



*MILL GROVE Homeowners' Association*

**COMMUNITY  
ARCHITECTURAL  
APPEARANCE GUIDELINES AND RULES**

**Revised January 2025**

# INTRODUCTION

The Amended and Restated Declaration of Protective Covenants, Conditions and Restrictions for Mill Grove Subdivision (Declaration of Protective Covenants or Covenants) provides for a design review process through which property improvements must be approved by an Architectural Control Committee (ACC). This provision applies to both new construction as well as any exterior 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.

The ACC is appointed by the Board of Directors (Board) and reports directly to the Board. The ACC is to provide assistance in establishing and enforcing community standards in the realm of the association's architectural scheme.

**Purpose** – The purpose of the ACC is to preserve the established aesthetic qualities and the uniformity of Mill Grove subdivision.

**Organization** – The ACC Chair and members will be appointed by the Board and serve as an administrative arm of the Board as well as in an advisory capacity to the Board.

**Responsibilities** –

1. Be cognizant of the overall architectural plan of the community.
2. Protect community standards through architectural control as directed by the Covenants.
3. Periodically review and recommend changes to the Board regarding standards and guidelines for adequacy and application.
4. Monitor member compliance with standards and guidelines and provide enforcement procedure recommendations to the Board.
5. Be alert to architectural changes occurring on the property and to recommend action to the Board.
6. Review all plans for improvement in the common area and elements with respect to their impact on the aesthetic quality of the community.
7. Review all member ACC modification plans. Make recommendations to the Board of Directors for approval or denial of modification requests that are outside of the architectural standards and guidelines, with respect to their impact on the aesthetic quality of the community.
8. Provide recommendations to the Board to improve the ACC's modification process.

**Term Limit** – ACC members will serve an initial term of two (2) years and may be reappointed for one additional two (2) year term, for a total of up to four (4) consecutive years.

The following *Community Architectural Guidelines* are provided to amplify and supplement our community's Covenants. **Homeowners are encouraged to study these Guidelines as well as the Covenants.** Note that in the event of a conflict, the Declaration of Protective Covenants will control.

As a final introductory comment, please remember – **REQUEST APPROVAL BEFORE BEGINNING ANY IMPROVEMENTS OR MODIFICATIONS!** The vast majority of conflicts or project delays occur when a homeowner begins a project without written approval from the ACC or Board. As a general rule, if in doubt, submit an application for modification. Also, feel free to contact any member of the ACC or the Board with any questions.

Each request for project approval is unique to the lot to which it pertains. Each request will be evaluated on the individual and unique elements of the project. *Unauthorized actions by a homeowner and/or prior ACC action on requests of a similar nature will not serve as a precedent for any subsequent request for project approval. The ACC will make a recommendation to the Board and all decisions of the Board will be final.*

*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 members thereof shall be held liable for injury, damages or loss arising out of any approval or disapproval, construction or through such modification to a lot.*

## APPLICATION INFORMATION

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

There are, however, modifications that may be completed without an application to the ACC and Board for approval. These modifications, *and only these modifications*, as outlined in this document do not require a Form to be submitted as long as the specific conditions described in the following Guidelines are met.

A completed Form must be submitted through the ACC for all other types of improvements or modifications, including, without limitation, painting the exterior of your home. **The verbal approval of any sales agent, developer, builder, or association representative is not sufficient.** All modification approvals must be in writing.

- **A minimum fine of \$50 may be assessed to any homeowner who begins work prior to an approved Form.** Remittance of this payment does not relieve the homeowner from submitting a Form.

During the scheduled neighborhood walk throughs, or pursuant to reasonable requests for on-site inspections, the ACC will perform a review of the recent modifications to confirm that the work was completed as approved.

### **Timeliness of Work:**

1. All work approved by the ACC shall be completed within six months of the approval date for home improvement requests and 120 days of the approval date for landscaping requests. If work is not completed within this timeframe, the homeowner must submit an additional request.
2. Any exterior work done without prior approval by the ACC may incur a minimum fine of \$50 per incident levied by the Board and must submit a request post completion and may be subject to removal.

### **Contractor Construction Trailers:**

1. Contractor construction trailers may be left over night in a driveway during a renovation project provided the following criteria are met/followed:
  - a. Prior Board approval before construction begins including
    - i. Length of time the project is expected to take
    - ii. Type of trailer
2. Trailer length cannot exceed driveway length or width and cannot encroach upon an adjoining property line. Trailers cannot block the sidewalk.
3. Homeowner automobiles must be able to be parked in the driveway overnight or make arrangements with the Board to park on the street.
4. Trailers may be parked for up to 7 consecutive days during the project.
5. If the project is delayed or expected to exceed the original time frame, the Board must be notified immediately.

