



# *ABBOTTS POND*

## *Community Design Guidelines*



*Building a Better Neighborhood*

Revised: August 2001

# Community Design Guidelines

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## **Introduction**

The Declaration of Covenants for Abbott's Pond provides for a design review process through which an Architectural Control Committee (ACC) must approve property improvements. This provision applies to both new construction, as well as any exterior modification of existing homes/properties, and was created for the sole purpose of achieving harmony, balance and a high standard of quality within the community.

As an administrative arm of the Board of Directors, the ACC's role is to preserve, protect and enhance the value of the properties of Abbott's Pond by enforcing the Declaration of Covenants. The ACC is chartered with ensuring uniform and equitable compliance with these covenants.

The following Community Design Guidelines are provided to amplify and supplement our community's covenants, and may be adjusted as the need arises. All Homeowners are expected to be knowledgeable of the general Covenants and Guidelines, and abide by said documents in the interest of the neighborhood as a whole. Maintenance of all individual and community property shall be maintained in a manner consistent with the Covenants/Guidelines to help maintain the overall Abbott's Pond image. These standards will be strictly applied.

As a final introductory comment, please remember- **REQUEST APPROVAL BEFORE BEGINNING ANY IMPROVEMENTS OR MODIFICATIONS!** The vast majority of problems occur when a homeowner begins a project without written approval from the ACC. **Please note: Every effort will be made to approve all requests.**

**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**

Submission of an *Application for Impending Modification to Home* is required before most exterior modifications. You may request this form by contacting HMS at 770/667-0595, or referring to the last page of this document. Applications should be submitted at least 30 days prior to the anticipated time you intend to begin work. Modification requests must be approved (by the current ACC) in writing before any work begins. If either party requires a second opinion, a deferment will be made to the Board.

The following modifications may be completed **without** ACC approval. These modifications, *and only these modifications*, **do not** require an Application to be submitted as long as certain conditions, as described in the following Guidelines are met:

- Repainting home with same color (reference Guideline # 2.b)

- Patios (reference Guideline # 2.i)
- Flag poles (reference Guideline # 4)
- Garden plots (reference Guideline # 1.d)
- Ornamental trees and shrubbery (reference Guideline # 1.c)
- Basketball goals (reference Guideline # 6)

A completed *Application for Impending Modification to Home* 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.**

**PLEASE NOTE:** These Guidelines are to be used in conjunction with the existing Covenants. Not all Covenants were in need of clarification or extended instruction; however, they remain enforceable on their own merit. Please be sure you are aware of all existing Covenants and revised Guidelines. If you are unsure, please contact a member of the ACC or Board of Directors.

## **Guideline #1: Landscaping and Maintenance**

### **General Guidelines**

Landscaping should relate to the existing terrain and natural features of the lot. The following maintenance guidelines apply:

#### **a) Lawns**

- All front lawns must be a turf type grass, (Bermuda, Centipede, Zoysia), no fescue or natural ground cover. Fescue is permitted in backyards. All front lawns must be 50%, or more, grass.
- Front lawns should not be over seeded with varying turf types.
- All lawns must be mowed once a week, or when above 3". Fescue back lawns should be mowed to appropriate height for season.
- Lawns are required to be free of weeds all year round. Weeds must be treated regularly. If weeds do appear, they must also be cut. A healthy lawn requires proper fertilization, treatment for diseases and treatment for weeds. Although a professional service is optional, it is highly recommended.
- Water lawns as necessary to keep green (within watering restriction laws)
- All debris, clippings, etc. should be removed from the property line to the center of the street. (Street in front of home should be cleaned of trash and weeds)
- No burning of grass or leaves (Fulton County Law).

#### **b) Edging/Ground Covers**

- Drives, sidewalks, curbs and beds must be neatly edged each time mowed. The preferred landscape bed edging is a neat cut trench.
- Stacked stone, brick, landscape timbers, and railroad ties (as retainer walls) are approved landscape material, but **placement must be approved by ACC**.
- Edging materials above 8" in height must be approved.
- Any natural ground cover used in front yard must not be of rock. Natural ground cover must consist of a wood/tree product, ie. Mulch, wood/bark chip, or pine straw.
- Ground cover should be refurbished **2x per year** (typically spring/fall) and any time there is exposed soil in beds.
- Beds should be kept clean and free of weeds.

**c) Planting, Pruning and Removal (trees, hedge, shrubs)**

- Approval is not required for planting of ornamental trees and shrubbery. However, **an Application must be submitted for screen planting** (row or cluster style) and property line plantings. Forms must include a description of the sizes and types of trees or shrubs to be planted and a site plan showing the relationship of plantings to the house and adjacent dwellings.
- No tree having a diameter of three (3) inches or more (measured from a point two (2) feet above ground level) shall be removed without approval.
- Trees and/or limbs should be routinely inspected for disease and death. Trees and limbs posing risk to person or property should be removed. At the end of growing season, all dead trees, limbs, and plants should be removed.
- Stumps must be removed from front lawn, unless concealed in a bed.

**d) Vegetable Garden Plots**

- An Application is not required for garden plots if the items below are met:
  - The plot is located behind the rear line and within the sidelines of the house and screened so as to minimize the visual impact on adjacent properties or from the street. If another area is planned approval must be requested.
  - The size of the plot is no more than 25% of back yard.

**e) Firewood**

- Firewood piles are to be maintained and must be located within the sidelines of the house and in the rear yard, not visible from the road.
- 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, an earth-tone tarp-covered woodpile may be located under a deck with shrubs planted around it.

## **Guideline #2: Exterior Building Alterations**

### **General Guidelines**

All property must be maintained in a timely manner in accordance with Article V Section 6.14 of the Covenants. An application must be submitted for all exterior-building alterations, unless otherwise noted. Building alterations include, but are not limited to, storm doors and windows, awnings, construction of driveways, porches, decks, room additions and painting.

#### **a) Structural Repair**

- Any structural repair must be remedied within 30 days, unless otherwise approved.

#### **b) Painting**

- Repainting requires prior written approval only if the color is changed. A paint color change requires a paint sample and a description of the area of home to be repainted.
- Repainting should be done when obvious signs of peeling, chipping and/or fading are evident.
- Home should be cleaned when excessive build-up of mildew or dirt stains occurs.
- \*See separate section below on front doors.

#### **c) Awnings**

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

- Picture or drawing of all windows/doors on which awnings will be installed and their location (back or side- generally, awnings are not allowed on front; unless otherwise approved.)
- Picture depicting style of awning to be installed.
- Color sample and materials list.

#### **d) Storm Windows & Doors**

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

- Picture or drawing of all windows/doors on which storm windows/doors will be installed.
- Picture depicting style of storm window/door
- Color
- A storm door with an all glass front may be approved for the front door, with the exception of front doors with glass inlays.

- Window screens are permitted, but must be uniform on front of home, in that they are on each window or completely off.

### **e) Siding**

Siding made from vinyl, hardi-plank and similar cement/wood fiber materials, as well as real wood, are all allowed. If you are changing the external siding on your house, you must get approval from the ACC. The texture of the material must resemble real wood. You must submit a sample of the material with your request for approval. The sample must include the color. Most contractors and building supply retailers are familiar with this requirement.

### **f) Front Doors**

- All front doors must be solid wood or cut glass doors. Fiberglass doors will be considered for approval if they have the appearance, feel, and color of real wood.
- No metal doors or screen doors will be permitted in the front.
- Full-glass storm doors (no screen) must be submitted for approval.
- Front doors must be i) natural wood color tone ii) painted the same color as existing shutters or iii) painted with a color expressly approved by the ACC.
- All front doors must be properly maintained and refinished as they fade.

### **g) Fences**

An application must be submitted for installation of all fences.

- Height of fence must not exceed 6 feet.
- Height must be a minimum of 4 feet.
- Fences must be of wood construction; no chain link, wire, iron or aluminum.
- The mechanics of the fence must face the interior. (Dress side facing front)
- Fences should not extend past the rear corner of home.
- Fences must not be in the front of a neighbor's house. (There may be some special circumstances for certain lots.)
- Fences must not block view from driveways and streets to ensure vehicular and pedestrian safety.
- No fences allowed in the front yard, except electronic underground dog fences.
- Fence must be natural, or of natural stain, unless an otherwise approved color.

#### **Fence Maintenance:**

- Maintenance aspects (i.e. staining, board replacement) of the fence in relation to weathering and deterioration over time.
- Ability to maintain property between fences; alleyways between fencing are discouraged.
- Compatibility (style and finish) of proposed fence to any existing fence on adjacent property.
- The chosen fence style should be proportionate to the home and lot.
- Is there space between fence and ground for adequate drainage?

- Has consideration been given to provide access to electric and gas meters and utility easements?
- Periodic maintenance to include: cleaning of algae and mold, repair of broken, warped or rotten boards, removal of rusty nails and hinges, refinishing of faded or peeling boards.

## **h) Deck Extensions**

An Application must be submitted for all decks. The following will be reviewed: location, size, conformity with design of the house, relationship to neighboring homes, and proposed use.

- A site plan must be presented denoting location, dimensions, materials and color.
- In most cases the deck may not extend past the sides of the home.
- Materials can be cedar, cypress, No. 2 grade or better pressure treated pine, or certain synthetic materials with the look of real wood.
- Deck must be natural, or finished with natural stain. You must get approval for any other color choice.
- When storing anything under the deck it must be shielded from view of streets and neighbors by shrubs or appropriate lattice.

## **i) Patios/Walkways**

An Application must be submitted for patio covers, trellises, permanent seating, railing and other items. It is **not required** for a patio/walkway if the following guidelines are met.

- The patio/walkway is located in the rear yard.
- The patio/walkway does not extend beyond the sidelines of the house.
- It does not extend to within 10 feet of side or rear property lines
- The elevation above ground level does not exceed 6 inches for patios and 4 inches for walkways.

## **j) Decorative Objects**

- Objects in front yard should be kept to a minimum, not to exceed five (5), and not to be placed on lawn turf.

## **k) Exterior Lighting**

- Approval must be granted for any detached outside light higher than 18" avg.
- Use caution when installing lights as to how they affect neighboring property.
- Lights should not exceed 75Watts.



### **Guideline #3: Detached Buildings**

No detached buildings or sheds allowed.

#### **Dog Houses**

- An Application must be submitted for all doghouses greater than 3ft cube.
- Chain link dog-runs or wire pens are prohibited.

### **Guideline #4: Antennas, Satellite Dishes**

This guidelines applies to the installation, attachment and maintenance of direct broadcast satellite (“DBS”) dishes or antennas and multi-channel, multi-point 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.

SATELLITE DISHES MAY BE INSTALLED 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.

Within five (5) days of installation of any satellite dish, the lot owner or occupant must notify the ACC in writing using the attached Satellite Dish Notification Form. If the satellite dish is installed in an approved location and in accordance with these Guidelines, then the lot owner or occupant requires no further action. If the satellite dish is not installed within the standards of the Guidelines, removal or replacement will be at the owner’s expense.

- **Size:** Satellite dishes shall be no larger than 1 meter in diameter. Satellite dishes or antennas mounted on masts are prohibited except where necessary for reception of an acceptable quality. The mast is limited to twelve (12) feet in height above the roofline. Concealed cabling shall not count toward this total size guideline.
- **Location:** With submission of a notification form as provided above, and without further approval of the Board or ACC, satellite dishes may be installed, in order of priority, in the following locations:
  - Whenever possible, 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.
  - If ground mounted, satellite dish must be screened from view by natural landscaping- no lattice. Any cables must be buried.
  - Rooftop mounting of satellite dishes is allowed only on the rear of the home.

**THE SATELLITE DISH MUST BE PLACED IN THE LOCATION THAT IS LEAST VISIBLE TO THE PUBLIC VIEW.**

If it is determined that the satellite dish cannot receive an acceptable quality DBS or MMDS signal in any of the pre-approved locations designated above, then, prior to installation in an alternate location, the owner or occupant who wants to install a satellite dish must submit to the ACC a written request to install the dish in an alternate location, along with 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 alternate location as promptly as practical.

Alternatively, if a dish cannot be mounted per the Community Guidelines, then the owner of such lot shall submit with the Satellite Dish Notification Form a written, signed statement from the satellite dish installation firm the reason that such placement cannot be accommodated. The ACC shall have at its sole discretion, authority to determine the suitability and reasonability of such location. Determination that the justification is insufficient shall be cause to require re-location of the equipment.

- **Installation:** The satellite dish must be painted so 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. Any cabling on the surface of the exterior siding or brick of any home shall be painted to conceal it from view.

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

### **Guideline #5: Signs and Flags**

An Application is not required for single flag pole staff attached to the front portion of the house, if the following is adhered to:

- The size of any flag may not be greater than 3x5 feet.
- Flags may not be offensive or in disrepair. (definition of offensive may be in language and/or the symbols used).
- No freestanding poles will be permitted.
- Real estate signs should be limited to standard size at entrance and one per yard (unless corner lot).
- All yard sale signs should be removed immediately after sale.

### **Guideline #6: Garbage Cans**

- Cans must be kept in an area not seen from the street. Cans may be placed in garage, basement, or in back/side yard screened from view of neighbors by plantings or fence.
- Trash must be kept in a closed container.
- Trash cans/bags should not be placed on curb for more than 24 hours.

### **Guideline #7: Recreational Equipment/Tools**

An Application must be submitted for all play gyms/houses. The following applies:

- The play equipment shall be located in the rear yard and within the extended sidelines of the house.
- Equipment shall be located within a screened fence area of the rear of the house and/or by trees and shrubbery for un-fenced yards.
- Equipment shall be sized and located such that it will have minimal visual impact on adjacent properties.
- Swing sets and play gyms must be of wood construction, or material with the look of wood.
- Play houses and tree houses must be located where they will have minimal visual impact on adjacent properties, and may not be larger than 100sq. ft. in total area.
- In most cases, materials used must be compatible with existing materials of the home.
- NOTE: Once approved, play houses and tree houses must be maintained to preserve the approved décor.

#### **Other:**

- Volleyball and badminton nets may be placed on a rear lot on a temporary basis, or front/side yard while in use only.
- All outside toys, wagons, bikes, etc. must be stored out of sight when not in use.
- Portable wading pools must be stored when not in use.
- Above ground pools are prohibited.
- An Application must be submitted for in-ground pools.
- Outdoor storage of garden tools and hoses must be screened from view. Any tools or items stored under a back deck or porch should also be screened.

#### **Basketball Goals:**

- Permanent basketball goals may be allowed as approved by the ACC, with the following guidelines in mind:
- Goal is located no further forward than the front line of the property.
- Backboard is white, beige, clear or light gray.
- Post is painted black.

- General maintenance and upkeep should be performed to keep goal/net in good order and not an eyesore.
- If freestanding or portable, units should be stored when not in use.
- NOTE: Negative impact related to time of use, lighting and noise on adjacent properties should be avoided. As with all improvements, once installed, basketball goals must be maintained to the condition as originally installed.

### **Guideline #8: Animals**

- Please be aware that Fulton County does have a Leash Law. All dogs should be under the control of their owner, or confined by fencing, whenever outside.
- Animals should not pose a nuisance to existing neighbors.
- Please plan on scooping behind your dog during walks.
- Homeowners who have dogs with continuous barking problems are in violation of the County nuisance ordinance and can be reported.
- Problems with any animal(s) should be reported to Fulton County Animal Control.

### **Guideline #9: Vehicles & Parking**

- No boat, trailer, camper, or recreational vehicle may be parked or stored in open view on residential property for more than 48 hours within any 30-day period.
- No commercial vehicle or any vehicle displaying signage may be parked or stored in open view on residential property for longer than a 24-hour period.
- All vehicles 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.
- Every attempt should be made to park vehicles in garage or drive. If this is not possible, please make sure to park cars as close to curb as possible, avoiding the front of neighboring property and granting access to mailbox and fire hydrants. Parking cars tightly along curb will allow for safer passing and crossing of street.
- No employees may park along street in order to carpool.
- Please observe posted speed limits.

### **Guideline #10: Business Use**

#### **General Guidelines**

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

- The existence or operation of the business activity is not apparent or detectable by sight, sound or smell from the exterior of the dwelling.
- The business activity does not involve unreasonable visitation of the Lot by employees, clients, customers, suppliers or other business invitees.
- The activity does not increase traffic in the Property.
- The activity does not obviously increase the insurance premium paid by the Association or otherwise negatively affect the liability of the Association to obtain insurance coverage.
- The activity is consistent with the residential character of the Property and does not constitute a nuisance or a hazardous or offensive use, or threaten the security or safety of the other residents of the Property, as may be determined in the Board's sole discretion.
- The business activity conforms to all zoning requirements for the Property.
- For zoning questions or to report a zoning violation please call 404-730-8355.

The terms business and trade, as used above, shall be construed to have their ordinary, generally accepted meanings, and shall include, without limitation, any occupations, work or activity undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider's family and for which the provider receives a fee or other form of compensation.

### **Covenant/Guidelines Enforcement Procedures**

The ACC will provide routine community reviews, in addition, apparent Covenant/Guidelines violations – as reported by any source – may be submitted to the ACC, Board of Directors, or to HMS, to be referred for appropriate action. The first action will be confirmation that a violation exists. If substantiated, the homeowner in violation will be contacted and asked to correct said violation within a reasonable time period. The following is the intended policy/procedure for Covenant/Guideline Violations:

1. Upon recognition of violation, a Friendly Reminder letter will be forwarded from the ACC to homeowner.
2. If after said time period the violation is not corrected the ACC is obligated to refer the matter to the Board of Directors. The Board, possibly through its management company, may be asked to contact homeowner via certified letter requesting corrective action in a timely manner.
3. As a third step, if there is still no corrective action, the Board has the right to contact the Associations attorney, along with any and all of the following sanctions:
  - Suspension of the right to vote in Association matters
  - Suspension of the right to use of the recreational facilities and/or common ground
  - Recordation of notice of covenant violation with the superior court
  - Imposition of a fine on a per violation and/or per day basis

- Correction of the violation by the Association with all costs charged to the homeowner; and/or
  - Filing of a lien for all fines and costs, including but not limited to legal fees, to correct the violation
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/Guidelines.

## **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 an *Application for Impending Modification to Home* 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 have a unique situation that bears consideration, submit a request. **The ACC will make every attempt to approve the request given there is neither direct violation of the Covenants nor any negative impact on the community as a whole.**