

**IVY STATION COMMUNITY ASSOCIATION, INC.  
ARCHITECTURAL CONTROL COMMITTEE (“ACC”)  
DESIGN STANDARDS**

**ARTICLE I**

**AUTHORITY**

1.01 Authority to Establish Standards. These standards are promulgated and adopted in accordance with the “Declaration of Covenants, Conditions and Restrictions for Ivy Station Community Association, Inc.”

1.02 Authority to Remedy Violations of These Standards. The authority to remedy violations of these standards is contained in Declaration. The Board of Directors will enforce of these standards as dictated by the Covenants, unless specific authority is granted to the ACC by the Board of Directors.

1.03 Definitions and Conflict with the Covenants. Unless otherwise defined in this document, the terms used in this document shall be defined as provided in the Covenants. In the event the terms of this document conflict with the terms of the Covenants, the Covenants shall control, unless expressly prohibited by law.

**ARTICLE II**

**ACTIONS REQUIRING APPROVAL AND PROCEDURES FOR SUBMITTING  
REQUESTS**

2.01 Actions Requiring Architectural Control Committee (ACC) Approval. Any action involving the installation, construction, or alteration of any Structure on any Lot requires prior ACC approval of such action. Common examples of actions requiring prior ACC approval include, but are not limited to: erecting fences, recreational equipment (such as basketball goals, swing sets, and playground equipment), retaining walls, buildings of any kind, whether attached or detached from the main dwelling, decks, mailboxes, patios, driveways, parking pads, sidewalks, statues, and spas/hot tubs; any addition or change to the exterior colors, form, or materials of any Structure; any change in grading of any Lot that affects or alters the established flow of water; significant changes to the established landscaping, including the removal of trees as defined in the Declaration.

2.02 Procedure For Submitting Requests to the ACC.

(1) Requests shall be submitted on a form established by the ACC and shall include:

- (a) A description of what the homeowner intends to do, including, but not limited to: plans and drawings specifying the location of any Structure, dimensions, exterior elevations, materials to be used, color swatches, and whether necessary government permits will be obtain. Plans and drawings need not be professionally drawn; however, they should clearly specify what will be done. A photograph of an existing similar situation would be helpful.
- (b) Plans for removal and disposal of waste material.
- (c) Plans for sediment control, if ground cover is to be disturbed.
- (d) Any other information that the ACC may require in order to make informed decision on the request as defined in Article 10 of The Covenants.

(2) Two complete copies, including all attachments, of all requests shall be submitted to the person(s) designated by the ACC and/or the Board as necessary to receive such requests. The ACC requires that if requests are submitted in person a written receipt be obtained. If requests are submitted by mail it should be by registered mail with return receipt requested. Requests may be submitted to the designated person(s) in any other convenient manner. A person submitting a request without receiving proof of delivery will lose appeal rights.

(3) The ACC will make its best effort to respond to typical requests that contain all necessary information within 14 calendar days after receiving the request. However, complex or controversial requests may require the full 45 days allowed in The Covenants.

(4) The signature of at least two members of the ACC will be required on responses to all requests, whether approved or not approved.

(5) No member of the ACC shall vote or participate in a review of approval for his or her own request for changes or modifications to his or her own Lot.

### **ARTICLE III**

#### **GENERAL DESIGN AND MAINTENANCE STANDARDS**

3.01 General Evaluation Criteria. Requests shall be evaluated, taking into consideration the ACC's recommendations in accordance with the following general criteria: (1) whether the request, if implemented, will detract from the resale value of any Lot or from the Development as a whole; (2) whether the request, if implemented, will negatively impact the ability of the owners of nearby Lots to reasonably enjoy their property; and (3) whether the request, if implemented, will cause the Structure to be incompatible with the external design, elevation, topography and colors of the Development or of nearby Lots. Requests that generate an affirmative answer to any of these criteria will be denied.

3.02 Acceptable Materials. The following material shall generally be acceptable when used in an appropriate manner: brick, stucco (both masonry and synthetic), hardboard siding, natural stone, concrete, railroad ties, and treated landscape timbers (for retaining walls), cedar

and treated pine (for decks and fences), iron (for rails and fences), three tab asphalt shingles. Other materials may be acceptable as determined by the ACC.

3.03 Unacceptable Materials. The following materials shall generally be unacceptable: mill finish (i.e. unpainted aluminum) doors and storm windows when visible from the street, cedar and plywood (when used as siding), concrete blocks (unless covered by an acceptable material), visible wire of any kind when used in fencing, asphalt paving materials. Other materials may be unacceptable at the sole discretion of the ACC.

3.04 Generally Acceptable Colors. Exterior color has a major influence on the character and appeal of a residence. The color of a unit also contributes to the overall appearance of the neighborhood. Color selection should therefore be made seeking a balance of personal expression, continuity, and compatibility with the entire neighborhood. Siding and stucco colors may only be muted colors approved by the ACC. A muted color is a color toned down with black, brown or its own complement. Bright or bold colors which make a residence stand out among a group of residences are inappropriate. Trim colors shall complement the primary color on siding or unpainted material such as brick or stone. Trim colors shall not be bold. Trim colors shall compliment to the unit's primary color. Accent colors may be used on shutters, front doors, and bay window overhangs where applicable. Generally acceptable accent colors shall include black, dark green, dark gray, dark blue, and dark red or dark brown. These colors shall complement the primary color of the unit as well as the trim color. Generally accepted shingle colors shall be in the black and gray ranges. If adding new brick or stone, it shall complement existing colors on the structure and neither conflict with nor duplicate colors on nearby structures. The colors identified in this article are meant to provide general guidance. Other colors may be acceptable if they complement existing colors on the structure and do not conflict with or duplicate colors on nearby structures.

3.05 Unacceptable Colors. Bright shades of blue, green, yellow, red, violet, purple, orange, and pink will generally be unacceptable as exterior colors. The colors identified in this article are intended to provide general guidance in selecting exterior colors. Other colors may be unacceptable if they do not complement the existing colors on the structure or if they conflict with colors on nearby structures.

3.06 Acceptable Storm Water Control Practices. Grading of all Lots shall, as much as possible given the natural contour of the Lot, force all water to the street or into established drainage systems. Changes to grading or to a Structure's gutter and downspout system shall not force water on to any other Lot or increase the flow of water previously flowing on to the Lot. Soil erosion shall be controlled.

3.07 Acceptable Landscaping Practices. Landscaping shall be designed and installed so that it complements existing landscaping on the Lot. Lots at intersections of two or more streets and Lots on curves in streets shall not have landscaping that impairs the ability of drivers and pedestrians to see each other. Installation of aggressive spreading of plant species at or near

the property lines is prohibited. Vegetable gardens shall be limited to areas as close as possible to the rear lot line of the main dwelling.

3.08 General Landscaping Maintenance Practices. Lawns shall be kept cut and neatly trimmed. Reasonable efforts shall be made to control weeds in landscaped areas. Dead, diseased, or damaged shrubbery and/or trees shall be removed or appropriately pruned, and shrubbery shall be neatly trimmed and maintained. Garden debris, leaves, and grass clippings may not be loosely disposed of in the rear of a Lot; however, compost bins are allowed. No debris of any kind shall be blown or otherwise discarded into the street or onto neighboring property.

3.09 Antenna and Satellite Dishes. Except as provided below, no satellite dish, antenna or other device for the transmission or reception of television signals, radio signals or any form of electromagnetic wave or radiation shall be erected, used or maintained on any portion of the Property, including the Common Elements. The following shall apply to all Lots:

- (i) No transmission antenna, of any kind, may be erected anywhere on the Common Area Property, without written approval of the Board of Directors or the Architectural Control Committee.
- (ii) No direct broadcast satellite (DBS) antenna or multi-channel multi-point distribution service (MMDS) antenna larger than one meter in diameter shall be placed, allowed or maintained upon any Lot.
- (iii) DBS and MMDS satellite dishes or antennas one meter or less in diameter and television broadcast service antennas may only be installed in accordance with Federal Communication Commission (FCC) rules and the rules and regulations of the Association, both as may be amended from time to time.
- (iv) All DBS and MMDS satellite dishes or antennas one meter or less in diameter shall first be placed and installed in the rear of the lot so as not to be seen or viewed from the street, and shall be painted of the same general color as the home. Additional rules and regulations regarding placement preferences and camouflage guidelines may be promulgated by the Board so long as said rules and regulations do not impair the availability of an acceptable quality signal.

In the event of a transfer of the Lot which includes the satellite dish or antenna, the Grantee shall assume all responsibility for the satellite dish or antenna and shall comply with this Declaration, the Bylaws and the rules and regulations regarding satellite dishes and antennas, including, but not limited to, those requirements relating to maintenance and removal of satellite dish or antenna.

3.10 Other General Standards. Refer to the Declaration for standards covering specific situations such as signs, clotheslines, and garbage cans.

#### **ARTICLE IV**

## **FENCE DESIGN STANDARDS**

4.01 Location. No fence shall exist in front of a point one half the distance between the rear corner of the main dwelling and the front of the main dwelling. Typically approved fences encompass all of the rear property with the home providing the majority of one border. Fences on corner lots may be exempted from this standard by the ACC on a base-by-case basis. Exceptions may be approved by the ACC.

4.02 Material. Generally acceptable materials will be cedar or treated pine. Wire or chain link of any kind is unacceptable. Wood fences may be left natural, sealed with clear sealer, sealed with clear waterproofing compound, or painted in a color approved by the ACC so long as the entire fence surface is painted in the same approved color.

4.03 Construction. All posts and support structures will be placed on the interior of the fence so that they are not visible from the street or nearby Lots. When a new fence is being placed so that it will abut an existing fence, every reasonable effort should be made to use materials and construction techniques that are similar to or complement the existing fence.

## **ARTICLE V**

### **RECREATIONAL EQUIPMENT STANDARDS**

5.01 Basketball Goal Location. Basketball goals may be located anywhere within the building setback lines recorded in the Declaration which is twenty-five feet (25') from the front property line, except that they may not be attached directly to any building.

5.02 Basketball Goal Materials. Basketball goals shall be mounted on a black iron or steel post set in concrete according to the manufacturer's instructions. Backboards shall be clear or white plastic, fiberglass or Plexiglas; or white painted metal or wood. Hoops shall be painted metal with a rope net. Chain or wire nets are unacceptable.

5.03 Basketball Goal Maintenance. Basketball goals shall be maintained so they are safe to use and present a neat appearance. Rust shall be promptly eliminated and broken or missing components shall be promptly replaced.

5.04 Portable Basketball Goals. Portable basketball goals shall be allowed provided that colors and materials follow the same guidelines as permanent goals. Bases must be black or gray. Grass around goals must be maintained.

5.05 Other Acceptable Recreational Equipment Types. Other types of recreational equipment that shall generally be acceptable include: metal, plastic, and wooden swing sets, slides and movable play structures; and badminton and volleyball nets. Permanent or semi-permanent buildings or other structures will generally be unacceptable unless professionally built using a style, materials and colors comparable to main dwelling and approved by the ACC with all applicable building permits and ordinances otherwise being adhered to by the Lot Owner.

5.06 Other Recreational Equipment Location. All recreational equipment referenced in Article 5.05 of these standards shall be located behind the main dwelling so that visibility from the street is restricted to the extent possible given the nature of the Lot. Badminton and volleyball nets may be temporarily located in front of the main dwelling (without ACC approval) if they are removed within 48 hours after installation. Corner Lots and Lots with unusual shapes or topography may be permitted by the ACC to deviate from this standard on a case by case basis.

5.07 Other Recreational Equipment Maintenance. All recreational equipment referenced in Article V of these standards shall be maintained in good repair so it is safe to use and presents a reasonably pleasing view if visible from nearby Lots.

## **ARTICLE VI**

### **MAILBOX STANDARDS**

6.01 Box and Post Standards. Each Lot shall be one black curbside mailbox that shall be approved by the United States Postal Service. Temporary seasonal decoration of mailbox or post shall be allowed. Posts shall be the same type and color as the standard post in the Development, which shall be solid wooden posts, unstained and unpainted.

6.02 Box and Post Maintenance. The homeowner shall be responsible for prompt and proper repair and maintenance of the mailbox and post.

## **ARTICLE VII**

### **PARKING AND STORAGE OF VEHICLES**

7.01 Permanent Parking of Vehicles on the Street. Pursuant to Gwinnett County Ordinances and local law, no vehicle of any type may be parked on the streets of the Development on a permanent basis. Permanent shall be defined as parking for more than thirty-six (36) consecutive hours.

7.02 Permanent Off Street Parking of Vehicles. Vehicles not licensed or operating (including temporary lack of ability to operate) and unauthorized vehicles described in the Declaration (e.g. boats, campers, recreational vehicles and commercial vehicles) may not be permanently parked on any Lot unless the vehicle is parked in a garage with the garage door shut. No vehicles may be parked on an unpaved area of any Lot.

## **ARTICLE VIII**

### **RETAINING WALL STANDARDS**

8.01 Retaining Wall Design. Retaining walls shall be designed so that they will not fail under reasonably anticipated conditions and all plans for retaining walls must be approved by the ACC. Plans for retaining walls that meet the following conditions shall be certified by a professional engineer licensed to evaluate such a structure: (1) walls that extend to within two feet of a property line and are greater than four feet tall at any point along the wall; or (2) walls that are greater than six feet tall at any point along the wall. The cost of any engineer's review shall be borne by the homeowner.

8.02 Retaining Wall Materials. Generally acceptable materials for retaining walls include: railroad ties, treated landscape timbers, concrete, and concrete block (if completely covered by bricks, stacked stone, or stucco).

## **ARTICLE IX**

### **SWIMMING POOL AND SPA STANDARDS**

9.01 Acceptable Types of Pools. Permanent in-ground pools or above ground pools are not acceptable. Small, movable children's wading pools may be used behind a main dwelling without ACC approval if they are stored indoors when not in use.

9.02 Acceptable Spas. Spas, hot tubs, exterior whirlpool tubs, and similar devices will generally be acceptable if placed in the rear of a Lot at least partially screened from view by a deck, lattice or other method approved by the ACC. Building permits must be obtained and all plans approved by the ACC prior to construction.

## **ARTICLE X**

### **SIGN AND FLAG STANDARDS**

10.01 Acceptable Signs. In accordance with the Declaration, no sign may be erected on any Lot without prior written approval except:

- (1) signs required by legal proceedings; and
- (2) one "For Sale" or "For Rent" sign per Lot provided such sign is in good condition and has a surface area of less than four square feet; and
- (3) one burglar alarm yard sign per Lot provided such sign is in good condition and has a surface area of less than 100 square inches; and
- (4) election campaign signs during any political campaign.

#### 10.02 Acceptable Flags

- (1) American flags may be displayed at any time so long as they are well maintained and not tethered nor torn.

- (2) Seasonal/Holiday flags may be displayed for not a period of time of not more than fifteen (15) days before, nor more than thirty (30) days after a National or State holiday. They may be no larger than three feet by five feet (3' x 5') in size.

## **ARTICLE XI**

### **STANDARDS FOR ADDITIONS TO THE MAIN DWELLING AND UNATTACHED BUILDINGS**

11.01 Additions and Changes to the Main Dwelling. Additions and changes to the main dwelling that alter the exterior of the Structure, including but not limited to addition of storage rooms and conversion of decks to sunrooms or screened porches, require prior, written ACC approval. Such additions and changes shall generally be approved if they do not violate County setback provisions and are professionally built using style, materials, and colors comparable to the main dwelling. Finishing of basements does not require prior ACC approval if there is no change to the exterior of the Structure. Such activity will require a Gwinnett County building permit.

11.02 Unattached Building. Buildings not attached to the main dwelling are strongly discouraged. However, such buildings may be approved by the ACC if they are professionally built using a style, materials, and colors comparable to those used on the main dwelling. Prefabricated metal storage buildings will not be approved. All such building require prior, written ACC approval.

## **ARTICLE XII**

### **STANDARDS FOR COMMERCIAL VEHICLES**

12.01 Commercial Vehicle Standards. No more than one (1) commercial vehicle will be allowed per lot. Commercial vehicles will consist of no more than two axles. No overnight parking of commercial vehicles on the street is allowed.