# GUIDELINE #1: Exterior Building Alterations

## General Guidelines

A Form **must be submitted for all** exterior-building alterations. Building alterations include, but are not limited to, storm doors, windows, awnings, construction of driveways, garages, sheds, porches, and room additions to the home. (Carports are not permitted.)

The original architectural character or theme of any home must be consistent for all exterior components of the home. Once the character is established, whether it is traditional, contemporary, etc., no change may alter that character.

If County authorities amend the plans as approved by the ACC, the owner must submit such changes for approval prior to commencing construction.

***Homeowners are advised that a County building permit may be required for certain exterior building alterations. Please note that neither the ACC nor Board reviews any application for permitting requirements or approvals.***

## Home Exterior

All home exteriors must be maintained on a regular basis including painting and pressure washing. Also, any missing, rotting, or damaged, shutters or roof shingles must be replaced and maintained. Exterior wood trim including window frames, door frames, awnings, and awning post shall be repaired and repainted when evidence of rot is present.

Chipped paint or bare wood, associated with exterior siding or wood trim must be repaired and / or repainted. Exterior siding that evidence mold, mildew, or color change because of wear, shall be pressure washed or repainted such that the original approved color is restored.

Roof: A Form must be submitted for roof replacements unless the replacement roof is of the same type and color as what is being replaced. The request must include a photo of the front of the home, types of shingles used (only architectural shingles are permitted), and shingle brand and color.

Front Porches and Patios: Porches and Patios should be free of clutter, including but not limited to: empty pots, loose tools, bikes, sports equipment, debris, trashcans, recycling bins and lawn equipment.

Storm/Screen Doors: Storm/screen doors must be made of a product that is or looks the same as anodized aluminum with baked enamel finishes and shall be compatible with the color of the front door. They should be solid glass with no decorative or protective metal work. A photo of windows and /or brochure of the storm/screen doors should accompany your request with colors specified.

Decorative Windows and Doors: Decorative windows and doors, including, but not limited to stained glass, etched glass or leaded glass must be compatible with the architectural style of the home both in design and colors that it may incorporate. Please include a photo and/or brochure of the proposed windows and/or doors with your request.

## **Painting**

Your application to paint your home must specify the colors to be used on siding, trim, doors, shutters, etc., which colors must be part of the Benjamin Moore Historical Collection or the Benjamin Moore Williamsburg Collection, unless otherwise approved by the ACC and Board during submission of your Form. While the colors have been created by Benjamin Moore, homeowners can have the color matched at another paint manufactures (e.g., Sherwin Williams, Home Depot, Lowe's, etc.) and are not required to purchase paint from Benjamin Moore.

Colors should be different from houses that are adjacent and directly across the street.

In addition to painting the siding of the house, when the home has brick sides, the homeowner may submit an application for prior written approval, to have the brick on the home painted.

Any changes to existing paint colors require prior written approval; repainting using the existing approved paint colors does not require approval. With each application submitted, the following information is required:

1. Paint sample(s) / color swatch of:
  - a. Siding / brick
  - b. Trim
  - c. Doors
  - d. Shutters
2. Picture of front of home,
3. Description of area(s) of home to be painted,
4. Specific color each area of the home will be painted,
5. Picture of the homes to your right, left, and directly across the street and
6. If possible, virtual mockup of how your home will appear after painting.

The Benjamin Moore color palettes referenced herein can be found online at:

- Historical Collection: [Historical Colors | Benjamin Moore](#))
- Williamsburg Collection: [The Williamsburg® Paint Color Collection | Benjamin Moore](#))

## **Shutters**

Shutters should be harmonious with the architecture of the existing house regarding the style, size, material, and color of the shutters. Shutters must be equal or approximately equal by standard manufacturer's standards in length to the height of the window.

No application is required for the replacement of existing approved shutters with shutters that are the same in style and color.

Removal of existing shutters without replacements requires ACC review and HOA Board approval. The permanent removal of shutters and their associated 'S' hooks must be harmonious with the elevation and façade of the home and accompanied by a change in the façade and/or color.

### **Garage Doors**

Garage doors are to be maintained in such a manner that their appearance is not compromised. Replacement garage doors must maintain the architectural harmony and historic nature of the community. A change in garage door style from that which was originally installed requires ACC and Board approval. Painting the garage door requires ACC approval.

