

The Chestnut Springs Homeowners Association, Inc. Architectural Control Committee (ACC)

Application Procedures for Request for Improvement Review

1. Fill out ACC Review Form with as much detail as possible. Please submit photos, videos, plats, drawings, plans, materials to be used description and copies of contracts and any narrative descriptions that you may feel would assist the ACC (your fellow homeowners) in understanding your request. Remember, a picture is worth a thousand words
- 2 The ACC will consider all applications within fourteen (14) calendar days from receipt of your proposal form.
- 3 Commencement of any work is strictly prohibited prior to approval from the ACC. Please do not purchase materials, schedule contractors or in any way begin work until you receive your approval in writing.
- 4 If you have any questions about whether or not you need to submit a ACC Review Form, please contact the HOA Vice President for clarification. The email addresses of the Board members can be found on our website at <http://www.chestnutsprings.org/index.html> Or complete the ACC Review Form just to be certain that you are in compliance.

Thank you for your cooperation!

**Chestnut Springs Homeowners Association, Inc.
Board of Directors**

Chestnut Springs Design Guidelines

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The Architectural Control Committee:

AUTHORITY – Committee reporting to the Chestnut Springs HOA Board of Directors (the “Board”). The ACC will make recommendations to the Board in accordance with our approved neighborhood governing documents.

PURPOSE – The purpose of the ACC is to assure that any improvement, installation, construction or alteration of any structure on any lot; the maintenance of structures and lots; the landscaping/hardscaping of any lot; and all other provisions of the Declaration and the Design Standards are in accordance with the Declaration, in conformity and harmony with the standards of the neighborhood, and with the Standards established by the ACC. Interior alterations are not subject to ACC review. Enforcement of ACC Design Standards is the responsibility of the Board as set forth in Article V of the Bylaws.

Making Changes? Here's the Process:

WHEN TO SUBMIT PLANS FOR APPROVAL – Please submit a plan for approval when you are making any alterations, modifications, or improvements to your home or lot. Examples include: building an addition, changing your home's paint scheme, or adding a fence. Use the Design Guidelines as a reference when making changes.

HOW TO SUBMIT PLANS FOR APPROVAL – During the design stage of a proposed improvement, a Request for Proposed Improvement Review form ("ACC Review Form") must be submitted by the property owner to the Board. Forms are available online at the Chestnut Springs website: www.chestnutsprings.org or upon request to the Board. ***NO IMPROVEMENTS SHALL BEGIN BEFORE ACC APPROVAL IS GRANTED IN WRITING.***

In addition to the ACC Review Form, supporting documentation should be provided including, but not limited to: site drawings, photographs or drawings of planned structures, material or color samples, landscape plans, or any other data to convey the necessary information. Incomplete information or documentation could result in rejection of the application.

THE APPROVAL PROCESS – The ACC has fourteen (14) calendar days to review the ACC Review Form. The homeowner will be notified if additional information is required. The homeowner will be notified in writing (via email) of the Board's decision. Verbal approval, either by an ACC member or a member of the Board is not sufficient.

ACC approval does not relieve the homeowner of responsibility for compliance with applicable codes, zoning and other governmental requirements.

WHEN NOT TO SUBMIT AN APPROVAL FORM – The following exterior modifications, and only these modifications, do not require an Approval Form to be submitted:

Flag Poles (4 ft. in length or height and less)

Children's Wading Pools (temporary)

Minor Landscaping Changes under \$1,000 including:

Ornamental Trees and Shrubbery

Seasonal Landscaping and Color

Sod or Reseeding Lawn

Painting or Roofing without Color or Style Change

Seasonal Lighting (No more than thirty (30) days before the holiday and no longer than ten (10) days after the holiday)

Design Standards

Why we have design standards:

The purpose of design standards is to provide an overall framework for the maintenance of the community in order to preserve the quality of life, the appearance, and property values in Chestnut Springs. With this in mind, the Architectural Control Committee (the "ACC") has initiated Design Standards to reflect a continued change in emphasis from regulating new construction to managing the maintenance and updating of homes to enhance all our needs as a maturing community.

