

WhiteHawk Community Association

LANDSCAPE GUIDELINES,

MODIFICATION GUIDELINES

MAINTENANCE RULES & REGULATIONS

TABLE OF CONTENTS

(To be edited once corrections are made)

INTRODUCTION

Purpose of the Modification Guidelines	4
The Architectural Review Committee	5
Limitation of Responsibilities	5

APPLICATION PROCEDURE 6

GUIDELINES FOR MODIFICATION AND MISCELLANEOUS STRUCTURES

Exterior House Standards

Fences	10
Retaining Walls	10
Decks	10
Painting	10
Roofing	11
Attached Structures and Additions	11
Storm Windows and Doors	11
Awnings	12
Window Boxes	12
Driveways	12
Parking Pads	12
Patios/Walkways	13
Patio Covers & Trellises	13
Detached Buildings	13
Mailbox/Mailbox Post	13

Landscaping Items

Tree Removal	13
Gazebos	13
Water Features/Ponds	14
Exterior Lighting	14
Exterior Decorative Objects	14
Clotheslines	14
Vegetable/Garden Plots	14
Woodpile, Air Conditioning Units, Garbage Cans/Recycle Bins	15

Recreational Equipment

Pools and Hot Tubs	15
In-Ground Pools	15
Play Houses/Tree Houses	16
Play Equipment	16
Basketball Goals	16

Miscellaneous Items	
Dog Houses	17
Pet Management	17
Parking	18
Plants and Flowerpots	18
Front Porch/Stoops	18
Storage and Garden Sheds	18
Holiday Decorations	18
Flags	19
Artificial Vegetation/Exterior Sculptures	19
Signage	19
Spirit Signs	19
Satellite Dishes	20
 LANDSCAPE GUIDELINES	
Landscaping	21
Mulching	21
Edging	21
Landscaping Standards	21
Landscape Beds/Trees/Bushes	22
 MAINTENANCE RULES AND REGULATIONS	
Exterior Maintenance	22
Acceptable Storm Water Control Practices	22
Acceptable Landscape Maintenance Practices	22
Debris	23
Basketball Goal Maintenance	23
Mailbox & Post Maintenance	23
 EXHIBIT “A” FENCE GUIDELINES	24
 SATELLITE DISH INSTALLATION FORM	26
 REQUEST FOR MODIFICATION REVIEW FORM	27

PURPOSE OF THE DESIGN GUIDELINE

These Design Guidelines for WhiteHawk provide an overall framework and a comprehensive set of standards to allow the community to develop and progress in an orderly and cohesive manner.

They establish criteria for architectural design and style, site improvements and type of landscaping required.

The Design Guidelines also establish a process for review of proposed construction and modification of existing structures to ensure that all sites within WhiteHawk will be developed with the consistency and quality that continues to attract people to this community.

If any local government ordinance, building code or regulation requires a more restrictive standard than the standards set forth in these Design Guidelines or the Declaration of Covenants, Conditions, and Restrictions (the Declaration), the local government standards shall prevail. If any government standard is less restrictive than these Design Guidelines or the Declaration, the Declaration and Design Guidelines (in that order) shall prevail.

The Design Guidelines may be changed and amended to serve the needs of an evolving community, as set forth in the Declaration and in these Guidelines.

In summary, the objective of these Design Guidelines is to create the architectural and site planning statement to make WhiteHawk truly a great place for its residents. This basic guide to standards in design, construction and environmental management will make it easy for you, the homeowner to understand how your participation may influence the course of our planned community.

THE ARCHITECTURAL REVIEW COMMITTEE

One of the most effective methods of assuring protection of the community lifestyle and individual property values is through the establishment of high standards of design review. Property owners are legally bound by the Declaration and these Design Guidelines.

To that end, no construction activity (including staking, clearing and grading), no leveling, accessory building, fences, walls, or other structures of any kind shall be erected, placed, or altered on any lot within the community until the proposed building plans, elevations, specifications, exterior colors or finishes, site plans, and construction schedules shall have been approved in writing by the appropriate committee as described below.

Architectural Review Committee

The Architectural Review Committee (ARC) has exclusive jurisdiction over modifications, additions, and alterations made to structures and landscaping on lots. After the structures and landscaping have been completed on a lot according to the approved plans, the ARC shall review all proposed changes to the exterior of the structure and the lot. The ARC will also have the authority to change standards and procedures, consistent with those of these Design Guidelines.

LIMITATIONS OF RESPONSIBILITIES

The primary goal of the Architectural Review Committee is to review the application, plans, specifications, materials, and samples submitted and to determine if the proposed alteration conforms in appearance and construction criteria with the standards and policy as set forth by the Committee. The Committee does not assume responsibility for the following:

1. The structural adequacy, capacity or safety features of the proposed improvement or structure.
2. Soil erosion, not compacted or unstable soil conditions, or site/drainage elevations.
3. Compliance with any of all building codes, safety requirements, governmental laws, regulations or ordinances.
4. Performance or quality of work of any contractor.

APPLICATION PROCEDURE

General Instructions

Step 1 - Submitting Request for Modification Review

*No work may begin on the modification requested until the homeowner receives written approval from the **Architectural Review Committee (ARC)**. The Property Manager will mail the approval to the homeowner.*

Submission for modifications must include:

- Request For Modification Review, completed in full and signed by the homeowner
- Three copies of all supporting documentation required for a review and decision by the ARC. As applicable to the request, support must include:
 1. Complete plans and specifications with materials list to scale showing the floor plans and roof plans and all front, rear and side elevations.
 2. Exterior finish schedule indicating roofing materials and other exterior materials finishes and textures (may be noted on architectural plans). Exterior color schedule, indicating paint colors, roofing colors, stucco colors, brick and mortar selections, and trim colors. The homeowner must submit samples of all of the above applicable selections.
 3. Site plans in an approved format (1" = 20') showing the location of all existing and proposed structures, building setback lines, driveways, walks, retaining walls and open space, clearly drawn to scale.
 4. Landscaping plans (1" = 20') showing location of all existing and proposed structures, building setback lines, driveways, walks, retaining walls, grassed areas, natural areas, plant locations, plant species, plant sizes, drainage structures.

Homeowners should submit photocopies of all plans and documentation. All submitted plans become the property of the ARC and will not be returned, but filed for future reference and verification.