### **Mailboxes**

When modifying or changing your mailbox, homeowners must submit an application for approval of the ACC which specifies which one of the acceptable styles of mailbox you intend to erect. The following styles which can be found at Addresses of Distinction in Atlanta or online (<https://www.addressesofdistinction.com/>) are deemed acceptable by the ACC and the Board:

1. Avenues
2. Charleston
3. Magnolia

While the mailboxes are available at Addresses of Distinction, homeowners can submit an application with a mailbox of similar style which is sold at another store and are not required to purchase from Addresses of Distinction. Any variation to the above styles listed requires ACC and Board approval.

The numbers need to be 2 inches, raised, gold numbers.

Paint – If your paint is chipped or faded, please refresh your mailbox and post.

Mailboxes should be periodically cleaned and repaired (e.g., missing numbers, flags, broken mailboxes, etc.).

### **Awnings**

A Form **must be submitted** for all awnings. Awnings or coverings are not permitted to be seen from the street and 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:

1. 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 the front or sides of the home).
2. Picture depicting style of awning to be installed.
3. Color samples and materials list.

### **Windows – Mullions and Muntins**

All street-facing windows must either (1) have mullions (vertical) and muntins (horizontal) in each window or (2) must not have any mullions and muntins in any

window (i.e., “all or nothing”). A failure to have the street-facing window mullions and muntins in harmony with each other shall be considered a maintenance violation and will need to be remedied by removing all mullions and muntins or replacing the missing mullions and muntins.

The only exceptions to this guideline are (1) if there is a window with permanent mullions and muntins (typically the window over the front door). If the homeowner wants to remove the mullions and muntins, it is permissible to keep the one remaining over the front door. And (2) if the homeowner wants to remove the muntins in the sidelights on each side of the front door, but leave the mullions and muntins in the windows, this is permissible. Likewise, if the homeowner wants to leave the muntins in the sidelights on each side of the front door, but remove the mullions and muntins in the windows, this is permissible.

### **Windows – Screens**

All street-facing windows must either (1) have matching screens in each window or (2) must not have any screens in any window (i.e., “all or nothing”). A failure to have the street-facing window screens in harmony with each other shall be considered a maintenance violation and will need to be remedied by removing all or replacing the missing screens.

If the homeowner chooses to change the color of the screens, it must be harmonious with the façade of the home and requires ACC and Board approval.

### **Detached Buildings**

A Form **must be submitted** for all detached buildings. Detached buildings are discouraged but will be considered subject to the following guidelines:

1. Size shall be limited to 600 square feet total.
2. The building should be located in the rear of the home with primary emphasis being that placement on the lot and the judicious use of landscaping will minimize the visual impact on adjacent properties or from the street.
3. The shed or outbuilding shall be positioned on the lot in a location that is practical for the homeowner, yet aesthetically suitable to surrounding homeowners. The location will vary due to the configuration of each individual lot; therefore, its location must be coordinated and approved in advance by the ACC. All sheds must be a minimum of five (feet) from the property line.
4. Double doors are permitted but not garage-type doors.
5. Building may not be used for any purpose that may be deemed by the Board to cause disorderly, unsightly, or unkempt conditions.
6. Detached building exterior materials must match the exterior materials and colors used on the original home.
7. The outside of the shed and its surrounding area shall not be used for storage. All items must be kept inside while not in use.
8. Any and all utility lines supplied to the shed or outbuilding must be run underground.
9. The homeowner is responsible for maintaining the integrity and appearance of any approved shed to all applicable standards set forth in this document.
10. No more than one detached building is permitted per property.

## **Dog Houses**

A Form **must be submitted** for all doghouses. All doghouses must be located where they have a minimal visual impact on adjacent properties or from the street. Construction type, size, and exterior colors/materials will be specific criteria requiring approval. Chain link dog-runs, “tethered” line dog runs, or wire pens are prohibited.

## **GUIDELINE #2: Decks and Retaining Walls**

A Form **must be submitted** for all decks and retaining walls. The following, without limitation, will be reviewed: location, size, conformity with design of the house, and relationship to neighboring dwellings. A site plan denoting location, dimensions, materials, and color is required.

1. The request must include the following:
  - a. A site plan denoting the location of the deck in relation to the home’s property lines and residence.
  - b. A detailed plan including dimensions, materials to be used and desired finish.
  - c. The deck may not protrude past the sides of the house and must be located in the rear of the house.
2. Deck Materials and Finish:
  - a. Materials must be cedar, cypress, No. 2 grade or better, pressure-treated wood, or composite material.
  - b. Brick or stucco columns matching the home are also acceptable.
  - c. The desired finish of the deck must be included in the request.
  - d. The deck can be natural or stained with a natural wood color. For painting the deck, colors must be requested and approved in a request. Color must coordinate with the exterior color of home.
3. The homeowner is responsible for maintaining the integrity and appearance of decks.

*Homeowners are advised that a building permit may be required for a deck and is not the responsibility of the ACC or Board to determine permitting requirements prior to or upon commencement of an approved deck project.*

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

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

## **GUIDELINE #3: Patios/Walkways/Side Drives/Parking Areas/Fire Pits**

A Form **must be submitted** for patio covers, trellises, permanent seating, railing, fire pits, patios, walkways, side drives and parking areas and must be paved or stained with materials that are in harmony with the community and as approved by the ACC.

1. Submission must be made for ALL patios and walkways and must comply with the following:
  - a. The patio cannot extend beyond the sidelines of the house and cannot extend to within five (5) feet of the side property lines.
  - b. The patio cannot exceed six (6) inches above ground level at any point.
  - c. The existing drainage patterns cannot be altered in a manner that adversely impacts any adjacent properties, and the drainage of the patio is required to be directed to the homeowner's own property and properly dispersed.
  
2. Submission of a request for a walkway is required and must comply with the following:
  - a. It should be no closer than 5 (five) feet from the side property lines.
  - b. The walkway must be consistent with existing driveway/walkway.
  - c. The existing drainage patterns should not be altered in a manner that adversely impacts any adjacent properties, and the drainage of the sidewalk is required to be directed to the homeowner's own property and properly dispersed.
  
3. Submission of a request for side drives – parking areas is required and must comply with the following:
  - a. Dimensions
    - i. It should be no less than 3 (three) feet from the front neighborhood sidewalk.
    - ii. No less than 5 (five) feet from the property line.
    - iii. No more than 4 feet from the home.
  - b. Side drive/parking area must maintain the grade of the yard.
  - c. Must not impede drainage.
  - d. Must be consistent with existing driveway in color/texture.
  
4. Submission of a request for a fire pit is required and must adhere to the requirements listed below:
  - a. Picture or drawing of the Fire Pit to include type of design, materials used, location of structure, and any other details.
  - b. Make sure the fire pit is, at minimum, 10 feet away from any structure or neighboring yard, 25 feet is preferable.
  - c. Do not position a fire pit under a covered porch or low hanging tree branches.
  - d. Always place a fire pit on a non-flammable surface, such as patio blocks or concrete.
  - e. Do not put a fire pit on a wooden deck or directly on grass.

## **GUIDELINE #4: Exterior Decorative Objects**

### **General Guidelines**

If any decorative objects are placed in the front or side yards or visible from the street, a Form **must be submitted** for exterior decorative objects, both natural and manufactured (i.e., pink flamingos, statues, etc.). Objects will be evaluated on criteria such as location, proportion, color, and appropriateness to surrounding environment.

### **Exterior Landscape, Security and Seasonal Lighting**

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

1. Lighting does not exceed 12 inches in height.
2. The number of lights does not exceed 12.

### **Seasonal Lighting**

Seasonal lighting does not require a Form but should be tastefully employed. Seasonal lighting should be disassembled within a reasonable time period after the holiday.

### **Flagpoles**

A Form **is not** required to be submitted for a single flagpole staff attached to the front portion of a house. The size of any flag displayed may not be greater than 3X5 feet. Freestanding poles require ACC and Board approval.

### **Plants and Flower Pots**

Front doors and entry area decorations must be tasteful and in keeping with the style and colors of the house. Plants and flowerpots must always be neat and healthy. Neatly maintained front porch flower pots that coordinate with exterior home colors and containing evergreens/flowers **do not** require submission of a Form.

## **GUIDELINE #5: Exterior Landscaping and Maintenance**

### **General Guidelines**

Landscaping should relate to the existing terrain and natural features of the lot. Board approval of a landscaping project is required when the activity will result in changes to existing landscaping or when grading or contour modifications are required. **THE APPLICATION FOR ANY LANDSCAPE PROJECT MUST SPECIFY A FIRM COMPLETION DATE AND THE PROJECT MUST BE COMPLETED WITHIN 120 DAYS OF THE APPROVAL DATE.**

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

1. Repairing and painting and other appropriate external care of all structures.
2. Over-seeding and restoring lawn grasses.
3. Watering, fertilizing, mowing and edging lawn grasses.
4. Pruning and trimming trees, shrubbery, hedges, and other vegetation so that the yard presents a manicured appearance, and the visibility of motorists and pedestrians is not obstructed.
5. Removal of all "volunteer" or "wild" growth of weeds or non-landscape quality vegetation.
6. Prompt repair of any barren lawn areas to reduce erosion potential.

### **Trees**

1. A Form is not required to be submitted for ornamental trees and shrubbery; however, a Form must be submitted for screen planting (row or cluster style) and property line plantings. Forms must include a description of the sizes and types of trees or shrubs to be planted and site plan showing the relationship of plantings to the house, adjacent dwellings and existing trees and shrubbery.
2. Removal of living specimen native trees is discouraged.
3. If trees are removed, then stumps must be removed and area landscaped.
4. A Form is not required to remove a dead or diseased tree. A Form is not required if the tree causes a safety issue or could damage the home or yard (e.g., roots damaging foundation or wrapping around pipes, or hanging too close to the roof).

### **Landscape Groundcover**

1. The homeowner is responsible for maintaining and replacing aged mulch and groundcover in landscape beds. ACC approval is not required to replace mulch or pine straw that has exhausted its useful life.
2. The addition of rock mulch or decorative rocks as ground cover does require ACC and Board approval.
3. The Board recommends replenishment or replacement of mulch or pine straw in islands or naturalized areas two (2) times per year and requires at least annual renewal, sooner if the covering has deteriorated and the appearance of the bedding looks poor.

### **Lawn Debris and Clippings**

1. Each owner is responsible for the removal of debris, lawn grass, and leaf clippings from the property line to the center of the street. Hosing, raking, or blowing materials into the streets and into the storm water management system is not permitted.
2. If a homeowner utilizes a landscaping company, the owner is responsible for their landscaping company's adherence to the above guideline.

### **Bushes/Shrubs**

1. Bushes and shrubs are to be maintained at a reasonable height in relation to the landscaping. Bushes and shrubs cannot obstruct walking paths, sidewalks, entranceways, etc.

## Trash Can Shields

1. Containers stored outside must be screened from view from the street, common areas, and neighboring lots. Requests for trash can shields must be submitted to the ACC and should be made of fencing material or natural landscaping. No lattice work is allowed.
2. Garbage cans must not be stored on driveways or front porches.
3. Containerized household trash and/or garbage cans and any landscape trash are to be placed at the curb no earlier than 6PM on the day prior to collection. Garbage cans are to be removed from the curb no later than 9PM on collection day.

## Vegetable Garden Plots

1. A Form **is not** required for garden plots if the plot is located behind the rear line of the house so as to minimize the visual impact on adjacent properties or from the street.
2. The size of the plot is limited to 150 square feet.
3. All garden plots must be cleared of dead growth and/or winterized at the completion of the growing season. The owner is responsible for rodent and pest control caused by gardens.

## Firewood

1. Firewood piles are to be maintained in good order and must generally be located within the sidelines of the house and in the rear yard.
2. Wood pile coverings are allowed only if the cover is an earth tone color, and the wood pile is screened from the view of the street. For example, a covered wood pile may be located under a deck with shrubs planted around it.

# GUIDELINE #6: Play Equipment

## General Guidelines

A Form **must be submitted** for all play equipment. The following guidelines apply:

1. The play equipment shall be located in the rear yard and within the extended sidelines of the house.
2. The play equipment shall be sized inclusive of height considerations and located such that it will have minimal visual impact on adjacent properties.
3. Trampolines shall be screened by adequate planting or approved fencing so as to be concealed from view by neighboring residences and from the street. In most cases trampolines will require approved fencing to adequately shield from view.

Play equipment (except basketball goals) are strongly suggested to be of wood construction, environmentally and aesthetically compatible. Metal or plastic play equipment will generally require more fencing and landscaping to shield from view. It may also be required to be painted in order to blend into the surrounding environment (earth tones).

*NOTE: A (permanent) baseball backstop or similar item is not play equipment and must comply with the Basketball Goal guidelines.*

### **Play Houses/Tree Houses**

A Form **must be submitted** for all play houses and tree houses. The following guidelines apply:

1. Play houses and tree houses shall be sized inclusive of height considerations and must be located where they will have minimal visual impact on adjacent properties.
2. In most cases, materials used must match or complement existing materials of the home.
3. Play houses or tree houses may not be larger than 100 square feet or 12 feet in total height.

*NOTE: Playhouses and tree houses once approved must be maintained.*

### **Basketball Goals**

A Form **must be submitted**. General guidelines are as follows and should be considered in your application:

1. Basketball goal is located toward the rear of the house with the least possible view from the street and neighbors.
2. Portable basketball goals are allowed for daily use and must be moved from view when not in use.
3. Basketball goals attached to the house are not permitted.

*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 #7: Private Pools and Landscape Ponds**

### **Children's Portable Wading Pools**

A Form **is not** required to be submitted for children's portable wading pools (those that can be emptied at night) as long as they do not exceed 18 inches in depth and whose surface area does not exceed 36 square feet. Portable wading pools must be stored when not in use.

### **Above-Ground Pools**

Above-ground pools are prohibited.

### **In-Ground Pools and Ponds**

1. A Form must be submitted for all in-ground pools and ponds. The following information is required:
  - a. All requests for a pool addition shall be submitted with a drawing of the property that accurately depicts the location of the house, property lines, building setbacks, decks, easements, and any other elements that may

- restrict the location of the proposed pool. The drawing shall be prepared to scale. The drawing shall dimensionally depict the proposed location of the pool and pool deck, pool equipment and any other related improvements. The proposed drainage plan shall be clearly indicated including all existing drainage conditions. All proposed materials and colors should be indicated on the drawing. The drawing shall indicate the location and type of silt fence to be installed and maintained during construction. Existing trees and other landscaping that are to be removed to accommodate the proposed pool improvements shall be marked for review by the ACC prior to removal.
- b. Fencing for lots with pools and spas must comply with the fence guidelines in addition to county and city requirements, whichever is greater.
  - c. Glaring light sources, which can be seen from neighboring lots, shall not be used.
  - d. The pool area shall be enhanced with landscaping and all pool equipment shall be screened with evergreens or enclosed in an approved structure.
  - e. Pool equipment shall be located a minimum of 15 feet from any adjacent property.
  - f. All stored excavated dirt shall be immediately covered with straw to prevent erosion.
  - g. A construction timetable is required, including a completion date.

*Homeowners are advised that a building permit may be required for a pool and is not the responsibility of the ACC or Board to determine permitting requirements prior to or upon commencement of an approved deck project.*

2. A request must be submitted for proposed ponds. Ponds shall comply with the following:
  - a. All submittals for proposed ponds shall include a drawing, including all related improvements, clearly indicating the location of the pond with respect to the main house and all property lines and proposed grading, if applicable.
  - b. Ponds shall not be located in the front or side yards.
  - c. Pond designs are restricted to natural settings and are required to blend with the natural features of the land. Ponds shall not be higher than the adjacent land other than natural border stones.
  - d. The total area of ponds including all water surfaces shall not exceed 40 square feet.
  - e. All ponds shall include the oxygenation of water and water movement to prevent the growth of mosquitoes. Ponds shall be maintained and shall not consist of any areas of stagnant water.

### **Hot Tubs**

A Form **must be submitted** for exterior hot tubs and spas if visible from the street or adjacent properties. Hot tubs or spas must be screened from adjacent properties and streets.

## **GUIDELINE #8: Private Tennis Courts**

Personal tennis courts are prohibited.

## **GUIDELINE #9: Fences**

No fence or wall of any kind shall be created, maintained, or altered on any lot or home without the prior written approval of the ACC. A Form must be submitted for **ALL** fencing.

1. All fences must have the finished side facing out.
2. Fence approval for corner lots will require more landscaping and set back distances to avoid a “stockade” appearance.
3. Chain link fences and vinyl fences are prohibited. No wire fences, chicken wire, or welded wire fences are permitted. Composite fencing will be considered but must be of natural wood color.
4. The crossbeam structure (rails) shall not be visible from any street (e.g. finished sides of the fence must be turned to the outside) and must consist of two 2x6 inch or three 2x4 inch per section.
5. All requests must include the following information:
  - a. Picture of the fence type.
  - b. Dimensions:
    - i. The height shall not exceed six (6) feet.
    - ii. The maximum span between posts shall be six (6) feet.
    - iii. The minimum post size shall be 4”x 4” for wood fencing, and 2”x2” for metal fencing.
  - c. Color: All wood fences must be stained with a solid colored stain or sealed within 3 months of installation. Stain color can be included in fencing ACC request.
  - d. Site Plan: A site plan drawing denoting the location and complete measurement of the fence, home, and property line must accompany the request. Fences shall not be located closer to any street than the rear corner of the home except for the following conditions that will be considered on a case-by-case basis:
    - i. On corner lots, the fence shall not be closer to any street than 36” from the back of the curb.
6. Each homeowner must maintain the fences located on his/her respective property regardless of origin of construction or location. Replacement fences must be placed on the property line unless otherwise approved by the ACC.
7. Since there are many styles of aluminum or wrought iron fencing available, a photograph or drawing of the fence must be submitted.
8. Privacy screening made of any type of fabric is prohibited.
9. All fences must be maintained throughout the life of the fence.
10. Any boundary dispute shall be resolved between the disputing owners, and shall not be the responsibility of the Board or Association.
11. Corner lots have additional requirements. Corner lots are considered to have two front yards, therefore front yard rules apply to the yard adjacent to both adjacent streets on corner lots.
12. As a rule, fences are not allowed in front yards due to fence construction being prohibited forward of the rear corners of the house. However, consideration may be given by the ACC and Board to the back yard fenced area yielded after rear corners are used and whether the house is situated square with the streets or diagonally placed. The ACC and Board may also consider which

street the house faces for address purposes and what appearance results from the other street side. In any event, the fence should be no closer to the side street than the building setback line required by the development plans of the subdivision.

13. All fences must be installed within the boundaries of lots to conform to all governmental setbacks and other regulations, if any, as well as any requirements of the Declaration or the recorded plats for Mill Grove. Special attention must be paid to any drainage easements on a lot. Placement of fences must not in any way impact the flow of water through the drainage easement. Maintenance of the ground along the outside of the fences and the exterior face of fences should be considered by owners when determining the precise location of the fence within the property lines.

14. Examples of fence options:



## **GUIDELINE #10: Vehicles and Parking**

1. All cars parked in open view must be operable, may not be unsightly, and must have current license plates and registration. No cars shall be parked in the rear of a home unless an approved parking area has been installed.
2. Vehicles should be appropriately parked in driveways or in garages. Cars parked in driveways should not hang over out into the street or sidewalk.
3. Parking on lawns is strictly prohibited.
4. No vehicles are permitted to park in the street overnight, unless approved in advance by the Board for special occasions.

5. No commercial vehicles are to be parked overnight on neighborhood streets or driveways.
6. Vehicles may not be parked in the driveway with a covering unless the cover is specifically designed for a vehicle (a common tarp does not meet the requirement). The covering must be maintained in good condition and secured to the vehicle.

## **GUIDELINE #11: Antennas and Satellite Dishes**

A Form **must be submitted** to the ACC for prior approval before installation or attachment of any Satellite Dish including ground mounted dishes in the subdivision. The ACC must approve the satellite dish installation location.

1. The following standards for mounted satellite dishes must be met:
  - a. Satellite dishes must be no larger than 24 inches in diameter.
  - b. Rooftop mounting of satellite dishes on the rear of the home (out of public view) is preferred. Satellite dishes mounted on the house wall or roofs should be located in a manner that limits the visibility of the dish from the street. Every effort must be made to locate the dish discretely and out of view.
  - c. If ground mounted, satellite dishes must be in a discrete location. All placed cable(s) should be buried. Only one satellite dish per home is allowed.
  - d. Front yard mounting of satellite dishes is prohibited. Obscured side yard mounting is permitted but cannot be seen from the street.
2. Wiring or cabling shall be installed so as to be minimally visible and blend into the material to which it is attached.
3. The owner or occupant shall be responsible for the maintenance and repair of the satellite dish including, but not limited to:
  - a. Reattachment of the satellite dish, and any components thereof, within 48 hours of dislodging, for any reason, from its original point of installation
  - b. Replacement, if for any reason, the exterior surface of the satellite dish becomes worn, disfigured, or deteriorated.

## **GUIDELINE #12: Miscellaneous Exterior Installations**

1. Clotheslines of any sort are not permitted.
2. Storage: All lawn and garden equipment, ride-on lawnmowers, portable recreation equipment, canoes, garbage cans, and wood piles shall be kept in a garage or exterior building or screened by adequate planting or approved fencing so as to be concealed from view by neighboring residences and from the street.
3. Air Conditioner Units: Visible from the street must be screened by an approved method (shrubby). Window air conditioners are prohibited.
4. Solar Energy Collector: Installations must be approved by the ACC.

## ACC GUIDELINE ENFORCEMENT PROCEDURES

Apparent covenant violations – as reported by any source – may be submitted to the ACC to be referred for appropriate action. Should a management company be hired, they too would be a point of contact. The first action will be confirmation that a violation exists. If substantiated, the homeowner in violation will be contacted, the violation explained, and be requested to provide corrective action in a reasonable time period according to the following procedures as permitted by the Covenants:

1. Upon recognition of an initial violation, a courtesy letter will be sent to the homeowner notifying them of the violation stating the time period in which the violation must be remedied.
2. Upon recognition of a subsequent violation, a violation letter (first notice) will be forwarded to the homeowner advising of the violation, stating the time period in which either the homeowner should respond (in writing) and/or remedy the violation.
3. Upon recognition of a third occurrence of a violation, a second violation letter (second notice) will be forwarded to the homeowner advising of the violation, stating the time period in which either the homeowner should respond (in writing) and/or remedy the violation before a fine is imposed.
4. As a final step, if the violation has not been resolved by the homeowner, a third violation letter (final notice) will be forwarded to the homeowner with a fine imposed. **Remittance of the levied fine DOES NOT absolve the requirement for remediation of the violation.** If this fine is not paid in the timeframe provided, a reminder will be sent to the homeowner. If again, the fine is not paid in the timeframe provided, the Board may take corrective action as outlined below:
  - a. Suspension of the right to vote in Association matters.
  - b. Suspension of the right to use the recreational facilities and/or common areas.
  - c. Recordation of notice of covenant violation with the Superior Court.
  - d. Imposition of a fine on a per violation and/or per day basis. See schedule.
  - e. Correction of the violation by The Association with all costs charged to the homeowner.
  - f. Filing of a lien for all fines and costs, including but not limited to legal fees, to correct the violation.
5. 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.
6. **When a determination has been established that a property is in violation of the Guidelines, and the homeowner has been properly advised, that violation will remain active until it is resolved. Transfer of ownership of a property WILL NOT erase an outstanding violation since a violation follows the property, not the homeowner.**

7. **Please remember that the Board of Directors has discretion to deviate from the procedure above if, in its sole discretion, the nature of the alleged violation requires the same.**

**Penalties**

Any resident who is found to be in violation of the Declaration of Covenants, Conditions and Restrictions and these Architectural Guidelines, Appearance and Design Standards is subject to penalties according to the following schedule:

a) Failure to apply for ACC approval of a project	Up to \$50
b) Courtesy, First Notice, and Second Notice [except as provided in (a) above] including cease and desist	Warning Letter
c) Final notice of the same violation	Up to \$50 per violation per instance [Issued when corrective action is not completed within 30 days; Notification of Hearing before the Board]
d) Failure to pay assessed penalty and/or costs	Property Lien attributed to Right of Abatement

**These Architectural Guidelines, Appearance and Design Standards  
Supersede Any Previous Standards.**

**SUMMARY**

These guidelines serve their intended purpose of providing help in understanding our community standards. If you are unsure of the need to submit a Form for a project not specifically referenced by these guidelines, please call any member of the ACC or any Board Member for assistance.

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



**I understand and agree that no work on this request shall commence until written approval of the Mill Grove ACC has been received by me.** I represent and warrant that the requested improvements and/or modifications strictly conform to the *Community Design Guidelines* and that these changes shall be made in strict conformance to those guidelines. I understand that I am responsible for all City, County, and State regulations.

Permission is hereby granted for members of the ACC and appropriate Mill Grove Homeowners Association representatives to enter the property to make reasonable observation and inspection of the requested modification and completed project.

Mill Grove Homeowners Association, the Board, the ACC nor their respective members, officers, successors, assigns, agents, representatives, or employees shall not be liable for damages or otherwise to anyone requesting approval of any action with respect to any submission.

The architectural review is directed toward review and approval of site planning, appearance, and aesthetics. None of the foregoing assumes any responsibility regarding design or construction, including, without limitation, the structural integrity, mechanical or electrical design, methods of construction, or technical suitability of materials. I hereby release and covenant not to sue or litigate in any way all of the foregoing from/for any claims or damages regarding this request or the approval or denial thereof.

Homeowner's Signature \_\_\_\_\_ Date \_\_\_\_\_

Homeowner's Signature \_\_\_\_\_ Date \_\_\_\_\_  
(All owners must sign)

I have discussed this modification with my neighbor(s) if the proposed modification will directly impact them.

Homeowner's Signature \_\_\_\_\_ Date \_\_\_\_\_

If Applicable:  
Neighbor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Neighbor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Please allow a maximum of 60 days for an improvement or modification review and approval decision.

**FOR ACC USE ONLY:**

Date Received \_\_\_\_\_

Approved  Denied  By (ACC Chair/Date) \_\_\_\_\_

Conditions: <input type="checkbox"/> This approval is valid until _____. If the project has not been completed by then, then the homeowner must resubmit the request.

CONDITIONAL APPROVAL: The Application for Modification will be approved within 15 days after resubmission provided that the following modifications are made. Comments:

Final Inspection Date \_\_\_\_\_

Approved  Rejected\*  By (ACC/Board Member/Property Manager)  
\_\_\_\_\_

\* If rejected, please attach separate sheet explaining reason, corrective action required, and completion date.