We have approached these changes in a positive light, hoping to set the tone for continuing confidence and pride in Chestnut Springs. Please note these standards must be used in conjunction with the several Declarations of Protective Covenants that have been recorded for the Chestnut Springs subdivision along with the Bylaws, as amended, that were recorded on May 29, 2002 as an exhibit to the new Declaration of Protective Covenants and Mandatory Membership for Chestnut Springs. When the term "Declaration" is used in these Design Standards, if the reference is to the newer Declaration of Protective Covenants and Mandatory Membership for Chestnut Springs, it will be referred to as the "New Declaration." If the terminology comes from one of the original Declaration of Protective Covenants, the reference will be to the "Original Declarations."

DEFINITIONS - The terms as defined in Paragraph 2 of the Declaration shall apply to the Design Standards. The ACC will categorize and define all other improvements and related terms.

ADDITIONS OR EXPANSIONS – An Approval Form is required for all additions, modifications, alterations, and expansions to a home and lot. Any proposed changes or improvements must be of the same structural integrity and design of your existing home, and in harmony with other structures in the subdivision. Structures must meet all setback requirements. This includes decks and balconies. All decks, balconies and other additions to structures must comply with these Design Standards.

Construction controls are the responsibility of the Property Owner. This includes, but is not limited to, consideration of other homeowners during normal work hours, delivery of work materials and removal of excess materials during and upon completion of construction, erosion (silt and mud) control, construction signs, containment and removal of trash and debris in a timely manner, and the general appearance of the site.

Board approval does not relieve the property owner of responsibility for compliance with applicable codes, zoning and other governmental requirements.

DUMPSTERS – Dumpsters, or any containers for collection of trash and debris, must be approved by the ACC prior to placement on any Lot, and may be located thereon for a period as approved by the ACC. In any event, no construction debris shall be allowed to accumulate on any Lot. Portable On Demand Storage (P.O.D.S.) containers are not permitted on any lot for more than seventy-two (72) hours from time of delivery to accommodate loading and unloading.

FENCES/WALLS - No fence or wall shall be erected on any Lot without the prior written approval of the ACC. Fences/walls of wood, stone or brick are preferred and eligible for approval. Fences or walls shall:

1. Be located in the rear and adjoining of a Lot, never in the front of a Lot;
2. Compliment the design, texture and color of all Structures on the same Lot;
3. Be a maximum of six (6) feet above grade in height;
4. Not completely block vision, unless approved by the ACC; and
5. Be constructed in accordance with the Covenants for each unit.

LIGHTING – Industrial-looking and intrusive glaring exterior lights are prohibited.

LAWN DÉCOR – Need not be approved by the ACC as long as it conforms to the community design standards set forth in this document.

MAILBOXES – The homeowner must maintain a mailbox in good working order and in compliance with all Federal regulations and ordinances. All mailboxes shall harmonize with the home and adjacent buildings.

PAINTING AND STAINING – Prior approval is required for any painting or staining of exterior surfaces when the intent is to change the existing colors of the home. Color chips for all proposed colors should accompany all paint approval forms. The color of the roof and any other materials, such as brick or stone, must be considered when selecting house colors.

PARKING – Commercial vehicles, school buses, RV's, campers, trailers, boats and other watercraft are expressly prohibited from being parked on a Lot other than as stated in the CSHA covenants.

In referencing the Original Covenants: “trailers, campers, trucks (except pick-up trucks and vans), travel busses or any such equipment must be parked in the garage or basement of a residence located on such lot.”

Exposed storage and parking of vehicles on non-paved areas is prohibited. In addition, and in accordance with Cobb County zoning laws, no vehicle or trailer of any kind dismantled, inoperative or without a current vehicle tag may be stored on any street or residential property, unless stored in a garage.

SIGNS – Directional signs for a real estate open house or garage/yard sale may be placed at street intersections, excluding Common Property locations, and shall be on freestanding metal or wood stakes, and are not allowed to be attached to any portion of street signs or stop signs. Person(s) placing any signs shall be responsible for any damage caused. Signs not in compliance with this Standard shall be removed. Signs may be placed forty-eight (48) hours prior to and be removed forty-eight (48) hours after any event.

ROOFING – All roof replacements, when the intent is to change the existing color or texture, must be approved by the ACC. A sample of the proposed roof material should be included with the Approval Form. All roof stacks and flashing must be painted to blend with roof colors.

SIDING AND SHUTTERS – All siding and shutter replacement material, if changed from the original material, style or color, must be submitted for approval by the ACC/Board. This also includes the addition to or deletion of shutters on a structure.

WINDOWS AND DOORS – Silver-finished aluminum doors (including sliding doors) and windows shall not be approved. A factory painted or anodized finish aluminum or vinyl may be used, the color of which shall be specified in the plans and specifications submitted to the ACC for approval, and shall be subject to the color guidelines. This includes garage doors.

AIR CONDITIONING UNITS – No window air conditioner units are permitted on the front of the house or parallel to the street for corner lots.

SOLAR COLLECTORS – Solar collectors may be allowed provided they resemble skylights in appearance and are not visible from the street or Common Property.

WOODPILES AND CLOTHESLINES – Woodpiles for fireplaces shall be neatly stacked and not visible from the street. Clotheslines are not allowed.

DOCKS – Docks are prohibited unless approved by the ACC as the lake property along the shoreline is common area property belonging to the HOA. For those whose lot is adjacent to the lake, please refer to your deed so that you are aware of your property line.

DRIVEWAYS AND PULL-OFF AREAS – Driveways shall be constructed with allowed paving materials or concrete (please refer to the Declaration of Covenants for your specific unit). Colored and/or patterned concrete needs prior approval from the ACC. Any repairs to driveways and/or additions of parking areas shall be constructed of the same material and shall be of the same level as the existing driveway. The ACC may consider other hard surface materials when plans and specifications are submitted for approval. Carports shall be prohibited.

OUT BUILDINGS AND PREFABRICATED OR FACTORY BUILT STRUCTURES – An accessory building must be of the same color, material and architectural style as the main residence or of color, material and style that is generally recognized as complementary to that of the main residence. Metal buildings are prohibited. Prefabricated or factory-built buildings shall not be permitted within the Chestnut Springs subdivision, and such manufactured units shall not be employed as elements in the construction of residential structures affixed to real property within the subdivision except by express written consent of the ACC.

LANDSCAPING - A written landscape plan shall be submitted to the ACC prior to any major changes (greater than \$1000) in the current landscape layout. Plans should include a drawing to show location, variety and size of all plant materials, as well as location and description of all "hardscape" items such as walls, rocks, fountains, statuary and so forth. Plans for landscape lighting must be submitted for approval. The plan must be completed within the time frame agreed to by the ACC, but no later than six (6) months after the approval date. Any landscaping improvements shall not alter drainage of water onto neighboring properties or common property.

TREES – When trees are to be removed, stumps in front yards or visible from the street or common property, must be ground down to the level of the surrounding soil.

LAWN AND LANDSCAPE MAINTENANCE – The Homeowner shall perform lawn and landscape maintenance in a timely manner that is consistent with the community-wide standards for Chestnut Springs. This maintenance includes mowing, edging, and weeding, when permitted by local ordinance. This maintenance will also include periodic watering when permitted by local ordinance. Vegetable gardens should be located at the rear of the Lot in a location that is not visible from the street. If a vegetable garden must be planted in a manner that does make it visible from the street, the vegetable garden must be screened from view.

TRASH – Trash shall be placed in containers and shall not be stored in the front of a residence.

SWIMMING POOLS, HOT TUBS AND SPAS – Plans for swimming pools, hot tubs or spa installation must be submitted to the ACC for approval. Said plans should include, but not be limited to, location, materials, lighting, fencing, and landscaping. No above ground swimming pools are permitted.

NUISANCE CONDITIONS –No activities or conditions will be permitted to exist on a lot or in a home that would create danger, be inconsistent with the aesthetics and community-wide standards or not in visual harmony with the rest of the buildings, lots and homes in the Chestnut Springs community. Each situation will be evaluated independently by the ACC and will be resolved as quickly as possible between the ACC and the individual owner. Examples of offensive, inconsistent or unsafe conditions include but are not limited to: dog runs or lines, ropes visible from the street or Common Property, maintenance of shrubs at intersections.

RECREATIONAL EQUIPMENT – All non-fixed sports equipment or fixtures shall be prohibited from use in the common areas, right of ways, and streets. Equipment such as soccer goals, mobile basketball poles, volleyball nets, etc., shall not be left in yards, visible from the street, overnight.

Amendment:

The Design Standards may be amended from time to time by a majority vote of the members of the Board.

Enforcement Procedure:

CSHA has the legal authority, as established in paragraph 6 of the New Declaration, paragraphs 2 and 16 of the Original Declarations, and the Bylaws for the Association. This authority permits the CSHA to enforce the Design Standards, impose fines, and exercise the right of abatement.

Violations:

Complaints about apparent covenant violations are to be reported by any source to the Board and must be submitted in writing. All complaints must be in writing, including name and contact for person submitting the information. The Board will use a reporting form that is created by the ACC and provided to each owner. The ACC shall refer all matters related to violations to the Board as promptly as possible. The Board will make a decision as to the best method of responding to any complaint. Possible sanctions for violation of the Association's governing documents, including but not limited to modifications, additions, improvements or alterations to the home or lot, include but are not limited to: (i) suspension of the right to vote; (ii) suspension of the right to use the recreational facilities; (iii) recordation of notice of covenant violation with the Superior Court; (iv) imposition of a fine on a per violation or per day basis; (v) commencement of legal proceedings; (vi) correction of the violation by the Association with all costs incurred charged to the violator; and/or (vii) filing a lien against property/homeowner in question of violation for all fines and costs related to bringing the lot into compliance with the Association's governing legal documents.

ACC Violation and Fine Letter Schedule:

1. Friendly Violation Letter

The first Notification Letter sent to homeowner will provide a courteous way to inform the homeowner of their possible violation(s) of the Association's governing legal documents. Homeowner is given a minimum of ten (10) calendar days after this letter is sent to cure the violation.

2. Second notice of violation and warning of fines

The second notice letter will provide the homeowner with information regarding the nature of the violation, the steps that must be taken to comply with the Association's legal documents, the timing and amount of possible fines, and/or liens.

3. Third notice of violation letter and notice of fine:

The notice of fine that has been imposed and the total dollar amount of the fine that has been imposed should be provided in this letter. This letter should also contain a warning of additional fines, liens, and potential legal action (i.e. lawsuit).

4. Fourth notice of violation and notice of fine:

This letter should notify the owner of the current dollar amount of fines that have been assessed against the lot.

The letter should also contain language that notifies the owner that fines will continue until the violation is remedied.

Homeowner is also notified that a notice of violation of the Association's governing legal documents may be recorded in the land record

5. Final notice of violation letter:

This letter should contain an updated balance of fines due.

This letter should state that the fines have continued since [Board to insert date fines began] and will continue until the violation is remedied.

The homeowner should be advised that if the violation has not been remedied within ten (10) days after the letter is sent, fines are still being imposed, collection procedures to collect the fines will begin and a lien for all fines past due will be recorded in the land records.

6. Notification of lien filing:

This letter should contain an updated statement of the current balance due of fines.

This letter should also state the fines will continue until the violation is remedied.

At this time, the homeowner should have received multiple notifications of the violation and needs to take steps immediately.

The homeowner is notified, via certified mail, that a lien has been filed against the home.

Chestnut Springs
Homeowners Association, Inc. ("HOA")

**Request for Proposed
Improvement - ACC Review Form**

Date: _____ Name: _____ Address: _____ _____ Phone: _____ Email: _____	<u>Attached Documents</u> Survey _____ Plot Plans _____ Plans _____ Photos _____ Specs _____ Color Samples _____ Other: _____ _____
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Please provide a brief description of the proposed modification, alteration or improvement

Contractor (if any): _____ Address: _____ Contact: _____ Phone: _____	<u>HOMEOWNERS AFFIDAVIT</u> <i>I have read and understand the covenants and deed restrictions of my contract and agree to abide by such covenants and deed restrictions. I understand that no work shall commence without the approval of ACC.</i> Date: _____ Signed: _____
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<u>Approved Status</u> <input type="checkbox"/> Approved <input type="checkbox"/> Revise & Resubmit-Insufficient information <input type="checkbox"/> Rejected CC: Applicant ACC File & HOA Board	<u>Committee Comments</u> Signed: _____ Date : _____
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This approval is subject to permitting, inspections and compliance with all applicable laws from any local, state or federal agencies.