

Compass Pointe Homeowners Association, Inc.
Flowery Branch, Georgia 30542

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Compass Pointe

**ARCHITECTURAL CONTROL COMMITTEE
APPEARANCE GUIDELINES
REVISED 5-1-04**

INTRODUCTION

The Declaration of Covenants, Conditions and Restrictions for Compass Pointe Subdivision provides for a design review process through which property improvements must be approved by an Architectural Control Committee (ACC). This provision applies to both new construction as well as any exterior modifications of existing homes/properties, as 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 ACC's role is to preserve, protect, and enhance the value of the properties in Compass Pointe by enforcing the Declarations of Covenants, Conditions and Restrictions. The ACC is chartered to ensure uniform and equitable compliance with these covenants.

The following Appearance Guidelines are provided to amplify and supplement our community covenants. Homeowners are encouraged to study these guidelines as well as the covenants. Note that in the event of a conflict, the Declaration of Covenants, Conditions and Restrictions will control.

As a final introductory comment, please remember homeowners must submit a **REQUEST FOR APPROVAL**, before beginning any improvement or modifications. **The vast majority of problems occur when a homeowner begins a project without written approval from the ACC.**

Each request for project approval is unique to the lot to which it pertains. Each request will be evaluated on the individual and unique elements of the project.

A sample copy of the request form is attached and may be copied.

Unauthorized actions by a homeowner and/or prior ACC action on requests of a similar nature will not serve as a precedent for a subsequent request for project approval. **ALL DECISIONS OF THE ACC MAY BE APPEALED TO THE BOARD.**

The contents of these guidelines, and any actions of the ACC 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 ACC, nor member 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

An **Application for Modification**, hereinafter called "Form", is provided for use in requesting review/approval of an exterior modification. This form should be submitted to the ACC at least 60 (sixty) days prior to the anticipated time that you intend to begin work. Modification requests **must be approved**, in writing, before any work begins.

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

- Repainting with the same color (reference guideline #1)
- Patios (Reference guideline #3)
- Exterior Lighting (reference guideline #4)
- Flag Poles (reference guideline #4)
- Garden Plots (reference guideline #5)
- Ornamental trees and shrubbery (reference guideline #5)
- Children's Wading Pools (reference guideline #7)

A completed Form must be submitted through the ACC 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 County authorities make changes to the plans as approved by the ACC, the owner must submit such changes for approval prior to commencing construction.

Homeowners are advised that a 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:

1. Paint Sample
2. Description of area of home to be repainted

Awnings

A form must be submitted for all awnings. **AWNINGS ON FRONT OR SIDE SHOULD BE A STRUCTURAL EXTENSION OF THE HOME'S EXISTING ROOF.** Colors or finish must be compatible with the home's primary and trim colors. No metal awnings will be allowed. **CANVAS AWNINGS ON REAR OF HOUSE ARE ALLOWED WITH ACC APPROVAL.** Addition of awnings or coverings requires the following information:

1. Picture or drawing of all windows/doors on which awnings will be installed and their location
2. Picture depicting style of awning to be installed.
3. Color samples and materials list.

Detached Buildings

A form must be submitted for all detached buildings, including "storage sheds". Detached buildings must be wooden construction. **THEY WILL BE PAINTED/VINYL SIDED** the same color as the home's primary and trim colors. **NO METAL OR VINYL PREFABS WILL BE ALLOWED.** Shingles of the detached building must also be of the same color as the home. Construction of detached buildings requires a County building permit prior to construction. **THE BUILDING MUST BE LOCATED BEHIND THE HOUSE AND FOLLOW THE COUNTY GUIDELINES.** Detached buildings require the following information:

1. Picture or drawing of the detached building.
2. Plat of property indicating location of building.
3. Color samples and materials list.
4. Copy of the county's building permit.

Dog Houses

ALL DOGHOUSES MUST BE LOCATED WITHIN AN ACC APPROVED FENCED AREA WHERE THEY WILL HAVE MINIMAL VISUAL/AUDIO IMPACT ON ADJACENT PROPERTIES OR FROM THE STREET. DOGHOUSES MUST NOT BE METAL AND MAY BE NO LARGER THEN 3' X 3' X 3'.

Chain link dog runs, "tethered" line dog runs, or wire pens are prohibited.

GUIDELINE #2 DECKS AND RETAINING WALLS

A form **must be submitted** for all decks and retaining walls. The following, without limitation, will be reviewed: location, size, conformity with design of the house, relationship to neighboring dwellings, and proposed use. Construction of any deck requires a county building permit. The following information is required:

1. Site plan denoting location, dimensions, materials and color.
2. A copy of the approved county building permit.

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

1. In most cases, the deck may not extend past the side of the home.
2. Materials must be cedar, cypress, No.2 grade or better pressure treated pine, **OR COMPOSITE MATERIAL.**
3. **COLOR MUST BE NATURAL, OR COMPATIBLE WITH THE COLOR OF THE HOME'S EXTERIOR.**
4. Vertical support for wood decks must meet minimum county standards for wood post or painted (black) metal poles, preferably boxed in as to appear to be wood posts (brick or stucco columns matching home are acceptable).

The following guidelines have been adopted for retaining walls in the community:

1. All exposed concrete block or poured concrete foundation and/or retaining walls must be veneered with natural stone, brick or stucco to compliment the existing structure.
2. Retaining walls constructed of landscape timbers or crossties, if visible from the street, must be shielded or softened by an approved vegetative landscape method.

GUIDELINE #3 PATIOS/WALKWAYS

Patios/Walkways

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

1. The patio/walkway is located in the rear yard.
2. **THE PATIO DOES NOT EXTEND BEYOND THE SIDELINES OF THE HOUSE. A WALKWAY IS PERMITTED FROM THE PATIO TO THE DRIVEWAY.**
3. The patio/walkway does not extend to within 10 feet of rear line limited common property.
4. The patio/walkway's elevation above the 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, porch swings, free standing poles of any type, flag poles (see below), and items attached to approved structures. Objects will be evaluated on criteria such as sitting, proportion, color, and appropriateness to surrounding environment.

Exterior Landscape & Security Lighting

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

1. Lighting does not exceed 12 inches in height.
2. The number of lights does not exceed 10.
3. Individual lights must not exceed 100 watts, are white or clear, non-glare type and located and aimed to cause minimal visual impact on adjacent properties and streets.

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 displayed may not be greater than 3 x 5 feet. Free standing poles require ACC approval.

Plants and Flower Pots

Front doors and entry decorations must be tasteful and in keeping with the style and colors of the house. Plants and flowerpots 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 limited common property. ACC approval of a landscaping project is required when the activity will result in major changes to existing landscaping or when grading or contour modifications are required. **Any landscape project must specify a firm completion date.**

The general appearance of each lot and the residence thereon, including landscaping, must conform to the level of upkeep that is accepted as community standard. Failure to maintain property to this standard will subject the owner to the imposition of fines and/or liens on the property. This standard includes, but is not limited to:

1. Repairing and painting and other appropriate external care of all structures
2. Over seeding and restoring lawn grasses
3. Watering, fertilizing, mowing and edging lawn grasses.
4. Pruning and trimming trees and shrubbery, hedges and other vegetation so that the yard presents a manicured appearance and the visibility of motorists and pedestrians is not obstructed.
5. Removal of all "Volunteer" or "Wild" growth of weeds or non-landscape quality vegetation.
6. Prompt repair of any barren lawn areas to reduce erosion potential.
7. **RENEWAL OF PINE STRAW OR BARK MULCH USED IN ISLANDS OR NATURALIZED AREAS IS REQUIRED AS NEEDED TO MAINTAIN APPEARANCE.**

Trees and Shrubby

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 lines of limited common property 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.

Removal of living specimen native trees is prohibited unless approved by the ACC.

If trees are removed then stumps must be removed and area landscaped.

Vegetable Garden Plots

A form is not required for garden plots if all 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.
3. 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

THE FOLLOWING GUIDELINES APPLY TO ALL PLAY EQUIPMENT:

1. The play equipment shall be located within a fenced area in the rear of the house;
2. The play equipment shall be sized and located such that it will have minimal visual impact on adjacent properties.

Play equipment is strongly suggested to be of wood construction, environmentally and aesthetically compatible. Metal or plastic play equipment will generally require more fencing and landscaping to shield from view and will generally be required to be painted to blend into the surrounding environment (earth tones)

Playhouses

THE FOLLOWING GUIDELINES APPLY TO ALL PLAYHOUSES:

1. **PLAYHOUSES MUST BE LOCATED WITHIN THE SIDELINES OF THE HOUSE, IN THE REAR OF THE HOME.**
2. In most cases, materials used must match existing materials of the home.
3. Playhouses may not be larger than 40 square feet or 8 feet in total height.
4. No tree houses are permitted.
5. Playhouses, once approved, must be maintained to preserve approved decor.

GUIDELINE #7: PRIVATE POOLS

Children's Portable Wading Pool

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. Pools should be placed to provide for the least visual impact to neighbors.

Above-Ground Pools Above ground pools are prohibited.

GUIDELINE #8 PRIVATE TENNIS COURTS

This guideline has been deleted.

GUIDELINE #9: FENCES

A FORM MUST BE SUBMITTED FOR ALL FENCES. IT IS IMPORTANT TO NOTE THAT NO CHAIN LINK FENCES ARE ALLOWED. A COUNTY BUILDING PERMIT IS REQUIRED TO ERECT ANY FENCE. A REQUEST FOR FENCING MUST INCLUDE THE FOLLOWING INFORMATION:

1. Picture or drawing of fence type listing all materials being use
2. Dimensions including height, span between posts, post size, and crossbeam size and number of rails.
3. A site plan denoting the location of the fence together with information as to existing fences erected on adjacent limited common property lines.

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

1. **FENCES MUST BE NO GREATER THAN SIX (6) FEET IN HEIGHT.**
2. The design can be straight (either shadow box, standard or scalloped).
3. Scalloped wood fences must have center fence height 6 to 8 inches Lower than 6 foot pickets.
4. Fence pickets can be either dog-eared or French gothic design.
5. All fences must be natural color stained, not painted.
6. All supports must face owner of fence, thus placing the good side out, if shadow box design is not used.
7. Corner lot fences cannot extend into side yard toward street, if the home's backyard faces the side of a neighbor's home.
8. Spacing of pickets must be less than 1 inch for a standard design fence.
9. **FENCES MUST BE PLACED WITHIN PROPERTY LINE.**
10. Fences must connect to back corner of house or extend no farther than the center of the home.
11. **FENCES MUST FOLLOW THE CONTOUR OF THE PROPERTY.**

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

GUIDELINE #10: ANTENNAS, SATELLITE DISHES

This guideline applies to installation, attachment and maintenance of direct broadcast satellite (DBS) dishes or antennas and multichannel 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 Compass Pointe 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 associations

ACC. All satellite dishes must be in compliance with FCC Regulations

Before installation or attachment of any Satellite Dish is permitted, the lot owner must notify the ACC in writing using a 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 except providing the notification form to the ACC. Ground mounted Satellite dishes require ACC application.

General Guidelines

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.

With submission of a form as provided above, and without further approval of the Board or the ACC, Satellite Dishes may be installed, in order of priority, in the following locations:

1. 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.
2. Rooftop mounting of satellite dishes is allowed only in the rear of the home.
3. **The 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 signal in any of the pre-approved locations designated above, then, prior to installation in an alternate location, the owner who wants to install a satellite dish must submit a form to the ACC to install the dish. This will include specific written documentation as to why the pre-approved locations are not acceptable. The ACC shall respond to such written request for approval of an alternative location as promptly as practical

The Satellite Dish must be painted as to 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 shall be responsible for the maintenance and repair of the Dish including, but not limited to, (a) reattachment of Satellite Dish, and any components thereof, within 48 hours of dislodging, for any reason, from its original point of installation; (b) repainting or replacement, if for any reason the exterior surface of the satellite Dish becomes worn or disfigured or deteriorated.

GUIDELINE #11: MISCELLANEOUS EXTERIOR INSTALLATIONS

Mailboxes: Changes to mailboxes other than painting, must be approved by the ACC. **MAILBOXES SHOULD BE PAINTED TO AVOID RUST.**

Driveways and Walkways: Must be surfaced with materials that are in harmony with the community as approved by the ACC.

Clotheslines: Any sort are prohibited

Storage: All lawn and garden equipment, portable recreation equipment **(INCLUDING BUT NOT LIMITED TO BOATS, TRAILERS, CAMPERS, WAVE-RUNNERS, CANOES)**, garbage cans, and wood piles shall be kept in a garage or screened behind adequate planting or approved fencing so as to be concealed from view by neighboring residences and from the street.

Garbage: Containerized household trash and/or garbage cans and any landscape trash are to be placed at the curb no earlier than 6pm on the day prior to collection. Garbage cans are to be removed from the curb no later than 9pm on the collection day.

Air Conditioner Units: Window air conditioners are not approved for use.

Tennis Courts: are not approved for individual residences.

Solar Energy Collector: Installations must be approved by the ACC.

Exterior Lighting: Must be approved by the ACC. Seasonal lighting should be tastefully employed **AND REMOVED BY THE END OF JANUARY.**

SIGNS: SECURITY COMPANY, REAL ESTATE, BIRTHDAY, BABY ARRIVAL, GARAGE SALE, AND OTHER SPECIAL OCCASION SIGNS DO NOT REQUIRE AN APPLICATION TO BE SUBMITTED HOWEVER, THEY SHOULD BE LIMITED TO 2 PER YARD. ALL "OCCASION" SIGNS SHOULD BE REMOVED IN A TIMELY MANNER INCLUDING ANY GARAGE SALE SIGNS PLACED THROUGHOUT THE NEIGHBORHOOD. ALL POLITICAL SIGNS MUST HAVE ACC APPROVAL FOR THEIR "APPROPRIATENESS" AND IF APPROVED, MAY BE DISPLAYED 30 DAYS PRIOR TO AN ELECTION. THEY MAY BE NO LARGER THEN 18" X 18" AND MUST BE REMOVED BY THE DAY AFTER ELECTIONS.

GUIDELINE #12: PARKING REGULATIONS

The streets at Compass Pointe are private streets owned and maintained by the Homeowner Association. The post office, fire and police departments have very strict rules concerning parking in the street. The police and fire department have a problem serving the area if cars are parked in the street. For the benefit of everyone no occupants or guests of occupants vehicles shall be permitted to park on the streets in the subdivision.

No owners or occupants of any portion of the property shall repair or restore any vehicle of any kind except within an enclosed garage.

No school bus, truck, commercial vehicle over 1 ton capacity, house trailer, mobile home, motor home, recreational vehicle, camper, habitable motor vehicle of any kind, boat or boat trailer, trailers of any kind, or like equipment, exceeding 30 feet in length shall be permitted on any lot or limited Common Property **AT ANY TIME WITHOUT ACC APPROVAL.**

COVENANT ENFORCEMENT PROCEDURES

Apparent covenant violations- as reported by any source- may be submitted to the ACC to be referred for appropriate action. Should a management company be hired, they too would be 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 ACC (or designated management company) advising the homeowner of the violation, stating the steps necessary to remedy the violation and a time period in which to respond (in writing) and/or remedy the violation.
2. If after "due process", the violation can not be resolved by the ACC, or if there is no response to the first letter, or if the violation has not been remedied within the prescribed time period, then the ACC is obligated to refer the matter to the Board. A letter will be forwarded to the homeowner by authority of an officer of the Association advising a new time frame in which to complete the required corrective action and/or respond. An offer of hearing before the board will be extended.
3. As a third step, if there is still no corrective action or completed corrective action, the particular violation will be forwarded to the Association's Attorney. The home owner 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 of the following sanctions:

1. Suspension of the right to vote in association matters
 2. Suspension of the right to use recreational facilities
 3. Recording of notices of covenant violation with the Superior Court
 4. Imposition of a fine on a per violation and/or per day basis
 5. Correction of the violation by the association with all costs charged the homeowner.
 6. Filing of a lien on residence for all fines and costs, including but not limited to legal fees, to correct the violation.
4. As a 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.

When a determination has been established that a property is in violation for the Guidelines, and the property owner has been properly advised, that violation will remain active until it is resolved. Transfer of ownership of a property WILL NOT erase an outstanding violation since a violation follows the property, not the property owner.

Penalties

Any resident who is found in violation of the Declaration of Covenants and these Architectural Guidelines is subject to penalties according to the following Schedule:

Failure to apply for ACC approval of a Project	Up to \$50 fine
First Notice (except as provided in above) including cease and desist	Warning Letter
Second Notice of same violation (issued when corrective action is not completed within 30 days)	Letter from Board Board Hearing Up to \$50 fine
Third Notice of the same violation (issued when corrective action is not completed within 15 days of second notice and/or hearing from Board)	Referral to Attorney Up to \$100 fine Legal action in Court
Fourth Notice (issued when corrective action is not completed within 10 days of third notice.	Abatement of Nuisance Clean-up billed to Homeowner Daily fines up to \$10 per day
Failure to pay assessed penalty and/or costs attributed to Right of Abatement	Property Lien

THESE ARCHITECTURAL GUIDELINES SUPERSEDE ANY PREVIOUS STANDARDS.

SUMMARY

It is hoped that these guidelines serve their 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 ACC for assistance.

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

APPLICATION FOR MODIFICATION

Compass Pointe Homeowner's Association

Architectural Control Committee

August 2003

Note: This form must be completed and returned prior to commencing any work. Incomplete forms will be returned. Documentation submitted for review becomes the property of the Compass Pointe Homeowner's Association.

Name:
Address:
Home Phone:
Office Phone:
Proposed Start/Finish Dates:
DESCRIPTION OF IMPROVEMENT/MODIFICATION: (Please include architectural drawings, sketches, pictures, contractor's specifications, site plans, materials list, etc. Attach additional pages if necessary.)

ATTACH A CERTIFICATE OF INSURANCE FROM CONTRACTOR BEING USED!

NOTE: Remember to allow at least a minimum of thirty (30) days after submission to the ACC in writing. For your protection, inquire with the county and/or any other government agencies applicable regarding required permits before starting any work on your property involving new construction, alterations, or additions etc.

APPROVAL OF ANY STRUCTURE OR ARCHITECTURAL CHANGE/ADDITION BY THE ACC IS IN NO WAY A CERTIFICATION THAT THE STRUCTURE OR ARCHITECTURAL CHANGE/ADDITION HAS BEEN BUILT IN ACCORDANCE WITH GOVERNMENT RULE AND REGULATION OR THAT THE STRUCTURE COMPLIES WITH SOUND BUILDING PRACTICE OR DESIGN.

Homeowner's Signature _____

Date submitted to ACC: _____

Approved/Denied:
Approved with Stipulations:
Signed By:
Title:
Date:
Date of Notification to Homeowner: