

Persimmon Creek South Homeowner's Association **Architectural Committee Guidelines and Clarifications**

Amended June 5th, 2014

A. General:

Introduction: To better serve you and our neighborhood and assist in enhancing the image and the property values of the Estates at Persimmon Creek South Subdivision, the Architectural Review Committee ("ARC"), in accordance with the duties and authority prescribed by the Covenants, Conditions and Restrictions ("CC&R's"), has drawn together guidelines, some expanding upon the original CC&R requirements, regarding fencing, sheds, auxiliary buildings, landscaping and other areas of the subdivision. The Guidelines and Clarifications are to be interpreted in concert with the Subdivision CC&R's.

All improvements to the exterior of any Lot must be approved by the Architectural Review Committee (ARC) before construction begins.

The Architectural Review Committee takes the position that the Persimmon Creek Subdivision is a planned community and not a composite of non-conforming properties. It is also assumed with good reason that families purchasing houses within the subdivision understand that there are CC&R and ARC restrictions to their property that are governed by such entities as the **Board of Directors** of the homeowner's Association and the **Architectural Review Committee**.

Definition of "Community Wide Standard: " The "Community Wide Standard," referred to in Article 5.2 of the CC&R's, pertaining to the physical appearance of the community, is determined by the Architectural Review Committee to include the principle that the properties within the subdivision, including among other things, structures, accessory buildings, free-standing garages, fences and Landscaping, shall be maintained often enough so that the structures retain their original appearance, conform to the CC&R's, the County requirements, and the Architectural Review Committee (ARC) guidelines.

Maintenance responsibilities include, but are not limited to:

1. **Painting/staining:**
 - Residence/sheds/outbuildings:
 - Repainting is required if visible signs of deterioration of the siding or shutters appears such as chipping, flaking, fading, or discoloration of the surface.
 - Repainting of the home's original colors must be done in a manner that produces a seamless appearance to any original or previously painted adjacent surface.
 - Color chips by the paint mfg. must be submitted for any paint color alteration. It is highly suggested that the homeowner choose a muted, neutral color that blends with the community at large.
 - The quality and appearance of the completed exterior paint, regardless of the color scheme, shall at a minimum be consistent with the standards of the original appearance at the time of construction.
 - Fence staining: Fences must be an even color. Weathering wood is not permitted.
2. **Power washing** - Homeowners must ensure that surfaces are power-washed as often as necessary to avoid visible mold, mildew or dirt on the surface.
3. **Roofs:** Shingles that show visible signs of deterioration, such as loss of the granular surface, curling, or missing, must be replaced within 60 days of notice with an architectural shingle that is similar in style and color to the existing.
4. **Broken windows and shutters:** These must be replaced with a similar style, quality and color item within 60 days.
5. **Storage sheds, fences, trellises and detached garages:** These structures are subject to the same maintenance requirements as houses (see above).

Basis of authority: A review of some of the key passages in the Articles and Sections of the Persimmon Creek South CC&R's that pertain to the basis of authority for the Board of Directors, the Homeowners, and the Architectural Review Committee, in regard to the physical appearance of the community, are the following:

Responsibility of homeowners to maintain their property:

"Except for maintenance performed on a Lot by the Association...all maintenance of the Lot and all structures, landscaping, and other improvements thereon shall be the sole responsibility of the Owner thereof, who shall maintain such Lot in a manner consistent with the Community Wide Standard and this Declaration." (Article 5.2)

The Board of Director's:

"The Board of Directors may, from time to time, without a vote of the members, promulgate, modify or delete rules and regulations applicable to the Community. Such rules and regulations shall be distributed to all Owners prior to the date that they are to become effective and shall thereafter be binding upon all Owners and Occupants until and unless overruled, canceled or modified by a majority of the Total Association Vote..." (Article 7.1)

The Architectural Review Committee (ARC):

"No exterior construction, alteration or addition of any improvements of any nature whatsoever (including without limitation...grading, filling, construction of impervious surface, building, fence..." shall be commenced or placed upon any part of the community...unless ...approved in accordance with this Article..." (Article 6.1)

"Any owner may remodel, paint or redecorate the interior of structures...without approval. However, modifications to the interior of porches...visible from the outside the Lot shall be subject to approval. No approval shall be required to repaint the exterior of a structure in accordance with the originally approved color scheme or to rebuild in accordance with the originally approved plans and specifications." (Article 6.1).

"The Architectural Review Committee may adopt written design and development guidelines and application and review procedures, which might provide for a review fee" (Article 6.3).

"The Architectural Review Committee shall have sole and final authority to prepare and to amend the architectural guidelines." (Article 6.3)

"The Architectural Review Committee shall be the sole arbiter of such plans and may withhold approval for any reason, including, without limitation, purely aesthetic considerations, and it shall be entitled to stop any construction in violation of these restrictions." (Article 6.3)

"The approval of the Architectural Review Committee of any proposals or plans and specifications or drawings for any work done or proposed, or in connection with any other matter requiring approval or consent of the Architectural Review Committee, shall not be deemed to constitute a waiver of any right to withhold approval or consent as to any similar proposals, plans and specifications or drawings or matters whatever subsequently or additionally submitted for approval or consent." (Article 6.5 No Waiver).

Penalty for non-compliance: The penalty for non-compliance of the Architectural Review Guidelines shall be \$25/day after the 3rd notification by the management company.

B. Specific Guidelines:

All additions to residences, fences, sheds, out buildings, pools, and other similar structures, shall be constructed in accordance with all applicable codes, laws and ordinances required by Coweta County and the following guidelines established by the Persimmon Creek South Home Owners Association. When the two entities have differing requirements, the most stringent shall prevail.

A. Storage Sheds and doghouses: (also, see accompanying diagram "A & B.")

Sheds: The issue of storage sheds is an important consideration for the community as they affect not only the view from the street, but views from neighboring properties. The following are guidelines for the design and placement of storage sheds.

1. **Type of construction:** Storage sheds and doghouses must be constructed of materials equivalent to those used in the construction of the home.
2. **Location on property:** The structure must be located behind and between the back corners of the house. (See diagram "A" and "B."). Storage sheds approved by ARC prior to 2-1-14 are permitted to remain in place, but if not in the location described in this document, they must be shielded from view .
3. **Exterior cladding:** The Building must be clad on all four sides with vinyl or Hardi-Plank siding that matches the existing home in color.
4. **Roof:** The roof of the building is to have a pitched gable roof with shingles that match the style and color of the home. The shingle is to have a minimum of three tabs and be an "Architectural" shingle.
5. **County Building Dept:** The shed structure must comply with any applicable County standards including rear and side yard setbacks.
6. **Doors:** The doors are to have a panel door, French lite panel door, or roll up panel door (garage type).
7. **Brick or masonry:** The shed structure need not be constructed with brick or masonry cladding.
8. **Prefab sheds:** Metal or plywood sheds are not permitted (including pre-fab types).
9. **Foundations:** The shed structure must be tied down and placed on a 4" concrete slab and include proper drainage and landscaping. Where grade is sloping, the owner may utilize concrete piers of varying heights to support the building.
10. **Doghouses:** All doghouses exceeding 5 feet in height or 6 square ft. require ARC approval. The proposed doghouse must be compatible with the applicant's house color and material. It must be located in the back yard so as to be visibly unobtrusive as possible. It is subject to all maintenance requirements of the house.

B. Fences: (also see Section 7.15 (CC&R's))

In general, the Architectural Review Committee encourages owners to use **electric invisible fences** for pets if at all possible to maintain the free-flowing nature of the original development.

Impact of fences on the community: Deteriorated, weathered, and improperly maintained fences can strongly impact the visual appearance of the entire community and can adversely affect property values if tight standards are not maintained. Wooden fences are additions that are less permanent than the building structures and subsequently require additional guidelines for design, construction and maintenance. To be approved, all homeowner fence submissions must meet defined CC&R and ARC requirements including construction, style, materials and maintenance schedule. Section 7.15 "Fences," states the basic requirements:

Additional ARC guidelines and recommendations regarding fencing are the following:

1. **Homeowner's decision to build:** If the decision to build a fence is made, the committee asks owners to consider the costs of longevity and maintenance of their selection. Wood fences are generally less expensive to install, but are very expensive to stain and maintain.
2. **Types of fences:** After intensive study, the Architectural Committee feels that limiting the type and design of homeowner installed fencing will eliminate the growing cluttered appearance and maintain the design

integrity of the community. The committee has selected three types of fencing which they feel offers sufficient variety to the homeowners; 1) black aluminum and wrought iron picket fencing, considered “permanent,” 2) white vinyl fencing, also considered “permanent,” and 3) a few limited wood fence designs which are evaluated as being “less permanent” and having a far shorter longevity. For reference, the attached design idea sheets offer variations of the three types of required fence types. Home Depot and Lowe’s offer design ideas and installation instructions.

Note: The Architectural Committee does not wish to discourage fencing or landscape creativity beyond the basic designs included in these guidelines. If specific alternate open fence designs offering more elaborate configurations or different colors are being proposed, the architectural committee will review. In addition, the committee is always open to homeowners who have retained qualified design professionals.

3. Maintenance standard for fences:

- a. Wrought iron and aluminum fences:** Must be maintained in a straight and true position with welds intact, and painted or finished as required to keep their original appearance and to prevent rust and deterioration.
- b. Vinyl fences:** Must be maintained in a straight and true position and power washed frequently enough to keep their original appearance and prevent mold, mildew and discoloration.
- c. Wood fences:** Wood fences must be maintained in a straight and true position, stained with even color, free of discoloration, stains, fading and weathering. Staining of previously stained fences should be expected at a minimum of every 2-1/2 to 3 years or sooner if required (refer to ARC stain palette). Staining of previously unstained natural materials will be required as soon as weathering and discoloration commences, normally within the first year.

Stain colors: Behr Premium – Tugboat SC-141; Boot Hill Grey, SC-159; Wood Chip, SC-111.

Note: If semi-transparent stains are used in lieu of solid color stains, multiple coats may be required to meet the above wood fence standards.



Wood Chip



Tugboat



Boot Hill Gray

- 4. Chain link:** chain link fences are not permitted even through wooded areas. For exception, see Section 7.15 in the CCR’s.
- 5. Open fencing designs vs. solid:** As a general assessment, the Architectural Committee members feel that open fence designs are less obtrusive than solid designs. They are also less susceptible to wind damage and deformation (see fence exhibits).
- 6. Back to back fences:** These conditions can occur on mutual property lines on side or rear yards and require closer study by the ARC so that the community design integrity is maintained by not having a cluttered appearance with two differently designed fences, or fences with different materials next to each other. As a result, submissions will be judged for their compatibility. The ARC encourages the adjoining owners to agree on one fence design as both properties will be affected.
- 7. Fence location:** A fence may only incorporate side and rear yards. No front yard fences are allowed. No side yard fences may be erected on the front corners of the house and must be set back a minimum of 10 feet from the front corner (see diagrams “A” and “B”). Exemption: Houses with retaining wing walls in line with the front elevations (basement homes) are permitted to attach fences in line with the wing walls (see Diagram “B.”)
- 8. Fences on Corner lots:** The CCR’s state that the placement of fences on corner lots will be determined by the Architectural Review Committee. Because of the visual impact of long side yard fences on corner lots, and issues of safety at intersections, corner lots will be given special attention:

- a. **Sight lines:** No fence or landscaping is permitted to obstruct pedestrian or automobile views at intersections.
 - b. **Length of fence on Street elevation:** No length of fence along a road shall be permitted over 50 ft. without a landscaping “notch.” (See accompanying Diagram “B”). This length may be varied depending on the design.
 - c. **Setback from sidewalk property line:** Side yard fences must be set back a minimum of 25 feet from the center of the adjoining road due to the county easement. This distance equates to approximately 7 feet from back of the sidewalk. The areas from the fence to the sidewalk must be landscaped and maintained to the standards described in the Landscaping section of this document.
9. **Fence continuity:** Mixing fence designs is not permitted, as an example, wrought iron or vinyl in the front and wood in the side and rear.

C. Patios and decks

Location, dimensions and construction: Patios and decks are to be located in back yards. All decks must be constructed of decay resistant wood (e.g. redwood), or suitable synthetic products. Applications must include a site map showing the size of the deck or patio, location as it relates to the applicant’s house as well as adjacent houses and property lines. In addition any construction shall conform to County Building Dept. and any other applicable requirements.

ARC Review: The review of trellis’ and/or arbors as part of a fence, deck, or patio will be examined on a case-by-case basis by the ARC and should be incorporated into the design of the project being submitted.

D. Garbage Container Screening: (Section 7.13)

Garbage Container Screening: Your garbage container must be located or “Screened” so as to be concealed from view from neighboring streets and property, except on trash pick-up day. Section 7.13 of the CC&R’s states the following:

“All garbage cans, woodpiles, swimming pool pumps, filters and related equipment, and other similar items shall be located or screened so as to be concealed from view from neighboring streets and property. All rubbish, trash, and garbage shall be regularly removed and shall not be allowed to accumulate.”

There are a number of ways to accomplish the required screening. Following are three acceptable alternatives:

1. **Fence:** Placing your container behind an ARC approved privacy fence is an easy and aesthetic alternative. A solid fence for the small area required may be acceptable.
2. **Landscaping:** Added greenery to the yard can inexpensively screen your garbage container. The ARC has determined that landscape screening planted exclusively for the purposes of garbage container screening does not require prior written approval providing it does not alter the drainage plan of the lot or cause a sight impediment to neighboring lots.
3. **Garage:** Keeping garbage receptacles cans in the garage is an inexpensive solution that does not require ARC approval or notification.

E. Gardens and garden boxes:

Summer gardens can be enjoyable for homeowners, but can also cause aesthetic issues for the community. The following are guidelines for the installation and cultivation of vegetable gardens:

1. **Approval:** No vegetable garden shall be erected on any lot without ARC approval.
2. **Seasonal use:** The garden, including garden boxes, can only be used to grow vegetables from April 1 through October 31. Outside of this time, the plants, temporary fencing and boxes must be removed and the ground tilled unless concealed from street or neighbor view.
3. **Aesthetics and visibility:** The garden, including garden boxes, must be located behind the rear corners of the residence (see Diagrams “A” and B”), or should be concealed from the street and/or neighboring properties by fencing, hedges or other landscaping. Temporary wire fencing of welded wire mesh may be

used to keep out small animals. All fencing must be constructed to be as visually appealing as possible. (See diagram below).

4. **Location on Lot:** The garden must be located behind the rear corners of the house (See Diagrams "A" and "B" or should be concealed from the street and/or neighboring properties by fencing, hedges or other landscaping. The garden also cannot be placed on an easement.
5. **Height restrictions:** No plant in the garden should exceed 4 feet in height. Homeowners are instructed to not install plants that exceed this height or to prune the plants back to less than 4 feet.
6. **Maintenance:** Following ARC approval, proper maintenance of the vegetable garden must continue throughout the growing season permitted.



Recommended construction of vegetable garden fencing.

F. Recreational Equipment:

The location of recreational equipment on Lots is an aesthetic concern of the community. Section 7.21 of the CC&R's addresses this issue:

"No vegetable garden, hammock, statuary, play equipment (including, without limitation, basketball goals) or pool to be erected on any Lot may be located other than between the rear dwelling line and the rear lot line without prior consent of the ARC (Architectural Review Committee)."

Additional considerations and exceptions are the following:

1. **Permanent construction:** Permanent placement of any outdoor recreational equipment in the front of any Lot is prohibited.
2. **Exception for equipment in the front yard:** Recreational equipment can affect the visual aesthetic appreciation of the community. With one exception, recreational equipment is required to be in back yards. These uses include, but not limited to:
 - a. **Basketball goals:** Basketball goals are permitted to be placed at the back of driveways, as long as they are in good repair, are straight and without torn nets. If not in use for an extended period of time, basketball goals must be stored out of sight.
 - b. **Soccer nets:**
 - c. **Play structures:** Play structures must be located behind the rear corners of the house (See Diagrams "A" and "B" or should be concealed as much as possible from the street and/or neighboring properties by fencing, hedges or other landscaping. Play structures must be crafted in wood or recycled plastic. Metal tubing is prohibited. Canopies are preferred in earth-tone colors, if available from the manufacturer. Routine maintenance is required on the equipment to avoid blighted and unkempt look.
 - d. **Trampolines:** Trampolines must be installed in the area behind the rear corners of the residence (see Diagram "A" and "B.")
 - e. **Volleyball nets:**
 - f. **Inflatable pools:**

G. Landscaping:

Landscaping is extremely important regarding the aesthetic presentation of the subdivision. The general guidelines regarding landscaping are as follows:

1. **ARC approval:** All significant landscaping improvements need ARC approval. These include, but are not limited to, the installation of all landscape timbers, including non-ornamental and ornamental trees, stone walls or similar structures to be located in front yards.
2. **Tree removal:** No trees that are more than four inches in diameter at a point 12 inches above the ground shall be removed without ARC approval. Trees that are an imminent hazard to the dwelling or present a life-safety issue may be removed without approval, however, notification to the ARC would be appreciated.
3. **Railroad ties:** Railroad ties are prohibited.
4. **Maintenance:** All landscaping located on any Lot shall be properly maintained at all times by the Lot Owner. Growth of grasses in lawns must be properly maintained not to exceed four (4) inches in height. In an attempt to clarify and define proper maintenance, please use the following specifications:
 - a. **Grass height/disposal:** Grass will be trimmed away from sidewalks, curbs, building, planted areas and other obstacles. It is suggested that line trimmers, mechanical edger's and chemicals are employed to keep a neat, tidy appearance. Grass clippings shall be swept or blown clear of sidewalks, driveways and street. Grass and bush trimming shall not be discarded in a location that is visible from the street or adjacent neighbors.
 - b. **Weed removal:** Weed Removal is required from all planter beds and grass areas.
 - c. **Trimming:** Bush and Tree Pruning to natural form.
 - d. **Dead trees and foliage:** Dead Plants and dead trees must be removed.
 - e. **Mulch:** All mulched landscape beds should be covered with pine straw, mulch or decorative rocks and maintained as needed with no bare spots.
 - f. **Maintenance equipment:** Garden Maintenance Equipment – Lawn mowers, edger's, wheelbarrows, etc., may not be left out in view of other lots except when in use.
 - g. **Silt fences:** Silt fences must be removed. Any continuing erosion problems on a property must be addressed by re-grading the property or by additional landscaping approved by the ARC or the county.
 - h. **Sidewalks and driveways:** The ARC suggests that residents power wash sidewalks and driveways to avoid staining by dirt and mold.
 - i. **Seeded lawns:** Seeded lawn areas that are on the front or side of yards visible to the street must be sodded if they do not produce a proper lawn within 2 years.

H. Pools: Also, see CC&R Section 7.20.

Above ground pools are strictly prohibited within the property. In-ground pools must be approved by the ARC prior to construction. They also must conform to all County standards and be located between the rear corners of the houses (See Diagrams "A" and "B.")

I. Signage: (Also, see CC&R Section 7.3)

Section 7.3 restricts signs of any kind to be erected by an Owner or Occupant within the Community without prior approval from ARC. Reasonable and appropriate sign examples: For Sale, and Security Signs.

J. Antennas: (Also, see CC&R Section 7.9)

Unsightly antennas are also important consideration in regard to the community's aesthetic appearance. The following general guidelines are:

1. **ARC approval:** No exterior antennas, receiving dishes or similar apparatus of any kind for receiving or transmitting of radio or television signals shall be placed, allowed or maintained upon any portion of the Community, including any Lot, without the prior written consent of the ARC.
2. **Size of dishes:** Dish cannot be larger than 40 inches in diameter. Most dishes range in size from 18" round to 36" x 22" oval.
3. **Location:** Satellite dishes should be installed in the least obtrusive location on the home and/or property and not on the front of roofs where they are visible. In addition, antennas should not be placed on the ground in front yards or in side yards, or placed on roofs on the front of homes where they can be easily viewed by the public.

4. **Solar panels/awnings:** No solar panels, trellises, or awnings will be permitted on the front of a home. Any application for one must include a description of what is intended to be installed and where it will be located.
5. **Wiring:** All wiring and materials associated with the antenna should also be concealed and as unobtrusive as possible. Every attempt should be made so as not to be visible from the street in front of the lot.

Exemption: If these specifications are complied with, homeowners do not need to submit approval to the ARC for DIRECTV and/or Dish Network. Otherwise, ARC approval is required.

K. Mailboxes: (Also, see CC&R Section 7.22)

The design of mailboxes is a consideration in regarding the aesthetic continuity of the community. The following guidelines are:

1. **Type approved:** Mailboxes and mailbox stands must be maintained in their original condition and may not be replaced with any box or stand of a different type or color as installed by the original Developers.
2. **Planting around mailboxes:** Planting around the base of a mailbox is allowed, provided that the guidelines for landscaping are followed.
3. **Color:** Mailboxes must be painted in the original color periodically to retain curb appeal

L. Tree Houses:

Tree houses are prohibited. The construction of such structures is not governed by the Dept. of Building and Safety regulations and is deemed inherently dangerous to children and others that use them.

M. Misc. Items:

Additional items requiring ARC approval are: Lawn Ornaments, decorations, outside lighting, signs and flags.

1. **Miscellaneous Items requiring Architectural Review Committee (ARC) approval:** These items include, but are not limited to:
 - a. **Significant lawn ornaments:**
 - b. **Outdoor lighting:**
 - c. **Signs:**
 - d. **Free-standing flag poles:**
 - e. **Lantern poles:**
 - f. **Fish ponds:** (Must conform to county standards).
 - g. **Driveway staining**
2. **Miscellaneous Items not requiring Architectural Review Committee (ARC) approval:** These items include, but are not limited to:
 - a. **Decorations including holiday decorations:**
 - b. **Landscape or accent lighting:**
 - c. **Wall mounted flags and lanterns:**
 - d. **Real estate for sale signs, garage sale signs, and yard sale signs:**
 - e. **Flood lights:**

Reasonable flood lighting on residence, landscaping or for security does not require ARC approval providing the light does not shine directly against neighbor's property.
3. **Christmas light removal:** Christmas lighting shall be removed by January 10.

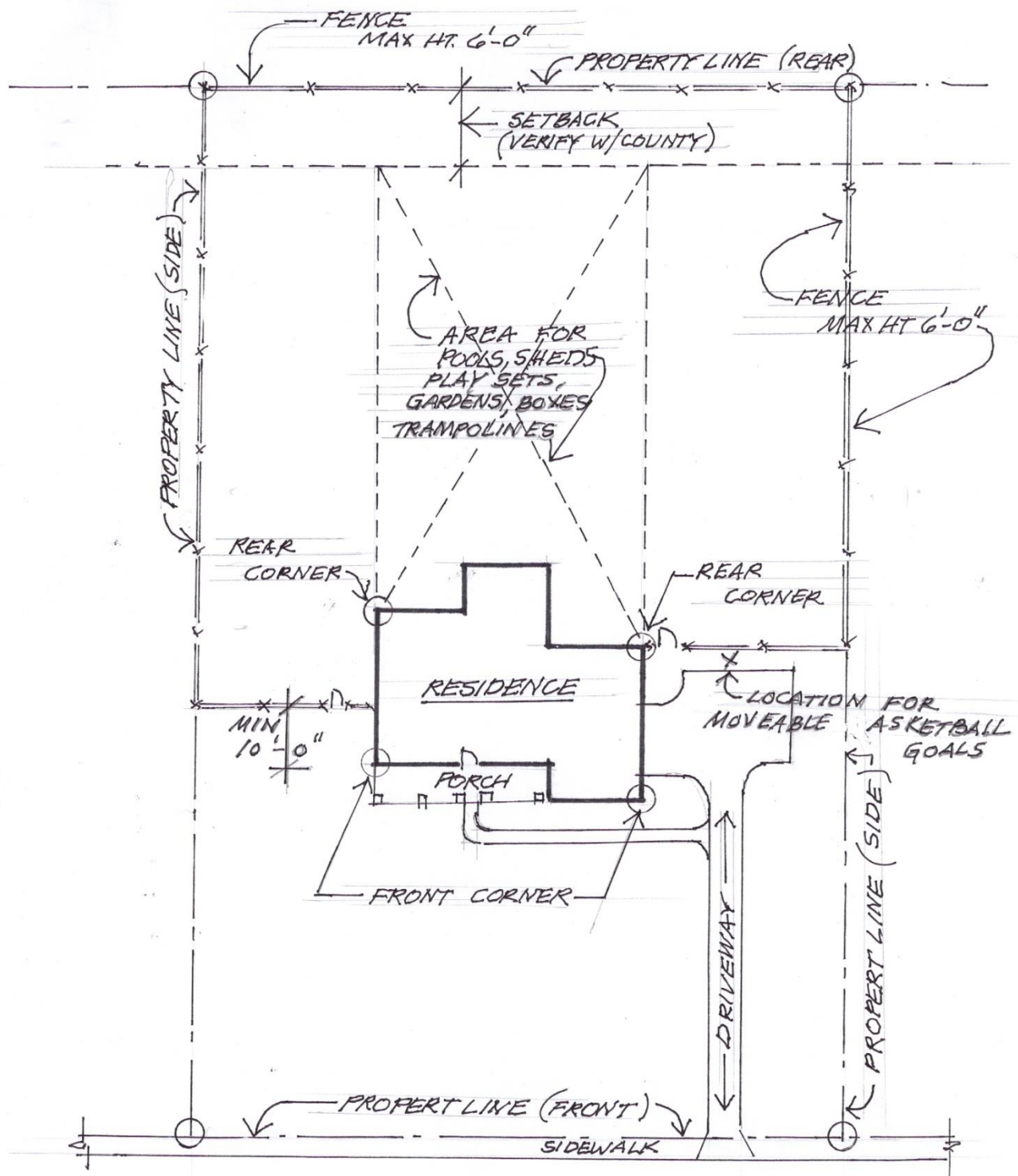
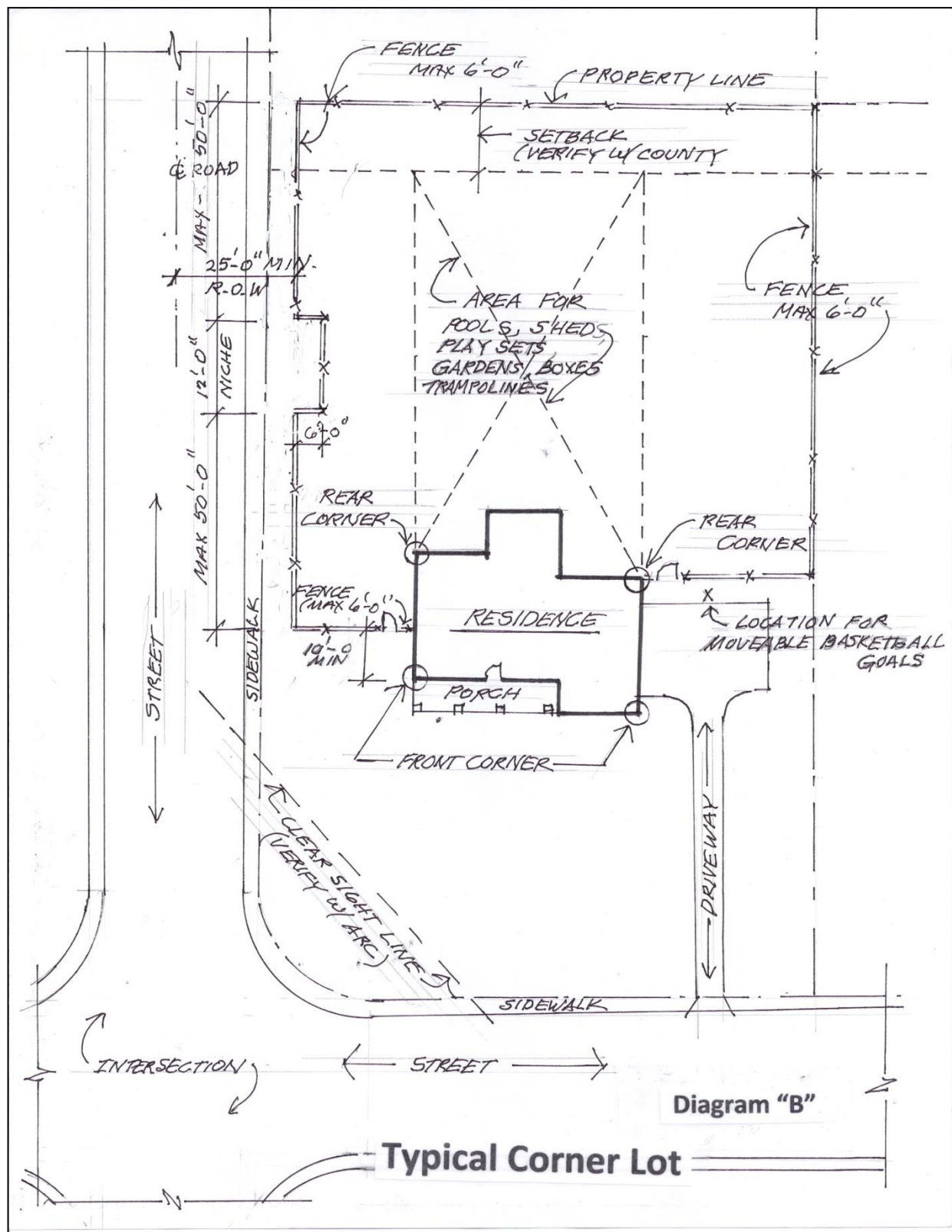


Diagram "A"

Typical Interior Lot



EXAMPLES OF WROUGHT IRON AND ALUMINUM FENCES



Figure 1: Three-bar with decorative post cap



Figure 2: Three-bar with decorative gate



Figure 3: Two-bar with filigree accent



Figure 4: Three-bar with decorative top

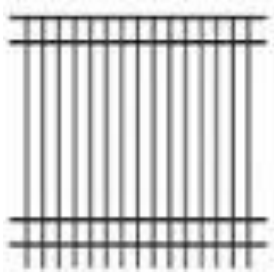


Figure 5: Four-bar



Figure 6: Typical gate

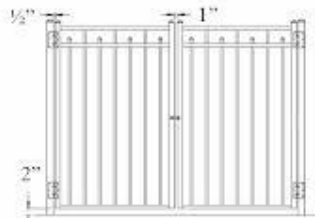


FIGURE 5

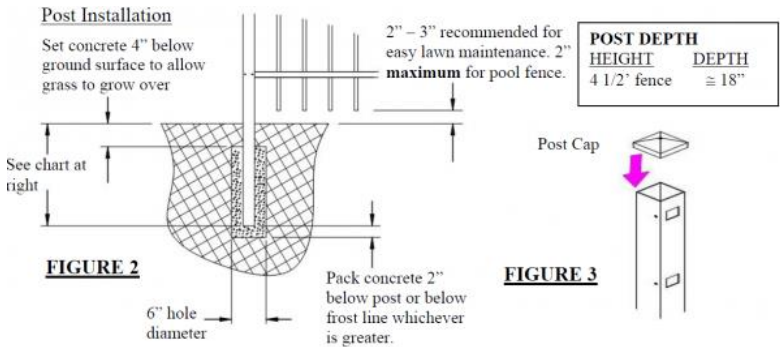


Figure 7: Schematic installation instructions (verify with manufacturer)

EXAMPLES OF WHITE VINYL FENCES



Figure 1: Three-rail with post cap



Figure 2: Three-rail with post caps conforming to grade



Figure 3: Three-rail picket - four-foot high



Figure 4: Three-rail open picket –six-foot high privacy fence



Figure 5: Cross buck fence with alternate interior view with mesh attached



Figure 6: Cross buck fence - four-foot high



Figure 7: Combination masonry and vinyl with trellis – requires professional input

EXAMPLES OF WOODEN FENCES



Figure 1: Six-foot fence with decorative post cap; semi private; with landscaping niche



Figure 2: Four-rail fence; conforms to grade



Figure 3: Two-rail picket - four-foot high



Figure 4: Cross buck, four-foot high fence; conforms to grade



Figure 5: Wood cross buck fence at corner

Crossbuck 4ft High X 8ft Wide

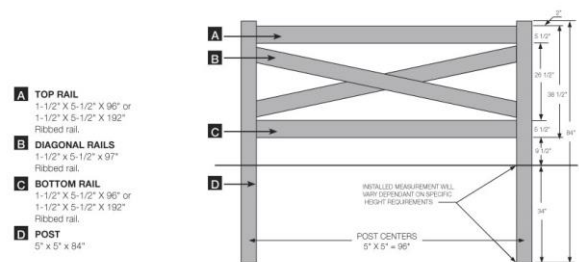


Figure 6: Cross buck fence – schematic



Figure 7: Six-foot high with decorative caps, semi-private



Figure 8: 42" high picket

WOOD FENCE MAINTENANCE ISSUES



Figure 1: Homeowner staining picket fence by hand.



Figure 2: Painter staining fence; blotchy application



Figure 3: Spray painting open picket fence; as time consuming as staining



Figure 4: Do-it-yourself hand painting; laborious



Figure 5: Example of how wood stains and deteriorates



Figure 6: Example of how wood stains and deteriorates



Figure 7: Fence requiring extensive refurbishment;