



COMMUNITY-WIDE STANDARDS FOR GATES MILL

March 1, 2013

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1 ARCHITECTURAL CONTROL COMMITTEE

The Architectural Control Committee (ACC) was established in accordance with Section 8 of the AMENDED AND RESTATED DECLARATIONS OF PROTECTIVE COVENANTS FOR GATES MILL SUBDIVISION. As such the ACC is empowered to act for the Board in all matters pertaining to the establishment and enforcement of architectural and community wide standards.

The goal of the ACC is to preserve the established aesthetic qualities of the Gates Mill Community. In doing so, the ACC will help to maintain the value of all properties within the subdivision.

2 ARCHITECTURAL STANDARDS

Each Owner shall maintain and keep his or her Lot and dwelling in good repair, condition and order. This maintenance obligation shall include, but not be limited to:

- roofs, gutters and downspouts,
- exterior building surfaces,
- foundations, foundation walls and retaining walls,
- windows and doors,
- trees, shrubs, grass, and walks,
- and other improvements.

In addition, each Owner shall maintain any public right-of-way located between the Owner's Lot and the curb of the street(s) bordering such Lot. Such maintenance shall be performed consistent with the Covenants and established Community-Wide Standards. Each Owner shall perform his or her responsibility hereunder in such manner so as not to unreasonably disturb other Lot Owners.

No exterior construction, alteration, or addition of any nature to the home or property shall begin until a Gates Mill Architectural Review Form (ARF) has been submitted to the Architectural Control Committee and approval has been received from this committee. Items requiring approval shall include, but not be limited to the following:

- painting,
- siding replacement,
- decks,
- ponds,
- fences,
- tree removal,
- major landscape changes,
- home additions, and
- exterior decorative objects

All exterior construction, alteration, or addition must be in accordance with Gwinnett County laws. Once approval has been received from the ACC, all necessary permits must be obtained from Gwinnett County, and a copy of these permits given to the ACC, prior to any work being done.

3 ARCHITECTURAL REVIEW PROCESSING AND APPROVAL

The following is the process for submitting an Architectural Review Form and obtaining approval:

3.1 Complete and submit the Architectural Review Form

ARFs shall be completed and submitted via our website, <http://www.gatesmill.org>. As an alternative, a printed copy of the ARF may be obtained from the website or CMA. Printed copies shall be mailed to CMA for approval. ARFs must be submitted at least 30 days prior to the anticipated start of work.

3.2 ARF Approval

The ACC shall have primary responsibility for approval of the ARF. The standards for approval of the ARF shall include, but not be limited to:

1. Compliance with the Community-Wide Standards,
2. Materials to be used;
3. Harmony with the external design of the existing dwellings, Lots and structures, and the location in relation to surrounding structures and topography
4. Aesthetic considerations; and
5. All other matters, including but not limited to, building permits, deemed to be relevant or appropriate by the ACC.

The Board, ACC or designated representative shall approve any request that it determines, in its reasonable discretion, to be in substantial compliance with such standards for approval.

No approval issued hereunder shall authorize any variance from the provisions of our Covenants or Community-Wide Standards unless these variances are expressly identified in the ARF and specifically approved in writing by the ACC.

3.3 ARF Disapproval/Appeal

If the ACC disapproves an ARF an Owner may, in writing, appeal the decision to the Board. The notice of appeal shall be sent to the Board by certified mail and received by the Board within 14 days from the date of the ACC's disapproval notice, or the decision of the ACC shall become final and all rights of appeal shall terminate.

Within 45 days of receipt of a timely appeal, the Board shall schedule a meeting with the Owner to review the ARF. The Board may then either approve, disapprove, or conditionally approve the Owner's application. This ruling shall be final and binding on the Owner.

3.4 Failure to Approve/Disapprove

If the ACC fails to approve or to disapprove a properly completed ARF within 45 days the Owner submitting the ARF may issue written notice, via certified mail, to the Board, informing them of their intent to proceed with the work described in the ARF.

Unless the Board issues a written disapproval notice within 10 days of receipt of the Owner's notice, the ARF will be considered approved and no further action shall be required by the Owner.

Except as provided in this subparagraph, no approval of an ARF shall be valid unless issued in writing. Owners may not rely on any verbal approval or statements from any person as the approval required for an ARF.

3.5 Commencement and Completion of Construction

All modifications detailed in an approved ARF must be commenced within four months from the date of approval, or such approval shall be deemed revoked, unless the ACC gives a written extension for the start of work.

All approved work shall be completed in its entirety within four months from the start of work, unless otherwise agreed to in writing by the ACC.

4 NON-COMPLIANCE WITH COVENANTS & COMMUNITY-WIDE STANDARDS

In order to ensure that the Covenants and Community-Wide Standards are adhered to, and thereby preserve the appearance and value of the homes in our Community, a notification and fining system has been established as follows:

4.1 Violation of Covenants/Community-Wide Standards

Failure to submit or obtain an approved ARF shall be considered a violation of these Community Wide Standards.

Upon discovery of a violation, a "Request for Compliance" will be sent to the homeowner asking that the violation be corrected or contact made with the property manager within ten (10) days.

The "Request for Compliance" letter shall contain the following information:

- Date the issue was discovered
- Description of the issue including affected Covenants and/or Community Wide Standard section affected
- Requested remedy

If the violation is not corrected or contact is not made with the property manager within ten (10) days, a "Final Notice" shall be sent to the violating homeowner. This Notice shall contain the following information:

- Description of the issue including affected Covenants and/or Community Wide Standard section affected
- Required remedy
- Possible Enforcement Actions that may be taken

If the violation is still not corrected or contact is not made with the Property Manager within ten (10) days, a "Fine Notice" letter is sent. This Notice will contain:

- Description of the issue including affected Covenants and/or Community-Wide Standard section affected
- Requested remedy
- The amount of the fine being assessed, the date the fine was started, and the rate at which additional fines will accrue without further notice until the violation is brought into compliance
- Additional Possible Enforcement Actions that may be taken
- Notice of the violating homeowner's right to request a violation hearing before the HOA board; this request must be in writing and received by the HOA board within ten (10) days of the date of the Fine Notice letter.

***Please note that no "Fine Notice" or violation hearing are required to impose fines or Enforcement Actions for a recurring violation on the same Lot**

4.1.1 Possible Enforcement Actions

4.1.1.1 Suspension of Violators' rights to use the Common Property.

This includes, but is not limited to the pool, tennis courts, clubhouse and playground;

4.1.1.2 Suspension of the Violator's GMHOA voting rights;

4.1.1.3 Fine

Except for a leasing/renting violation, a fine in the amount of \$100.00 per month, per violation, shall be levied. Leasing/renting violations shall be fined \$750.00 per month (see section 5.2) These fines shall constitute an automatic statutory lien against the property and be a binding personal obligation

A Notice of Lien shall be filed in Gwinnett County land records on the property. Any costs incurred by Gates Mill Homeowners Association from any actions taken, including legal fees, will be recovered from the violating homeowner. Before refinancing or selling the home, these fines and costs must be paid in full so that the lien can be removed.

4.1.1.4 Use of self-help to remedy the violation

Under the authority granted in our Covenants the Association or its duly authorized may enter a Lot to abate or remove any structure, thing or condition that violates our Covenants and/or Community Wide Standards.

Unless an emergency exists, the Owner shall be given at least 10 days prior written notice before exercising self-help. Such notice shall request that the Violator remove and abate the violation

Such removal, abatement and restoration shall be accomplished at the Violator's sole cost and expense and constitute a automatic statutory lien against the property and a binding personal obligation

Under the authority granted in our Covenants the Association or its duly authorized agent shall have the authority to have towed vehicles that are in violation of parking regulations.

4.1.1.5 Injunction

Bring an action for permanent injunction, temporary injunction and/or specific performance to compel the Violator to cease and/or correct the violation; and

Record in the Gwinnett County land records a notice of violation identifying any uncured violation of the Association Legal Documents regarding the Lot.

4.1.1.6 Costs and Attorney's Fees for Enforcement Actions

In any action taken by the Association to enforce the Association Legal Documents, the Association shall be entitled to recover from the Violator, any and all costs incurred by the Association, including but not limited to attorneys' fees actually incurred, all of which shall constitute a lien against the violating Owner's Lot.

4.1.1.7 Additional Remedies

Additional remedies as described in Section 16 of our Covenants

4.1.2 Collection Policy

As per our Covenants, the Gates Mill Collections Policy regarding any homeowner who is 30 days or more delinquent in paying their Homeowners Dues or any other money owed to the HOA is as follows:

- 1) Homeowner will receive a late notice from the Management Company stating:
 - a) the amount overdue
 - b) that a late charge equal to the greater of \$10.00 or 10% of the amount not paid has been added to the homeowner's account
- 2) The homeowner's right to vote and use the Gates Mill common areas (pool, clubhouse, tennis courts, etc.) are suspended automatically until the amount due is paid in full.
- 3) Homeowners who are more than 60 days overdue and whose balance exceeds \$350.00 will be turned over to our attorney for collections.
- 4) The Homeowner is responsible to pay all legal costs involved in the collections process; these amounts will be automatically added to the homeowner's account.

4.1.3 Sole Discretion

The Board of Directors has the sole discretion to decide which, if any, enforcement action to pursue against each Violator.

4.1.4 Effective Date

These actions will be effective until compliance is made and the Board has confirmed this compliance.

5 SPECIFIC COMMUNITY-WIDE STANDARDS

5.1 Foreword

Following are the revised Gates Mill Homeowner's Association Community Wide Standards. These standards are effective as of March 1, 2013. In the event that a homeowner determines that an existing condition is no longer permitted under the revised Community-Wide Standards the homeowner must submit an ARF describing the condition and requesting it be approved. Failure to submit an ARF or in the event it is not approved, the homeowner shall be required to remedy the condition. Enforcement of these standards will begin April 1, 2013.

5.2 Leasing/Renting

Except as noted in Section 10 of our Covenants, the leasing/renting of homes in Gates Mill is prohibited. Any homeowner who is renting their home is in violation of our Covenants and will be fined \$750 per month for each month the home is rented. In addition to the fine, legal action may be taken against the homeowner; all legal costs involved in such action will be the responsibility of the homeowner and will be automatically added to the violating homeowner's account.

5.3 Exterior Building Alterations and Additions

An ARF shall be submitted for all exterior building alterations and additions. Building additions include but are not limited to storm windows and doors, construction of driveways, garages, out-buildings, porches, trellises, fountains, permanent decorative structures, and home additions.

A clear start date and completion date must be included on the ARF. During construction, the Owner is responsible for maintaining an orderly construction site at all times, and for prompt removal of construction debris.

The architectural character or theme of the addition shall be consistent with the existing structure.

Owners must conform to all relevant building permit and code requirements.

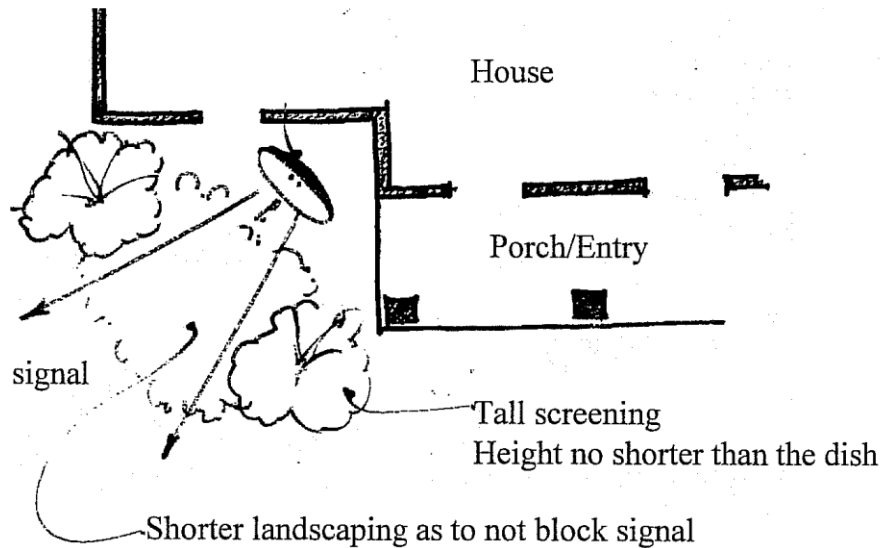
5.3.1 Antennas and Satellite Dishes

Direct Broadcast Satellite (“DBS”) antennas shall not exceed 24” in diameter; MMDS antennas shall not exceed one (1) meter in diameter.

All antennas shall be installed in accordance with rules and regulations of the Federal Communication Commission (“FCC”) and the GMHOA.

All antennas shall be installed in the least conspicuous location available on the Lot that permits reception of an acceptable quality signal.

Multi-channel Multi-point Distribution Services (“MMDS”) antennas may be ground mounted with the appropriate landscape screening (not lattice) as shown below.



5.3.2 Awnings

An ARF shall be submitted and approved prior to the installation of any awnings. Awnings must conform to the following:

- Awnings or coverings must be either canvas or a structural extension of the home’s existing roof,
- Colors of finishes must be compatible with the home’s primary and trim colors, and
- Be properly maintained

The ARF shall include the following:

- A picture or drawing of all the windows and/or doors on which the awnings will be installed,
- A picture depicting the style of the awning to be installed, and
- Color samples and materials list

5.3.3 Decks

Decks must be constructed of quality weather-resistant materials and treated with appropriate water sealer. Decks may be painted or stained to compliment the primary structure; a sample of the color must be submitted to the ACC for approval prior to beginning work.

Vertical supports for wood decks must be a minimum 6 x 6 inch wood posts or painted metal poles, preferably boxed in as to appear to be 6 x 6 inch wood posts.

Decks must comply with county building codes and the proper permits must be obtained.

All Decks require an approved ARF, including the following information, prior to construction.

- a) A site plan denoting location and dimensions (in most cases, the deck may not extend past the sides of the home);
- b) a list of materials must to be used; and
- c) a sample of the color to be used.

Plans will be reviewed for location, size and conformity with design of the house, and relationship to neighboring dwellings.

5.3.4 Decorative Windows

All Decorative Windows require submission of an ARF for approval.

Decorative windows, such as stained glass, decorative glass, etched glass or leaded glass must be housed in an appropriate frame consistent in design and color with existing trim.

5.3.5 Driveways and Concrete Pads/Patios

All driveways, concrete pads and patios must be free of large cracks and holes.

Asphalt driveways or repair patches are prohibited.

An ARF shall be submitted and approved prior to construction of any **new** driveway, concrete pad or walkway. An ARF is not required for repairs to an existing driveway, concrete pad or walkway. New driveways, concrete pads and walkways shall meet the following requirements:

- a) Driveways, concrete pads and patios must be constructed of either concrete or brick pavers and meet all Gwinnett County Building Codes,
- b) A patio may not extend beyond the sidelines of the house,
- c) A patio may not exceed six (6) inches above the ground at any point,
- d) A patio or walkway may not alter existing drainage patterns in a manner that adversely affects the homeowner or any adjacent property,
- e) A walkway may be no closer than ten (10) feet from the side property line, and
- f) A walkway may not exceed four (4) inches above the ground at any point

5.3.6 Energy Conservation Equipment

All Energy Conservation Equipment requires submission of an ARF, including a sketch, for approval.

No solar energy collector panels or attendant hardware or other energy conservation equipment shall be constructed or installed unless they are an integral and harmonious part of the architectural design of a structure, as determined in the sole discretion of the ACC.

No energy conservation equipment shall be visible from the street.

5.3.7 Fences

All fences must be constructed with quality weather-resistant materials (pressure treated lumber, masonry, PVC or ornamental iron) and properly maintained. Vinyl-coated chain link fences will be reviewed on a case by case basis. Fences may be painted or stained to compliment the primary structure.

The style of fence must be consistent with other fences in the neighborhood so as to maintain a pleasant aesthetic appearance.

Fences shall be structurally sound so as to withstand severe weather conditions. All fences shall be properly maintained and kept in good repair.

Fence posts shall be secured in cement and positioned proportionately so as to secure proper lengths of fence. Depth of hole shall be in proportion to support height of fence.

Fences are allowed to be constructed along property lines or inside property at the rear and side of property lines with a maximum height of 6 feet. Except as noted below, fences shall not extend past a line equal with the back of the house.

Fences shall be constructed so that plank side is exposed to the street or neighboring property.

Fences must have a minimum of one walk-in gate. Double-wide and swing-style gates are also acceptable.

Invisible dog fences are permitted provided the lawn/yard is repaired to the previous condition after installation.

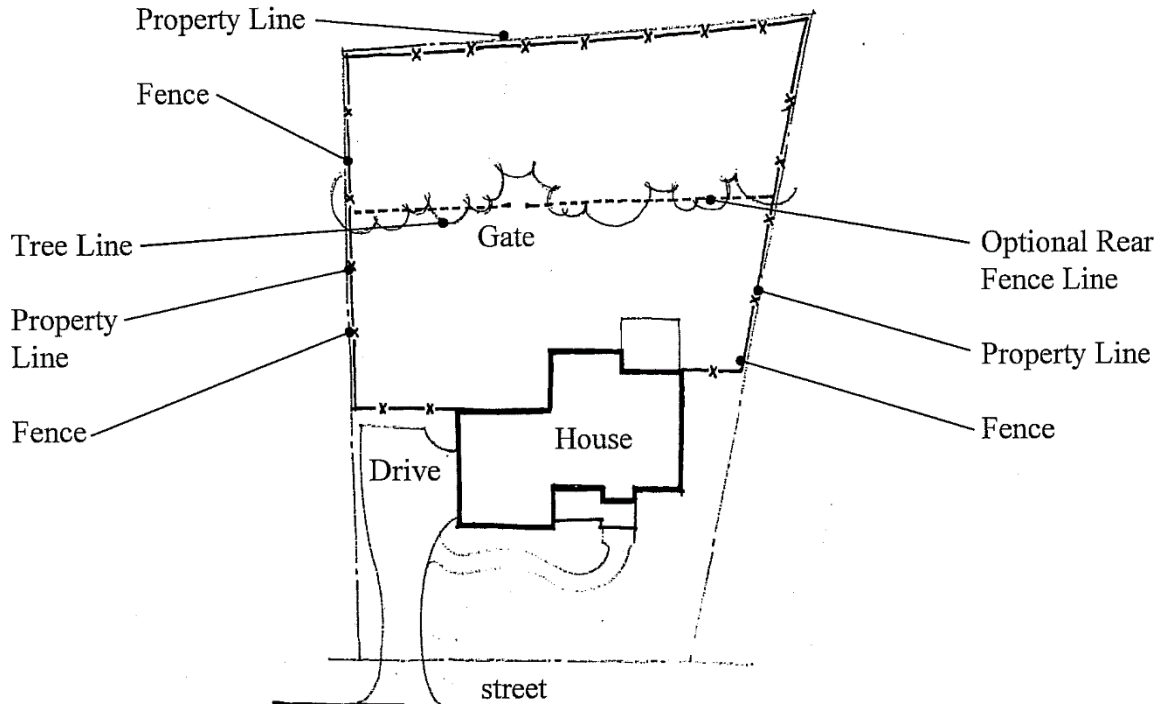
All fences shall meet Gwinnett County guidelines as per height and placement.

No bare metal chain link fences, hog wire or barbed wire fence will be allowed

An ARF, including the following information, shall be submitted and approved prior to the construction of any fence or dog run.

- a) A site plan similar to below. 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 line of lot. If the "rear door" of a house (basement, crawl space or main level or the air conditioning 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 on the front street side of the door

or air conditioner(s).



- b) Type of fence (wood, vinyl privacy, etc.)
- c) Color; a wooden fence must be natural or painted to match exterior trim color. Natural fences must be sealed and/or stained to prevent discoloration and retard decay.

5.3.8 Lighting

An ARF, including a site plan and description of the lights, shall be submitted and approved prior to the installation of any new exterior lighting. Replacement of existing lighting with similar fixtures does not require an ARF.

Exterior lighting shall meet the following conditions:

- a) Lighting shall be installed in accordance with the latest version of the National Electrical Code;
- b) Lighting shall be restricted to driveways and walkways or other areas concealed by trees or shrubbery;
- c) Lights shall not exceed 100 watts, are white or clear non-glare type, with the exception of seasonal holiday decorative lights, and be located so as to cause minimal visual impact on adjacent properties and streets;
- d) Security lights mounted on the house, out-building or freestanding structure shall be mounted in such a way that the light does not shine on or directly at an adjacent property;
- e) The number of lights does not exceed 25; and
- f) Pole mounted lights shall not exceed eight (8) feet in height

Sodium vapor security lights are prohibited.

Seasonal (e.g. Christmas) lights do not require an ARF, but should be put up no more than 30 days before the holiday, and removed no more than 15 days after the holiday.

5.3.9 Out-Buildings and Similar Structures

An approved ARF, including a site plan, is required prior to the construction of any gazebo, out-building, storage shed or detached garage. If necessary, a building permit must be obtained from Gwinnett County and a copy of the permit given to the ACC before any work begins.

Out-buildings shall be constructed a minimum of 5 feet inside of the rear property line and 10 feet inside the side property line.

Out-buildings shall be constructed of quality materials and resemble architectural design of the principle structure (home) including shingles, windows, roofline and paint color. In addition, out-buildings shall be structurally sound so as to withstand severe weather conditions.

Out-buildings shall be constructed as a permanent fixture on concrete slab or foundation.

Prefab metal or resin-type buildings are prohibited.

Carports, or open air covered structures used for the purpose of storing or parking of cars, boats, RVs, etc. are prohibited.

No out-building shall be constructed for the purpose of temporary or permanent habitation.

5.4 Exterior Maintenance

5.4.1 Painting

Exterior re-painting requires prior written approval **only** if the color is changed.

Any exterior paint color **change** requires an ARF with the following information:

- a) Paint sample or picture of paint color.
While there is no color list or chart of required colors for Gates Mill, the general color scheme for our community is that of neutral or earth tones. This color scheme is in keeping with the traditional style of the neighborhood.
- b) Area of home to be repainted.

The ACC does not dictate frequency of repainting, but reminds homeowners of the requirement to maintain their homes as established in the Protective Covenants.

5.4.2 Roofs

Roof shingles must be kept in good repair. Any torn or missing shingles must be replaced immediately.

Stained shingles shall be cleaned or replaced.

When repairing or replacing shingles, the repair must match and blend in with existing shingles. If the same shingle is not available, you may be required to replace all shingles.

Any change to the existing shingles must be approved by the ACC. An ARF, including a sample and spec sheet for the materials to be used shall be submitted prior to installation.

5.5 Flags

An ARF is required prior to displaying any flags other than Official Flags.

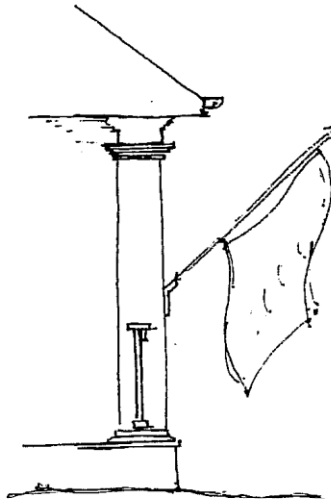
All flags must be displayed using either a house-mounted (see diagram) or a permanent flagpole cemented in the ground. Flags displayed on house-mounted flagpoles shall not exceed 3 x 5 feet in size; flags displayed on permanent flagpoles shall not exceed 4 x 6 feet in size and

the flagpole must not exceed 18 feet in height. All flags must be of good taste and in good repair (not torn, frayed or discolored).

5.5.1 Flag Poles

An ARF shall be submitted and approved prior to the installation of any flag poles

A maximum of two (2) flag poles may be installed on the property. Both flag poles similar to that shown below may be affixed to the house.



Alternatively, a maximum of one (1) permanent flagpole, not exceeding eighteen (18) feet in height, and one house-mounted flag pole may be erected on the property. Only Official Flags may be displayed from a permanent flagpole

5.5.2 Official Flags

An ARF is not required to display the State Flag of Georgia or an American Flag conforming to the guidelines stated above. (An ARF **is required** prior to the installation of any flagpole)

5.5.3 Seasonal/Welcoming Flags

In addition, one (1) small, not exceeding 18 x 24 inches, seasonal or welcoming sign, similar to that shown below, may be displayed in the front yard. Seasonal flags shall be removed at the end of the season.



5.6 Landscaping

5.6.1 General Guidelines

Landscaping shall conform to the following standards:

- a) Allowable grass types for front lawns are Bermuda, Fescue and Zoysia;
- b) Retaining walls for landscape beds shall be brick, brick-like blocks, stucco or stone to match the house; and
- c) Landscape edging, wood, plastic or masonry material, shall not extend more than three (3) inches above the ground. Cement and cinder blocks are not permitted.
- d) Landscape edging must be neat and evenly placed
- e) Lawns and landscaping shall be maintained in such a manner as to prevent incursion into the street or reduce visibility at intersections

An ARF, including detailed plans showing relationship of proposed plantings to the house and other landscape features, shall be submitted and approved prior to any landscaping work. The amount and character of the landscaping must compliment the house and adjacent properties.

Approval of all landscape changes shall be at the sole discretion of the ACC.

An ARF is **not** required to be submitted for planting annual or perennial flowers in existing flower beds or for replacement of existing ornamental shrubs or plantings that are damaged or dead

5.6.2 Artificial Vegetation

No artificial vegetation shall be permitted on the exterior of any property

5.6.3 Exterior Sculpture and Similar Items

An ARF shall be submitted and approved prior to the installation of any exterior decorative objects. Exterior decorative objects include, but are not limited to, items such as bird baths, wagon wheels, sculptures, fountains, pools, ponds, lighting or lighting fixtures. A maximum of three (3) exterior decorative objects shall be permitted per property.

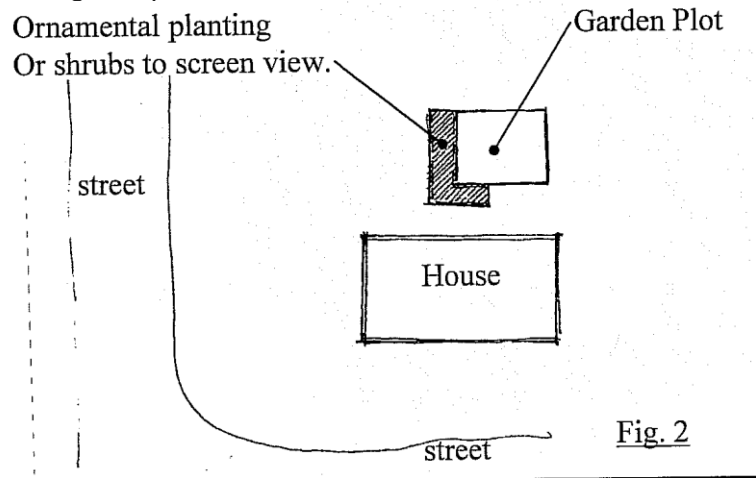
All decorations and objects will be evaluated on criteria such as quality, proportion, color and appropriateness to surrounding environment at the sole discretion of the ACC. No empty flower pots may be stored in flower beds or on the front lawn (visible from the street).

Front door or porch decorations, and other seasonal decorations, must be tasteful and in keeping with the style and colors of the house and neighborhood. Plants and flowers in pots must always be neat and healthy. These items do **not** required submission of an ARF.

5.6.4 Garden Plots

An ARF is not required if all of the following conditions are met (see diagram below):

- a) The plot is located in the backyard and is not visible from the street;
- b) the size of the plot is less than 200 square feet; and
- c) the maximum height of plants is less than 6 feet.



5.6.5 Tree Removal

No trees visible from the street shall be removed without the prior approval of the ACC. An ARF shall be submitted and approved if any of the following conditions exists:

- a) The tree is diseased or dead,
- b) The tree poses danger to the home due to overhanging limbs or growth of the tree toward the home,
- c) Tree roots are causing damage to the surrounding lawn, sidewalk or driveway, or
- d) The tree inhibits the growth of another tree (The ACC may request proof that the removal is needed to promote the growth of the other tree in the form of pictures or a written statement from an arborist.)

An ARF is not required to remove any tree which is not visible from the street.

The stump of **any** removed tree must be ground out and completely removed and the area repaired.

5.6.6 Maintenance

Regular mowing, edging (including at the curb and around flower beds), weeding and pruning of shrubs and trees are all part of the continuing maintenance process. All grassy areas shall be green and free of weeds.

All planting beds shall be well-mulched using suitable materials such as pine straw, chopped pine bark or wood shavings of natural earth tones. Rock is only permitted in natural earth tone

colors, white rock is **not** permitted. A maximum of two types of mulching material may be used. Planting beds must be kept neat and free of weeds.

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.

Edging of the road curb running along property, as well as removal of weeds in cracks of road pavement along property are the responsibility of the homeowner. Curbs/road should be free from any yard waste or debris.

5.7 Mailboxes

Mailboxes shall be constructed of either brick, stone or stucco (whichever matches the house). Appearance and structure of mailboxes should be properly maintained.

Mailbox numbers (addresses) shall be displayed in any of the following manners:

- a) One inch (1") number affixed to the mailbox door;
- b) A decorative address plate affixed to the front or approach side of the mailbox structure;
or
- c) Painted on the curb directly, below the mailbox, in white numerals with a black background

Landscaping surrounding the mailbox shall not extend into the street, must be free of weeds and be properly mulched.

5.8 Parking

5.8.1 Common Area

Use of Common Property parking areas is limited to members in "good standing" and may only be used during the following "Hours of Operation":

- a) For Tennis Court use from 6 a.m. until 11 p.m.
- b) For Swimming Pool use from 7 a.m. until 9 p.m.
- c) For Playground use from 6 a.m. until sunset
- d) For Clubhouse use – parking is only allowed for the Clubhouse when there is a Clubhouse event that the driver is attending. All vehicles present for a Clubhouse event must be removed from the Common Property immediately following the event.

Overnight parking on the Common Property is strictly prohibited and absolutely no vehicle may be parked on the Common Property between the hours of 1 a.m. and 6 a.m. Any vehicles left on Common Property after 1 a.m. will be subject to towing at the owner's expense. The ACC **may** waive this prohibition upon at least 48 hours prior request.

5.8.2 Residual Areas

As a general rule, parking of vehicles on the street is prohibited. Temporary parking (eight hours or less) is allowed if not a nuisance to the neighbors or an impediment to traffic flow.

All cars parked in open view and not in a garage must be operable and may not be unsightly.

No vehicle may be parked on any yard. No covered vehicle may be parked in the driveway or street.

Homeowners are responsible for guest parking and must ensure that guests park in a safe manner, not within 20 feet of an intersection, and do not impede access to other driveways and traffic.

5.8.3 Boats and Recreational Vehicles, etc.

No boat, trailer, camper or recreational vehicle of any other type may be parked or stored in open view on residential property for longer than a 48-hour period.

5.8.4 Unlicensed Vehicles

No unregistered vehicles of any type are to be driven on the streets or in yards or stored in open view.

5.9 Pools and Hot Tubs

No above ground pools are permitted.

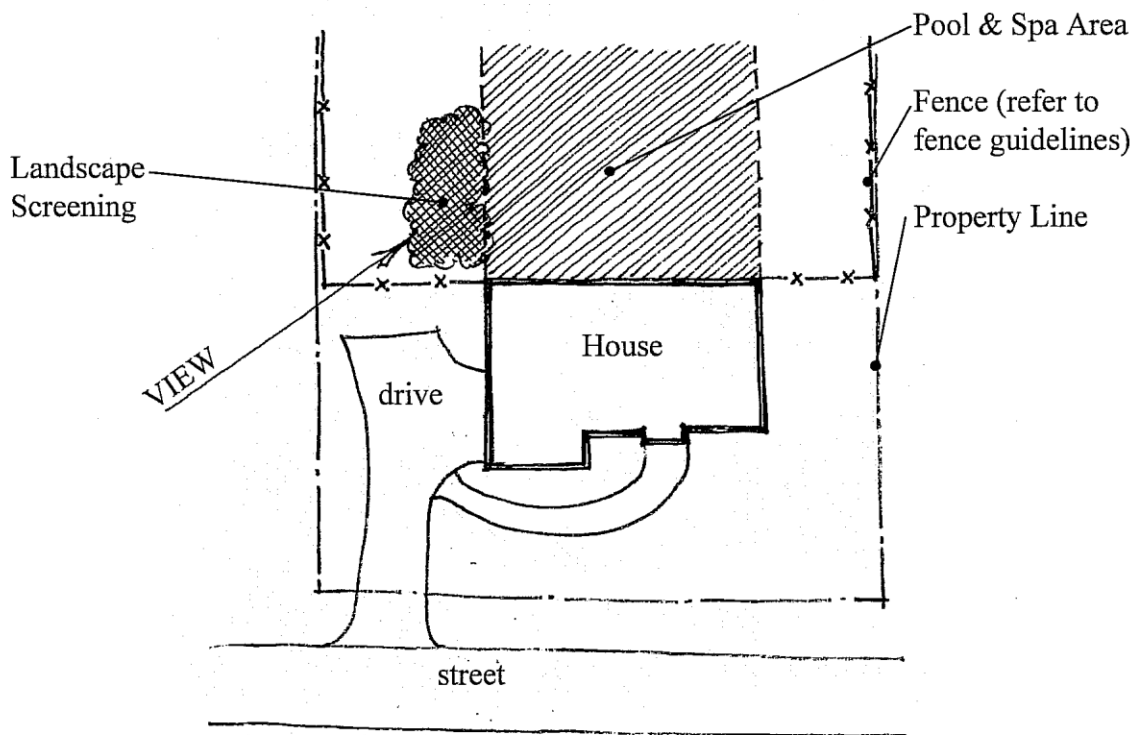
5.9.1 Children's Wading Pools

An ARF is not required to be submitted for children's portable wading pools (those that can be emptied at night) that do not exceed 18 inches in depth and whose diameter does not exceed 10 feet.

5.9.2 In-Ground Pools

An ARF, including the following, shall be submitted and approved prior to the construction of an in-ground pool.

- a) A dimensioned site plan similar to the following



- b) Pools must have a privacy fence for safety and security purposes in accordance with Gwinnett County laws.
- c) Pool area shall not exceed 800 square feet; 150 square feet for an exterior hot tub
- d) The pool area shall be enhanced with landscaping and all pool equipment shall be screened with landscaping
- e) Pool lighting must not be visible from adjacent properties
- f) Dirt excavated during construction shall not be stored on the property for longer than 2 weeks and steps must be taken to prevent erosion and/or run-off.

g) A construction timetable, including completion date, shall be included.

5.9.3 Hot Tubs

Hot Tubs shall follow all of the rules, specified above, for in-ground pools. An ARF shall be submitted and approved prior to the construction of an exterior hot tub. An exterior hot tub must be screened from adjacent properties.

5.10 Play Equipment, Play Houses and Tree Houses

5.10.1 Basketball Goals

An ARF, including a site plan, shall be submitted and approved prior to the installation of a basketball goal.

Basketball goals shall be mounted to a permanent freestanding pole properly installed and secured according to vendor specifications. No goals may be attached to the exterior of the house.

Basketball goals shall not be installed as to interfere with common grounds, walkways, or driving areas.

Backboards shall be of Plexiglas or Fiberglass construction.

Basketball goals and poles must be properly maintained.

Freestanding or portable goals are permitted, however they must be stored out-of-sight when not in use.

5.10.2 Play Equipment

An ARF is *not* required if the play equipment is:

- a) located behind the house and within the extended sidelines of the house; or
- b) screened as to have minimum visual impact on adjacent properties and/or common areas.

Metal play equipment, exclusive of wearing surfaces (slide poles, climbing rungs, swing seats, etc.) will generally be required to be painted to blend into the surrounding environment.

5.10.3 Trampolines

An ARF must be submitted and approved for all trampolines prior to installation.

Trampolines must be behind the house and within the extended sidelines of the house

Trampolines must be kept in good repair without rips, and must be kept in an upright position. Safety netting must be kept in good repair.

5.10.4 Play and Tree Houses

An ARF, including a site plan, shall be submitted and approved prior to the construction of any play and/or tree houses.

Play houses and tree houses must be located where they will have a minimum visual impact on adjacent properties or common areas.

A tree house/play house may not exceed 100 square feet.

Materials used to construct the tree/play shall match existing materials of the home

Tree/play houses must be kept in good repair to preserve the appearance of the neighborhood.

5.11 Signs

An ARF is **not** required for any sign conforming to the following standards. ARF **is** required for any non-conforming sign.

5.11.1 For Sale Signs

Realtor/Home "For Sale" signs, no larger than 24" x 30", are allowed in front yards while a home is for sale. Open house signs are permitted at the entrance to Gates Mill and at the home for a maximum of 3 days prior to the open house and must be removed at the end of the day of the open house.

5.11.2 Congratulatory Signs

Graduation signs are permitted in the homeowner's front yard for 1 month.

Birthday, anniversary and similar signs are permitted in the homeowner's front yard for 1 week.

No signs are permitted at the entrance to the neighborhood or in any common area **except** community graduation signs and garage sale signs as specified below.

5.11.3 Garage Sale Signs

Garage sale signs may be placed at the entrance to the neighborhood, at appropriate street intersections, and in the homeowner's yard the day before a garage sale and on the days the garage sale is held. All signs must be removed on the last day of the garage sale.

5.11.4 Political Signs

A maximum of three Political/Candidate signs, no larger than 24" x 30", are permitted in a homeowner's yard for 1 month prior to an election, and *must be removed by the end of the day of an election*. They are **not** permitted at the entrance to the neighborhood or in any common area.

5.11.5 Team Signs

One team sign, no larger than 2' x 3', is permitted under following conditions:

- a) A household member must be a member of the team
- b) Signs must be removed at the end of the season
- c) Only one team sign is permitted per season/student

5.12 Storm Doors and Windows

Storm windows and doors must be made of anodized bronze or anodized aluminum with a baked enamel finish compatible with the primary and trim colors of the home.

Storm windows shall be consistent in color and appearance throughout the home.

An ARF containing the following information shall be submitted prior to the installation of any storm doors or windows:

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

Storm windows shall be installed to manufacturer specifications.

5.13 Trash Cans

Outdoor storage of garbage cans and trash bins is strongly discouraged. Containers stored outside must be completely screened from view by natural landscaping (no lattice).

Trash cans, etc. should be placed for pick-up a reasonable time prior to pick-up and returned to their storage area promptly after trash pick-up.

5.14 Utility Lines

No overhead utility lines, including lines for cable television, shall be permitted within the Community, except for temporary lines as required during construction.

5.15 Window Air Conditioning Units and Fans

Window air conditioning units and fans, visible from the street are not permitted.

5.16 Window Treatments

Windows must be kept in good repair. **Broken** windows are not acceptable.

All Window treatments that are visible from the street should blend in with the exterior by using a white or neutral liner so that vibrant colors or patterns visible from the interior do not clash with exterior appearances. Blinds shall be maintained in good condition with no broken slats.

No graphic designs, words or lettering of any type shall be visible from the exterior.

No blankets or bedding of any type are to be used as window treatments.

No foil or easily visible reflective materials may be used on any windows as sun screens.

Non-visible, UV-blocking window treatments may be acceptable upon submission and approval of an ARF.

Screens must be kept in good repair and free of stains, holes or tears. On sides of the house visible from the street, use of screens must be consistent (all windows with, OR all windows without screens).

These standards shall also apply to garage and door windows.

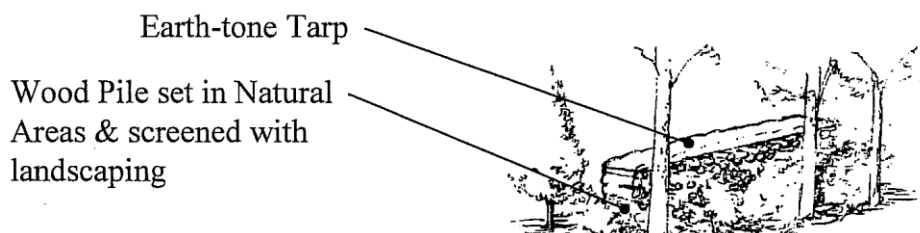
5.17 Miscellaneous

5.17.1 Hoses

Hoses stored outdoors shall be screened from view behind shrubs.

5.17.2 Firewood

Firewood piles are to be maintained in good order and must be located out of view from the street, within the sidelines of the house, and in the rear yard in order to preserve neighborhood aesthetics. Woodpile coverings are allowed only if the cover is an earth tone color and the woodpile is screened from the view of street. For example, see below.



5.17.3 Nuisance

It shall be the responsibility of each Owner and Occupant to prevent the development of any unclean, unhealthy, unsightly, or unkempt condition on his or her property.

The following conditions and behaviors are prohibited:

- a) The storage of any property or thing that will cause such property to appear to be in an unclean or untidy condition or that will be obnoxious to the eye;
- b) the storage of material which will emit foul or obnoxious odors;
- c) noxious or offensive activity tending to cause embarrassment, discomfort, annoyance, or nuisance to others;
- d) plants or animals or device or thing of any sort whose activities or existence in any way is noxious, dangerous, unsightly, unpleasant, or of a nature as may diminish or destroy the enjoyment of the Community;
- e) speakers, horns, whistles, sirens, bells, amplifiers or other sound devices, except such devices as may be used exclusively for security purposes,
- f) activities such as, but are not limited to, screaming, shouting, excessively loud talking, fighting, raucous behavior or insobriety, threatening or intimidating; or
- g) conduct which interferes with the peaceful use and enjoyment of others.

5.17.4 Pets

We love and encourage pets, but ask that pet owners act responsibly. If you have a touchy or temperamental pet, it is your responsibility to keep them from harming neighbors or guests. Please see our Covenants, Section 9.G, for additional information.

Contact Gwinnett County animal control if you have any questions or concerns about pets or wild animals.

6 DISCLAIMER

In the event any section of this document is found to be in conflict with our Covenants, the Covenants shall take precedence.