satellite dishes will be reviewed.

#### **GUIDELINE NUMBER 14: MAIL BOXES**

1. Signs or name-plates different than the standard as originally installed by the builder are prohibited.
2. No plants shall be planted in such a manner that delivery of mail is obstructed by such plantings and their future growth.
3. No plants shall be planted in such a manner that the numerical address is obstructed by such plantings and their future growth.
4. Landscaping beds surrounding the mail box shall be no greater than approximately eight to ten square feet or no greater than the original landscaping beds as installed by the builder, John Wieland Homes, Inc., if the builder installed a landscaping bed around the mail box.
5. All landscaping beds surrounding the mail box shall meet the Design Guidelines Number 8, Item 6, which reads: "The preferred landscape bed edging is a net 4" to 6" deep trench. Other edging, if used, must be flush with the ground and be of a uniform type.

#### **GUIDELINE NUMBER 15: ANIMAL CONTROL**

1. As per Cobb County law, all dogs must be in a contained area or on a leash within the Paces Green Community. Fines will be levied as necessary to repeat offenders.
2. Owners must be responsible for disposing of their pets excretions on Paces Green Common Areas and on fellow residents' private property. These excretions must be removed immediately and disposed of properly.
3. Animals are not allowed in the Paces Green Community fenced amenities areas including the swimming pool area and the tennis courts area.
4. Pot bellied pigs are not allowed as pets in the Paces Green Community.

#### **GUIDELINE NUMBER 16: AMENITIES AREAS**

1. The tennis courts and swimming pool shall be utilized for playing of tennis and swimming and sunbathing purposes only. Only special functions approved by the Paces Green Community Association will be allowed.
2. Bicycles, skateboards, roller skates, roller blades and any other recreational equipment are **prohibited** from use within the fenced tennis courts area and the swimming pool area.
3. Please be considerate of your neighbors and limit use of the tennis courts and pool to the hours of 8:00 a.m. - 10:00 p.m.

# **GUIDLINE AMMENDMENTS**

***EFFECTIVE: September 23, 1998***

***APPROVED BY, PACES GREEN  
COVENANTS COMMITTEE***

## **REPLACEMENT GUIDLINE**

### **GUIDLEINE 8.4**

**All landscape beds must be covered with a suitable covering such as pinestraw, chopped pine bark mulch, wood shavings, or other materials that conforms with the precedent set forth in Paces Green.**

### **GUIDLEINE 8.5**

**Landscape bed edging must not exceed more than (4) inches above the ground, must be of uniform type, and must conform to the the precedent set forth in Paces Green.**