All documentation including architectural drawings, photographs, property survey showing improvements, and description of materials should be mailed to our property management:

ShaBen and Associations
Managing Agents for WhiteHawk Community Association
P.O. Box 3189
Suwanee, Georgia 30024

Step 2 - On-Site Review Process

The purpose of the on-site review is for the Architectural Review Committee representatives to assess the impact the request may have to neighbors, and the general quality of the community. The on-site visit is usually brief (5-20 minutes) with limited homeowner involvement required. However, we recommend that a homeowner be available to answer questions for more complex plans submitted and to help expedite the approval process.

Step 3 - Decision Process

Upon completion of the on-site review, the ARC will respond to the request with one of three decisions:

- Request Approved as Presented
- Request Approved with Conditions
- Request Not Approved as Presented

The Property Manager will contact the homeowner in writing with the decision, including an explanation of the decision if required.

- **Request Approved as Presented** - The plan was accepted as documented and the homeowner can begin the requested changes immediately. All work must be done in accordance with the plans as approved by the ARC. *Any variances to the approved plan require another Request for Modification Review be submitted for approval.*
- **Request Approved with Conditions** - The plan was accepted with specific conditions provided. The homeowner should review the conditions and, if in agreement, can begin the requested changes immediately. If the homeowner is not in agreement with the conditions required, the owner may re-submit revised plans.
- **Request Not Approved as Presented** - If the plan was not approved, an explanation will be provided. In many cases, the ARC will recommend one or more alternative solutions. If the homeowner is receptive to one of these solutions, they must submit a letter and a copy of the denied request to the ARC detailing their agreement with the proposed solution selected. The ARC must approve the homeowner's plan before the homeowner can proceed with their request.
- **Committee reserves the right to require additional screening to any completed project.**

Once the Architectural Review Committee formally approves plans in writing, the homeowner can begin work on the improvements or alterations immediately upon posting the issued permit in a front window of the dwelling. ***Work on all approved modification requests must begin within 6 months of written approval date and must be substantially completed within 90 days of start of work.***

Non-Compliance/Violation Fines

Violations are brought to the attention of WhiteHawk Community Association's Management Company. This may be accomplished either by periodic visual inspections by a management company representative, or reported to the management company by other subdivision residents. In the event of a violation:

- Homeowner will receive a Courtesy Notice from the management company that will state the violation and necessary corrective action, and the deadline for correction.
- If the initial letter is not successful, a second letter will be sent by the management company, restating the violation and corrective action required, and giving the homeowner 10 days from the date of the letter to correct the violation.
- Should the homeowner not comply with either of the above requests, a third letter will be sent notifying the homeowner of the next actions to be taken by the Association:
 - a. Certified notice will be sent stating the date fines will begin and the violation will be remanded to the Association's attorney for mediation. The Certified Notice will also notify the homeowner that they have 10 days from the date of the letter to request a hearing with the Board of Directors to contest the violation and that failure to do so will void any rights to contest assessed fines.
 - b. Should all attempts to compel compliance fail, the violation will be referred to the Association's legal counsel for dispute resolution as required by the Declaration of Covenants, Conditions and Restrictions for Habersham on Laurel Springs Homeowners Association.

In the case of a major violation (unapproved exterior modifications currently underway, a dangerous situation, etc.), the first action will be the Certified Notice from the Association, followed immediately by legal action to obtain a temporary restraining order (this type of violation does not require arbitration).

Disclaimers

Approval of any Structure by the Architectural Review Committee is in no way a certification that the Structure has been built in accordance with any governmental rules or that the Structure complies with sound building practices. Homeowners are required by law to obtain a building permit for all new construction. For information on obtaining a building permit in Gwinnett County, contact County Planning at 678-518-6020.

The Guidelines set forth herein have not been reviewed for engineering or structural design or quality of materials. In fact, it is very likely that certain standards have been adopted solely on the basis of aesthetic consideration. Therefore, no one should use or

rely upon these Design Standards as standards for structural integrity or soundness of design for any construction or modification of a Structure or for ensuring compliance of any activity or construction with building codes, zoning regulations and other governmental requirements. These things must be determined by, and are the sole responsibility of, each Homeowner within the community.

Please remember that, like the Guidelines, plans and specifications are not reviewed for engineering or structural design or quality of materials. By approving such plans and specifications, neither the Architectural Review Committee, the members thereof, nor the Association assumes any liability or responsibility therefore, or for any defect in any Structure constructed from such plans and specifications.

Neither the Association, the Architectural Review Committee, the Board, nor the officers, members, employees and agents of any of them shall be liable in damages to anyone submitting plans and specifications to any of them for approval, or to any Owner of property affected by the Declaration by reason of mistake in judgment, negligence, or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve or disapprove any such plans or specifications.

It is the sole responsibility of the homeowner to ensure that structures are safe. Approval of any type of structure, including children's play sets, by the Architectural Review Committee is in no way a guarantee of the safety of individuals on the equipment.

In accordance with the Covenants, every person submitting plans or specifications and every Homeowner agrees that they will not bring any action or suit against the Association, the Architectural Review Committee, the Board or the officers, directors, members, employees and agents of any of them for damages or otherwise.

GUIDELINES FOR MODIFICATION & MISCELLANEOUS STRUCTURES

EXTERIOR HOUSE STANDARDS

Fences

All fences must be specifically approved in writing by the Architectural Review Committee for both design and location prior to being constructed or installed. Approved fence designs shall be as shown in Exhibit “A”. Fence locations are generally approved to be to the rear of the house and to the property lines or directly behind the house. Exception to these guidelines may be made to avoid utility meters, air conditioning equipment, trees, and severe slopes and to enclose basement doors. Corner lot fence in the street side yard shall be no closer to the street than the building line, no closer to the street than the front of the house on the adjoining lot and may be required to be screened with landscaping. Fences are not allowed in buffers or landscape easements.

Retaining Walls

Retaining walls that attach to the residence and are visible from any street should utilize the same materials as the residence they adjoin. Cross-tie and landscape timber walls may be used if set apart from the residence and if to the rear of the house. Walls must not interfere with the flow of storm water in easements. It is recommended that retaining walls not cross easements.

Decks

A Request for Modification Review must be submitted for all decks, including extensions and alterations. The Request for Modification Review must include a site plan denoting location, dimensions, materials and color. The following areas will be reviewed:

- a. Location, size, conformity with the design of the house, relationship to neighboring dwellings and proposed use.
- b. Materials to be used. Materials must be cedar, cypress, or No 2 grade (or better) pressure treated pine. Trex and similar materials will be considered.
- c. The deck must not extend past the sidelines of the house.
- d. The color must be natural or neutral, unless the pre-approved color scheme is utilized (rails, pickets and underpinning the same color as the trim on the home and the deck floor a color complimentary to the house body color). Vertical supports for wood decks must be a minimum of 6 x 6-inch wood posts or painted metal poles (black) or stacked brick to match the house.
- e. Owners are advised that a building permit is required for decks.

Painting

Any change to the exterior color of the house including, but not limited to doors, shutters, gutters, trim, garage doors, brick and siding must be approved by the Architectural Review Committee. Repainting requires prior written approval only if the color is changed. ***If repainting with no color change, it is the homeowners' responsibility to***

ensure that the repaint color is exactly the same color and shade as the one previously used. A paint color change requires the following information:

- a. Paint sample chip, with the manufacturer's name and color number. At the discretion of the ARC, the homeowner may be required to paint a small sample of the house with the color change, if the color change is significant.
- b. All trim must be the same color, including exterior window and door trim. The garage door must be the same color as the trim, unless the theme of the house is such that the garage door may be painted in a different manner (i.e., carriage doors).
- c. Description of area of home to be repainted.
- d. Photograph of your home and homes on either side (adjacent homes cannot be painted the same color.)

Roofing

New roofs shall follow the same style and color standard originally installed by the builder. The roof shall include at least a 20-year shingle warranty and all exceptions must be approved by the Architectural Review Committee.

Attached Structures and Additions

Attached structures and additions must be designed and constructed to be compatible with the existing house. A Request for Modification Review must be submitted for all attached structures and additions.

Storm Windows & Doors

Any alterations to the exterior of the house including but not limited to, doors, shutters, gutters, trim and exterior siding, must be approved by the Architectural Review Committee. Storm windows and doors must be made of aluminum with baked enamel finish to match the surrounding trim. Storm doors may be made of wood painted to match the surrounding trim. The Request for Modification Review must contain the following information:

- a. Picture or drawing of all windows/doors on which storm windows/doors will be installed.
- b. Picture depicting the style of storm window/door which will be installed.
- c. Color

Leaded glass doors may be permitted in the front of the house when approved by the Architectural Review Committee. Stained glass windows are not permitted in doors or windows that are in the front of the house. Requests for these items in the back or side of the home must be submitted to the Architectural Review Committee, which will make a decision based on the impact to surrounding houses.

Window treatments should have a uniform, neutrally colored, neat appearance as viewed from the street. Standard window treatments (not sheets) must be used for window coverings.

Awnings

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

- a. A picture or drawing of all window/doors on which awnings will be installed and their location (back or side – generally, awnings are not allowed on the front of the home):
- b. A picture depicting style of awning to be installed; and
- c. Color samples and materials list.

Window boxes

A Request for Modification Review must be submitted for all window boxes. Window boxes should be kept planted with healthy plants appropriate to the location. Artificial vegetation is not permitted in window boxes.

Driveways

All driveways should be natural concrete or as originally installed. Any alterations such as but not limited to brick, stone, stamping, or painting must submit a Request for Modification Review.

Parking Pads

Parking Pads are discouraged and must be approved. Parking Pads must be behind the front corner of the garage and must be screened from adjacent houses with landscaping.

Patios/Walkways

A Request for Modification Review must be submitted for patios, walkways, patio covers, trellises, permanent seating, railing and other items. The following guidelines are suggested for a patio submittal:

- a. The patio is not be used as a permanent basketball court
- b. The patio is not more than 750 square feet
- c. The patio is screened with fencing and/or landscaping from the neighboring homes
- d. The patio/walkway is located in the rear yard
- e. The patio/walkway does not extend beyond the sidelines of the house
- f. The patio/walkway does not extend to within 10 feet of side or rear property lines
- g. The patio/walkway's elevation above ground at any point does not exceed 6 inches for patios and 4 inches for walkways

Patio Covers & Trellises

Patio covers & trellises should be constructed of cedar, redwood or pressure treated pine and should be finished to match the trim of the house or in harmony with the surroundings, and shall be detailed to be compatible with the design of the house. Patio covers and trellises should be installed behind out of view from the street unless otherwise approved

Detached Buildings

A Request for Modification Review must be submitted for all detached buildings. Detached buildings are discouraged.

Mailbox/Mailbox Post

Mailboxes, street numbers, and posts must be the same standard size, color and design as those installed by the developer, and shall be kept in good, neat repair. House numbers should be on both sides of mailbox post and should be in keeping with those originally installed. To replace missing or damaged parts, please call the property manager who can direct you to where the original box was purchased.

LANDSCAPE ITEMS

Tree removal

No trees that are more than four (4) inches in diameter at a point two (2) feet above the ground shall be removed without prior consent of the Architectural Review Committee. No approval is needed for removal of any trees that are diseased or located within ten (10) feet of a drainage area, a sidewalk, a residence or a driveway.

Gwinnett County Zoning - Trees (14-307) – Dead trees shall not be allowed to exist or to be maintained on any premises which are hazardous to persons on adjacent property or to adjacent property. A finding by a registered forester or certified arborist shall constitute prima-facie evidence that a tree is in danger of falling upon adjacent lots or public streets due to the death of the tree. **Tree Stumps** greater than 12 inches in height above ground level shall not be permitted or maintained on any premises for more than fourteen days after the tree has been cut. **Tree debris** Felled trees, slash, or removed tree limbs shall not be permitted or maintained on the ground on any premises for more than fourteen days. Cut wood which is neatly stacked in lengths not to exceed three (3) feet and which is stored in a side or rear yard is exempt.

Gazebos

Gazebos are allowed but must be specifically approved by Architectural Review Committee. The Request for Modification Review must include a site plan denoting location, dimensions, materials and color. The following areas will be reviewed:

- Location, size, conformity with the design of the house, relationship to neighboring dwellings, and proposed use.

- Materials to be used: Materials must be cedar, cypress, or No. 2 grade (or better) pressure treated pine. In most cases, building material must match or complement the existing materials used on the house and deck.
- Gazebos must be placed between the sidelines of the house, and within the rear yard.
- Gazebos require a building permit.
- Color must be natural or stained to blend in with the natural surroundings.

Water Features/Ponds

Water features/Ponds must be approved in advance. Requests should include detailed plans with a materials list and a photo or brochure of proposed completed project.

Exterior Lighting

A Request for Modification Review must be submitted for all exterior lighting. Exterior lighting is generally acceptable as follows: utility/security lighting will normally be approved if installed in the soffit and to the rear of the front corners of the house and directed away from the street and adjoining properties. Carriage type pole lights may be approved within the building lines. Minimum accent lighting will be considered. All accent lights must be maintained in good, neat condition, perpendicular to the ground.

Exterior Decorative Objects

The Declaration of Covenants requires Architectural Review Committee approval before any object or thing is erected or placed upon a lot. The Architectural Review Committee thus has authority to regulate the objects with this Guideline.

A Request for Modification Review must be submitted and approved for all exterior decorative objects, both natural and manmade. Exterior objects include items such as birdbaths, bird feeders, bridges, wagon wheels, sculptures, fountains, pools, antennas, benches and porch swings, flower pots, free standing poles of all types, flag poles, and items attached to approved structures. Objects will be evaluated on criteria such as sighting, proportion, color and appropriateness to surrounding environment.

Clotheslines

Clotheslines of any type are prohibited.

Vegetable Garden Plots

A Request for Modification Review is not required for garden plots if all of the following are met:

- a. The plot is located behind the rear line and within the side lines of the house and screened so as to minimize the visual impact on adjacent properties or from the street;
- b. The size of the plot is limited to 150 square feet; and
- c. The maximum height of plants, at full growth, is less than four (4') feet.

All garden plots must be located behind the house and within the sidelines of the house, with the exception of houses on lots at angles and houses on corner lots. These will be considered on an individual basis and a Request For Modification Review must be submitted.

All garden plots must be cleared at the completion of the growing season.

Woodpiles, Air Conditioning Units & Garbage Cans/Recycle Bins

Woodpiles and garbage cans/recycle bins must be screened from view from all adjacent properties and streets. Window air conditioning units are prohibited. All garden hoses when not in use shall be located or screened so as to conceal from view of neighboring lots or streets. Each homeowner must make an attempt to conceal hoses from view.

RECREATION EQUIPMENT

Pool & Hot Tubs

- All spas and hot tubs require a Request for Modification Review.
- A building permit is required.
- Spas must meet all County and State regulations and codes.
- A cover must be in place at all times when not in use.

Every attempt shall be made to conceal the spa or hot tub from view of neighboring lots and streets, utilizing appropriate landscaping, lattice work, etc. Plans for screening shall be part of the Request for Modification Review.

Pools & hot tubs shall be located directly behind the house with the edge of the water no closer to the property line than 20 feet. All equipment must be within the fence, which also must be approved. A minimum of 10 feet off the property lines and located and screened so as not to be a nuisance. Above ground pools and inflatable bubbles are prohibited.

In-Ground Pools

This guideline represents minimum requirements. Compliance with all governing building codes and regulation is also required.

- A building permit is required
- In ground pools must meet all County and State regulations and codes and must be built to NSPI specifications
- A Request for Modification Review must be submitted for all in ground pools
 - a. Appearance, height, and detailing of all retaining walls must be consistent with the architectural standards of the house. Some terracing is acceptable.
 - b. Glaring light sources, which can be seen from neighboring lots may not be used.
 - c. A separate landscape plan must be provided with the Request for Modification Review.

- All drawings, specifications, and data shall be prepared by a design professional and shall bear the registration stamp and number of said person, or a pool contractor who has passed examination approved by the Gwinnett County Health Department

Play Houses/Tree Houses

A Request for Modification Review must be submitted for all play houses. Tree houses are not permitted. The following guidelines apply:

- a. Play houses must be located where they will have minimum visual impact on adjacent properties
- b. In most cases, materials used must match existing materials of the home.
- c. Play houses may not be larger than 100 square feet or 12 feet in total height.

Note: Play houses once approved must be maintained to preserve the approved décor.

Play Equipment

A Request for Modification Review must be submitted for all play equipment. The following guidelines apply:

- a. The play equipment shall be located in the rear yard and within the extended sidelines of the house;
- b. The play equipment shall be located within a screened fence area of the rear of the house, located a minimum of 10' off all property lines and screened from view from the street.
- c. The play equipment shall be sized and located such that it will have minimal impact on adjacent properties.

All play equipment, exclusive of wearing surfaces (slide poles, climbing rungs, swing seats, etc.) will generally be required to be painted or stained to blend into the surrounding environment (earth tone colors, such as dark green or brown). Metal play sets are prohibited. Roofs are to be dark green canvas or natural wood. All play equipment shall be maintained neatly (kept painted, stained, etc.)

Skateboarding ramps, baseball backstops, batting cages and similar structures may be erected only when in use, outside the extended sidelines of the house. When not in use, they must be hidden from view from the street. In addition, if such structures are used in the street, they must be removed when not in use.

Basketball Goals

A Request for Modification Review must be submitted for Basketball Goals. Basketball Goals must be mounted on a clear backboard with black trim and a black pole. Normally locations will be approved only if behind the front corners of the house. Basketball goals must be maintained in good order.

Gwinnett County Zoning - Basketball Goals (ZR600) – No accessory structure (including basketball goals), except driveways, mailboxes, or landscaping shall be located within a public right-of-way.

MISCELLANEOUS ITEMS

Dog Houses

A Request for Modification Review must be submitted for all doghouses. All doghouses must be located where they will have minimum visual impact on adjacent properties or from the street. Construction type, size, and exterior colors/materials will be specific criteria governing approval.

Pet Management

No pet is allowed off a homeowner's property without a leash that has a person attached to it. This is a Gwinnett County Ordinance. Conflicts in regard to loose or stray animals shall be directed to Gwinnett County Animal Control at 770-339-3200.

Prolonged barking by dogs can become a nuisance. This should be handled through Gwinnett County Animal Control at 770-339-3200.

As a courtesy to neighbors, pet owners are responsible for cleaning up their pet droppings while walking them in common areas or on other homeowners' property. Any conflicts are to be resolved by involved homeowners or Gwinnett County Animal Control.

Gwinnett County Zoning - Livestock (ZR1301.7) –The raising and keeping of livestock (goats, sheep, horses, cattle, swine, chicken, roosters, hens, ducks, geese, mink, and foxes) for personal pleasure or utility on a lot which contains the dwelling of the owner of the livestock is prohibited unless the parcel is zoned RA200 or the lot is at least three (3) acres in area.

Vehicles/Parking

- Homeowners are encouraged to keep vehicles in their garage and are requested to keep garage doors closed as much as possible when not in use.
- No vehicle may be parked on any yard.
- Parking of vehicles on the street is discouraged by WhiteHawk due to safety issues.
- No school bus, truck or commercial vehicle, house trailer, mobile home, motor home, RV, camper, habitable motor vehicle of any kind, boat or boat trailer, trailers of any kind, or like equipment, shall be permitted to be stored in open view on residential property for longer than a 24 hour period. Twenty-four hours is considered sufficient time to prepare the vehicle for storage or trip. The purpose of this guideline is to assure that the above vehicles will not be parked or stored in open view on residential property on a regular basis.
- Commercial vehicles regularly driven by a resident shall be parked in the garage when not in use.
- Passenger vehicles parked in open view and not in a garage must be operable, licensed, may not be unsightly, and must be driven on a regular basis. Stored vehicles should be parked in a closed garage, or off-site.

*No motorized vehicle shall be permitted on pathways or unpaved common property.

Gwinnett County Zoning - Off Street Parking (Yard Parking) (ZR1001.5) – In any residential district, the parking of any motor vehicle except on a hard-surfaced driveway

or in a carport or garage is prohibited. Any recreational vehicle or any non-motor vehicle may only be parked in a carport, enclosed structure, or in the rear yard on a paved surface (or approved porous or grassed paving system).

Gwinnet County Zoning - Junk Vehicles (14-304) – Junk vehicles shall not be kept, permitted, parked, stored or maintained on any premises or public right-of-way. A *Junk Vehicle* is defined as any vehicle, automobile, truck, van, trailer of any kind or type, or contrivance or part thereof which is wrecked, dismantled, partially dismantled, stripped, partially stripped, inoperative, abandoned, discarded, or kept parked, stored or maintained on any premises or public right-of-way without a current license plate and/or decal displayed on the vehicle. Junk vehicles, which are kept within a fully enclosed building on property in residential zoning districts provided the owner or occupant of the property is in the process of reconditioning the junk vehicle for personal use, are allowed. Junk Vehicles may be kept on property zoned for repairing, reconditioning, or remodeling provided that the junk vehicle are not stored for the purpose for salvage of parts, but are in continual process of repair, reconditioning, or remodeling.

Plants and Flower Pots

Front doors and entry decorations must be tasteful and in keeping with the style and colors of the house. Plants and flowerpots must always be neat and healthy. Flower pots shall be shaped as traditional flower pots or urns. Any other shape, animal or otherwise, is considered statuary, and cannot be placed on stoop or porch. Neatly maintained front porch flowerpots (**maximum of four**) that coordinate with the exterior home colors and containing evergreens/flowers do not require a Request for Modification Review. Artificial evergreens/flowers are prohibited. Additionally, a maximum of three pots may be placed in the area of the garage doors for a two-car garage and four pots for a three-car garage. **Flowerpots may only be placed on the front stoop or porch or on the driveway between garage doors.**

Front Porches/Stoops

A front porch is defined as an entry area that is fully covered by a roof and is larger than 4'x6'

Benches and chairs are permitted on front porches. They are *not permitted* on front stoops.

A stoop is a front entry area that is not covered by a roof and is equal to or smaller than 4'x6'

Furniture placed on front porches shall be of high quality, such as wood, wrought iron, or wicker, and colors and styles shall compliment the house. **Plastic or folding furniture is prohibited.** Statuary is not permitted on a front porch or a stoop.

Storage and Garden Sheds

Storage and garden sheds are allowed only after ARC approval. All sheds must be placed with little to no view from the street.

Holiday Decorations

Exterior Christmas Decorations may not be displayed before Thanksgiving and must be removed by January 10.

For all other Holidays, all decorations, including flags, may be displayed one week before the holiday and must be removed no later than one week after the holiday.

Flags

A Request For Modification Review is not required to be submitted for a single flag pole staff (one) attached to the front of the house or to the side of the house where the garage doors are located that will fly the American Flag.. All other flag poles/staffs require the submission of a Request for Modification Review. In addition, all flags (except the American flag) are subject to the review of the Committee/Board. Garden flags will only be approved if in the side or rear yards, out of view from the street.

Artificial Vegetation/Exterior Sculptures

No artificial vegetation shall be permitted on the exterior of any property. Exterior sculpture, fountains, flags and similar items must be submitted to the Architectural Committee for Approval.

Signage

In accordance with Declaration, no sign may be erected on any lot without prior written Architectural Review Committee approval except for:

- a. Signs required for legal proceedings
- b. One professionally lettered “For Sale” or “For Lease” sign per lot provided such sign is in good condition and has surface area of less than four square feet, and is consistent with the Community Wide Standard. The Board of Directors may require a standardized “For Sale” or “For Lease” sign.
- c. One burglar alarm yard sign per lot provided such sign is in good condition and has a surface area of less than 6 square inches.
- d. Garage sale signs will be permitted on the lot on which the sale is taking place during the hours of 5:00 pm Thursday through 5:00 pm Sunday.

Signs not meeting the above criteria must be first approved by the Architectural Review Committee.

Spirit Signs

Spirit Signs, Banners, or Flags such as for a school or any other seasonal team sport, such as soccer, baseball, etc. may be displayed on the day of the event, but not on a permanent basis. These signs shall not exceed four square feet. No signs may be installed in the County Right of Way, on the entry monuments or in Association landscaping. Any damage to landscaping or irrigation will be billed to the Lot owner. Neighborhoods are encouraged to purchase group banners. Graduation banners can be installed 2 weeks prior to graduation and must be removed within 2 weeks of graduation. All other spirit signs require submission of a Request for Modification Review.

Acceptable Antennae/Satellite Dishes

DBS and MMDS antennas one meter or less in diameter and television broadcast antennas may only be installed accordance with the Federal Communication Commission (FCC) rules, and such items shall be installed in the least conspicuous location which permits reception of an acceptable signal. A completed Notification Form for the Installation of DBS or MMDS Satellite Dish or Antenna shall be completed and submitted for all antennae. The following locations, in order of priority, are where such items should be installed:

- a. On the ground behind the main structure so the antenna is not visible from the street. The antenna shall be shielded to extent practical by low growing shrubs.
- b. Under cornice on the rear of the main structure so the antenna is not visible from the street.
- c. On the roof on the rear of the main structure so that the entire antenna is both below the highest point on the section of the roof that it is mounted and not visible from the street.
- d. On the side of the main structure least visible from the street. Mount as close to the rear of the main structure as possible. If both sides are equally visible, then the side from which the least traffic is likely to flow is defined as the least visible.

The antenna should be shielded to the extent practical by low growing shrubs. Under the cornice on the side of the main structure least visible from the street. Mount as close to the rear of the main structure as possible. If both sides are equally visible, then the side from which the least traffic is likely to flow is defined as the least visible.

LANDSCAPE GUIDELINES

Landscaping: With the exception of natural or undisturbed areas, front and side yards must be sodded with Bermuda grass, while the rear yard may be seeded fescue or zoysia, unless otherwise approved by the Architectural Review Committee. Any grasses other than that approved are weeds and must be treated, removed and prevented from recurring. Integrally designed planting beds with natural ground cover shall be considered as natural areas. Foundation plantings along all street-facing elevations are to be a minimum 3 gallon size plants for lower growing varieties, and a minimum 7 gallon size plants for larger growing varieties. Corner plants should be a minimum of 5-6 feet in height. Trees must be a minimum of 2" diameter at the time of planting. The Architectural Review Committee may require evergreens for screening on side entries. Artificial vegetation of any type is prohibited.

Mulching: All landscape beds must be covered with suitable mulch such as pine-straw, chopped pine bark mulch, wood mulch, etc. Rock, stone or pebbles are not considered suitable mulch and are not permitted.

Edging: The preferred landscape bed edging is a neat cut trench. Other edging, if used, must be flush with the ground and not be visible from the street. If visible edging/retaining edging is requested, only the exact color and material as the façade of the home/water table will be considered by the Architectural Review Committee.

Landscaping Standards:

- a. Each owner shall keep their lot and all improvements thereon in good order and repair, including, but not limited to, seeding, watering, fertilizing, regularly mowing grass, edging, controlling weeds, and pruning of trees and shrubbery.
- b. Each owner is responsible for removal of debris, weeds, clippings, etc from the property line to the center of the adjacent street. All planting areas shall be properly maintained at all time, after the first frost, all affected material shall be removed. The bare earth in landscape beds shall be covered with appropriate mulch to prevent erosion.
- c. The planting and/or other appropriate external care of all building, fences, and improvement shall be done in a manner with such frequency as is consistent with good property management and the precedent set in the surrounding community.
- d. Yard equipment stored outside the home must not be visible from streets and neighboring properties.
- e. A Request for Modification Review must be submitted for screen planting and property line planting. Requests must include a description of the types and sizes of trees or shrubs to be planted and a site plan showing the relationship of the plantings to the house and adjacent dwellings. No fence, wall, hedge, or shrub planting shall be placed or permitted to remain where it could create a sight problem for traffic on the road or at intersections.

Landscape Beds/Trees/Bushes

- a. Landscape Beds shall be maintained regularly with fresh pine straw or mulch, regularly mowed edged and weeded. All turf shall be regularly mowed, edged and kept free of weeds. Shrubs and ornamental trees shall be kept pruned.
- b. Landscaping shall relate to the existing terrain and natural features of the lot utilizing plant materials in harmony with the Community Wide Standard.
- c. Landscaping walls require Architectural Review Committee approval.

MAINTENANCE RULES AND REGULATIONS

Exterior Maintenance

Exterior surfaces such as walls, roofs, windows, and doors must be maintained in sound condition, for example, free from holes, loose and rotting materials, peeling and chipping paint, and broken windows and doors. Other exterior surfaces including decks, porches, balconies, fences, and walls must be maintained in good condition and structurally sound. Violations will be enforced under the Board's power to require owners to maintain under the Declaration.

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 the lot. Drainage disputes should be directed to Forsyth County Storm Water Department. Soil erosion shall be controlled.

Acceptable Landscaping Maintenance Practices

Landscaping shall be designed and installed so that it complements existing landscaping on the lot and on nearby lots. 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. Lot owners must keep landscaping (including tree branches) clear of sidewalks, street signs and street lights. Installation of aggressive spreading plant species at or near the property lines is prohibited.

- a. Mowing: All turf shall be mowed routinely to maintain a manicured appearance. Clippings (if minimal) should be blown back into the turf as mulch or bagged and properly disposed of. Clippings may not be left on streets, sidewalks or driveways and may not be blown into storm sewers.
- b. Weed control: Turf must be kept free from invasive grasses and weeds year-round. Concrete surfaces, including the joint between curb and street, should be kept free from weeds.
- c. Pruning: Shrubs and ornamental trees must be regularly pruned to prevent overgrowth and new growth "shoots". Shrubs in front of the home should not be allowed to grow taller than the lower window sill. Dead/dormant ornamentals should be removed.
- d. Mulching: All landscape beds must be covered with suitable mulch pinestraw, chopped pine bark mulch, wood mulch, etc. Rock, stone or pebbles are not considered suitable mulch and are not permitted.

- e. Edging: The preferred landscape bed edging is a neat cut trench. Mailbox posts, landscape beds, sidewalks, curbs and driveways shall be routinely edged to prevent long grass and “runners” and to give clear delineation.

Debris

Garbage cans shall be stored where they are not visible from the street and neighboring properties other than on applicable trash pick-up dates and shall be returned to proper storage within 24 hours of scheduled pick-up. Barbecue grills, wheelbarrows, lawn maintenance equipment or tools shall be properly stored and not visible from the street unless currently being used. Debris of any sort (including appliances, building materials, rubbish equipment, merchandise, and trash) is considered as prohibited outdoor storage. These items must be kept within a wholly enclosed building. Wholly enclosed buildings do not include porches or garages left open. Firewood must be stored out of view from the street.

Basketball Goal Maintenance

As a condition for approval, all 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.

Mail Box and Post Maintenance

As a condition to approve of a mailbox, the requesting homeowner and all successors to the homeowner’s property shall be responsible for the prompt and proper repair and maintenance for the original mailbox, house numbers and posts.

Exhibit “A”
FENCE GUIDELINES
APPROVED FENCE TYPES AND SPECIFICATIONS

WhiteHawk: - Type 1 – 6’ Dog Eared

Please note the existence of a fence that does not meet the guidelines does not mean that the same type of construction or installation will be approved for another lot.

Exhibit
“A” Guidelines

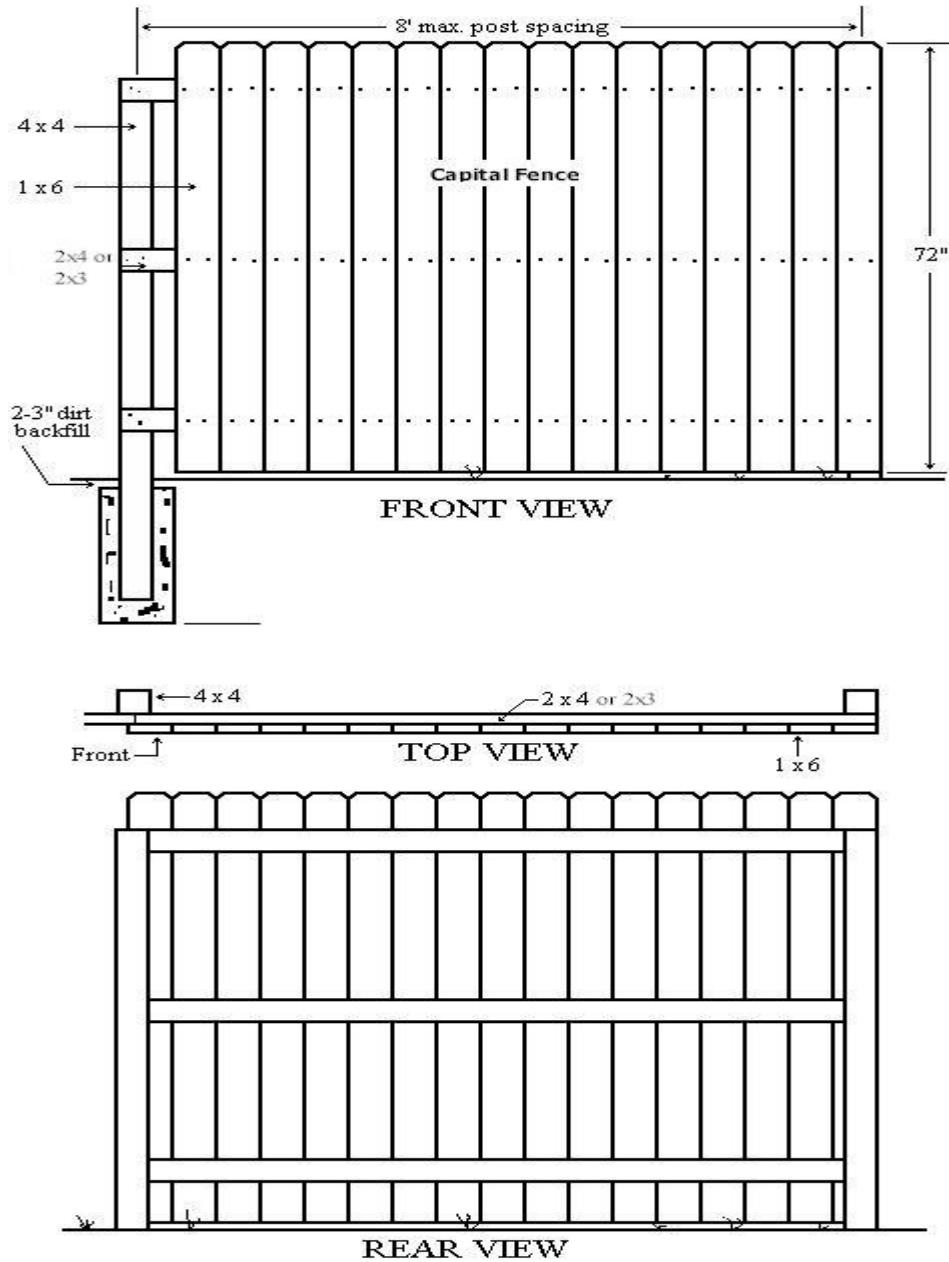
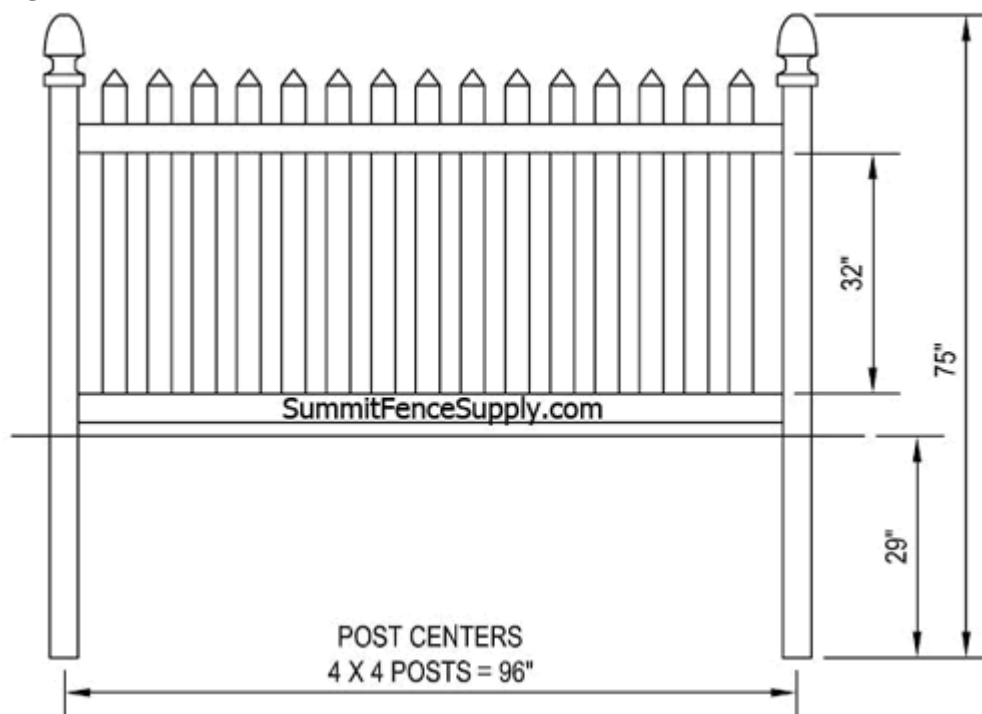


Figure 1 Dog-eared Fencing

Figure 2 - Picket Fence



NOTIFICATION FORM FOR THE INSTALLATION OF DBS OR MMDS SATELLITE DISH OR ANTENNA

NOTE: This form must be completed and returned prior to installation. Installation in a location that does not comply with the Design Guidelines requires A.R.C approval.

TO: A.R.C.

Date Received: _____

FROM: Owner's Name: _____

Address: _____

Phone (home): _____

Phone (work): _____

1. Type of satellite dish or antenna to be installed:

_____ DBS satellite dish 1 meter or smaller (e.g., Dish network, Direct TV)

_____ MMDS antenna (wireless cable) 1 meter or smaller (e.g. WANTV)

2. Installation will include a mast _____ No _____ Yes

If yes, total height of system, including mast is _____ inches.

3. Installation of the dish or antenna will be done by:

4. Does the location of the dish or antenna comply with the design guidelines? _____ Yes _____ No.

Describe on a separate/attached sheet of paper the exact location of the satellite dish or antenna and attach a diagram or drawing of the location. **If the satellite dish or antenna is not to be installed in a location that complies with the design guidelines, you must provide specific, written documentation as to why the pre-approved location is not acceptable and obtain ARC approval of the proposed alternate location.**

I acknowledge that I have read, understand and have complied with or will comply at all times with the Design Guidelines with respect to the installation of satellite dishes and antennas.

Signature _____ Date: _____

REQUEST FOR MODIFICATION REVIEW

NAME: _____ DATE: _____

ADDRESS: _____ PHONE: _____

CITY/ZIP: _____ WORK PHONE: _____

COMMUNITY: **WHITEHAWK** EMAIL ADDRESS: _____

Please provide the ARC with all the information necessary to evaluate the request thoroughly and quickly.

Requests must include, without limitation, the following information: site plan (including all dimensions), detailed description of request, list of materials, pictures (if applicable), and any other information as specifically required below or as required by the Covenants/Guidelines approved for the community.

DESCRIPTION OF MODIFICATION REQUESTED:

ESTIMATED START DATE: _____ ESTIMATED COMPLETION DATE: _____

Under each of the most common headings below, all the items listed must be submitted. Please refer to the Guidelines for other necessary information required for modification such as detached structures, outdoor play equipment, pools, etc.:

☐ PATIO or WALKWAY ☐ Lot survey denoting location ☐ List of materials to be used ☐ EXTERIOR DECORATIVE OBJECTS, LIGHTING, ETC ☐ Description of object ☐ Location and picture or sketch of object ☐ GARDEN PLOT/LANDSCAPING ☐ Location and size of garden ☐ Type of plants to be grown ☐ PLAY HOUSES / PLAY EQUIPMENT / HOT TUBS ☐ Location (Must have minimum visual impact on adjacent properties) ☐ Size and sketch ☐ Materials (In most cases, material used must match existing materials of home) ☐ FENCING ☐ Picture or drawing of fence type (with dimensions) ☐ Color (must be natural if wood) ☐ Site plan denoting location. On corner lot, fence may not be closer to side street than building line of house. (Please use copy of survey from your closing package) ☐ Crossbeam structure must not be visible from any street or adjacent properties. (Must face inside toward your making the outside the finished side) ☐ Materials (Must be cedar, redwood or pressure treated pine) ☐ If fence is solid privacy type, all posts shall be anchored in concrete BUILDING ADDITIONS ☐ Location of addition on site plan ☐ Size, color, and detailed architectural drawing of addition ☐ Materials (Material used must match existing materials on home) ☐ Building permit (If required)	BASKETBALL GOAL (Permanent or Portable) ☐ Picture or description of goal ☐ Site plan or drawing denoting location ☐ REMOVAL OF TREES ☐ Site plan denoting location ☐ List of how many and what types of trees are to be removed ☐ Explanation of why you wish to remove the trees ☐ DECK / PORCH ☐ Picture or drawing (Deck must match any existing deck) ☐ Dimensions ☐ Site plan denoting location (In most cases may not extend past sides of home) ☐ Materials (Must be cedar, redwood or pressure treated pine) ☐ EXTERIOR PAINTING (Only necessary if changing original colors) ☐ Paint color (swatch) ☐ Area of home to be repainted ☐ Photograph of your home plus homes on either side (In most cases, adjacent homes may not be painted the same colors) ☐ STORM WINDOWS / DOORS ☐ Picture depicting type of storm window/door to be installed) ☐ Picture indicating which windows/doors will be replaced by the storm windows/doors ☐ Color (window/door trim must be baked enamel and color must be compatible with primary and trim colors) ☐ OTHER ☐ Complete description/photographs/brochures/material list of proposed alteration or addition, including a site plan denoting location (for additions)
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I understand and agree that no work on this request shall commence until written approval of the ARC has been received by me. I represent and warrant that the requested changes strictly conform to the community Covenants/Guidelines and that these changes shall be made in strict conformance with the Covenants/Guidelines. I understand that I am responsible for complying with all city and county regulations.

The Association Board of **Directors**, the Association ARC nor their respective members, successors, assigns, agents, representatives or employees shall be liable for damages or otherwise to anyone requesting approval of an architectural alteration by reason of mistake in judgment, negligence, or non-feasance, arising out 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 assume 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 all of the foregoing from/for nay claims or damages regarding this request or the approval or denial thereof.

HOMEOWNER SIGNATURE: _____ DATE: _____

Mail to: Shaben and Association, P.O. Box 3189, Suwanee, GA 30024 or Fax to: 770-271-8433 (Photos do not fax well, please contact ShaBen & Associates at 770-271-2252 for an email address)

FOR ARC USE -

DATE RECEIVED: _____

REVIEWED BY: _____

APPROVED: _____ DATE: _____

NOT APPROVED: _____ DATE: _____

APPROVED W/ CONDITIONS: _____ DATE: _____

CONDITIONS:

REVIEWER COMMENTS:
