



Towne Lake Hills Community Association, Inc.

Architectural Committee Guidelines
and
Modification Review Procedures

Architectural Committee Design Guidelines

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1.0 INTRODUCTION

The Architectural Control Committee (*hereinafter referred to as the ACC*), was originally formed as a sub-committee of the Towne Lake Hills Home Owners Association (*hereinafter referred to as the HOA*) to maintain a higher standard in quality and design of the homes governed by the HOA, ensuring a higher market premium for homes in our area. Today, the ACC not only regulates ongoing compliance with these quality standards but also manages the adherence of all the HOA's covenants and ordinances concerning the image of our neighborhood. This guideline is provided to form the basis for a common understanding of the design objectives and standards by all those involved in creating this community and most importantly by the present and future residents. These Procedures will be used by the ACC to review plans and specifications pursuant to the provisions of the applicable Declaration of Covenants, Conditions, and Restrictions of the Towne Lake Hills community. The ACC intends to be fair and objective in the design review process and impartial and understanding of individual goals.

(Ref Towne Lake Hills Covenants Article VII Section 10)

1.1 **Definition of Modifications**

A modification is defined as an alteration, addition or deletion to any of the following:

A: Landscaping and Modification to Land

- Plant Materials
- Tree Removal
- Change of Grade or Topography
- Drainage
- Retaining Walls and Foundations
- Bed Walls, Edging Materials, Mulch
- Pathways, Sidewalks, Driveways
- Exterior Lighting
- Fences and Walls
- Gazebos, Arbors, Pergolas
- Benches, Lawn Furniture
- Basketball Goals, Play Equipment, Swing Sets, Sports Equipment
- Animal Houses
- Swimming Pools, Hot Tubs, Jacuzzis, Fountains & Decorative Pools/Ponds
- Tennis Courts
- Mailboxes
- Trashcans, Hose Screens
- Antennas, Satellite Dishes

B: Structural Modifications:

- Exterior Materials; Siding & Trims
- Doors, Windows, Garage Doors, Shutters and Window Treatment
- Exterior Wall Finishing; Paint, Stains, Brick, Stone etc
- Decks and Railing
- Screened Porches, Sunrooms, Any Exterior Visible Room Addition
- terraces, walls, drives, turn-a-rounds and walkways
- Detached Structures
- Roofs
- Awnings
- Chimneys
- Stoops & Steps

As well as, any other exterior items related to the image of your home, but not specifically mentioned on this list. After a new house has been completed according to the approved plans, the ACC becomes responsible for reviewing all changes to the exterior of the structure and site. *Design standards or elements incorporated into new houses by builders according to plans approved by the developer shall not be considered precedent setting for modifications to existing houses.* The ACC typically consists of volunteer members appointed by the Board of Directors of your HOA.

1.2 Who is subject to the approval process?

All property owners are responsible for obtaining the necessary review and approvals to comply with the terms of the TLH Covenants, Conditions, and Restrictions. While the original builder of your home was responsible for new construction, you, the current homeowner are responsible for anything that is a modification or deviation from the original house and/or landscape plans. There are no exemptions or automatic approvals. Each application is reviewed on an individual basis. When you purchased your home, your realtor would have given you a copy of the HOA Covenants and you would have signed “off” on, or agreeing to abide by, the terms and conditions therein.

(Ref Towne Lake Hills Covenants Article VII Section 10)

1.3 Who administers the approval process?

The final authority for administration of the approval process lies with the HOA. However, the Committee may delegate the responsibility for administering these procedures or parts thereof to a third party representative. The selection of the ACC representative that will handle your application is based on professional qualifications and an ability to understand the overall, as well as specific, development objectives.

(Ref Towne Lake Hills Covenants Article VII Section 10)

1.4 Application for Review

Applications for modifications must be made on the ACC Review form as found on the TLHHOA Web Site (www.townelakehillshoa.com) and may change from time to time. This document must be submitted to:

**Sixes Management Group
1007 Towne Lake Hls E, Suite 300
Woodstock, GA 30189
ATTN: Towne Lake Hills Property Manager**

Applications accompanying architectural and/or landscape submittals, must be received no later than 5:00 p.m. on a Wednesday the week prior to the scheduled ACC meeting (always the second Monday or Wednesday of each month). Failure to meet this deadline will postpone the review process until the next scheduled meeting one month later. There are many “no-brainer” applications, such as repainting your home with the same color as previously applied, these cases are normally approved within seven to ten days. All projects which needs the full ACC panel’s decision will be rendered and mailed no later than forty-five (45) days after the Committee meeting in which it was discussed.

The Committee’s decision may be:

- a) Approved
- b) Conditional approval with stipulations
- c) Denied
- d) Deferral pending submission of more information or deferral to a specific date pending on-site review by the ACC.

NB: Approved applications/projects remain valid for *one year* from the date of approval. Should your project take longer than a year , you will have to resubmit application, or you will have to file for an extension.

2.0 DESIGN REVIEW PROCEDURES

2.1 Modifications Review

All applications for modifications must be submitted to the ACC in accordance with the procedures outlined below **prior to making any modifications**. If the modification is extensive or the applicant files an appeal based upon an application denial, and the ACC deems it necessary to hire a third party expert, the fees associated with retention of this third party expert shall be passed onto the applicant. Naturally, in such cases, the homeowner is advised of this requirement before engaging such expert and the applicant will be required to either contract with the expert prior to the appeal or pay for these services in advance. At no time will the ACC contract with any party on your behalf. Failure to follow these guidelines will result in continual denials of your project application.

Step 1

Be Courteous to Neighbors.

Although neighbors' approval may not be necessary, it is always a good idea to discuss your intentions with any neighbor immediately facing your home, whether they will see the results of your project or not.

Homeowners submitting requests to install fencing, plant materials which may eventually encroach upon property lines, other modifications on or close to the property line, or any modification which may impact your neighbor in some way, should particularly be discussed with your neighbor prior to signing and submitting your request forms to the ACC. This could alleviate any potential friction with your neighbors and ensure that your project isn't delayed later by neighbor objections.

Step 2

If your home lot faces the golf course and the application has a direct impact on the image your home portrays to the golf course, your first step is to get Towne Lake Hills Golf Club sign-off on the project, prior to submitting your request to the ACC. This includes any tree removal and/or landscaping projects.

Your application can be dropped off, faxed or mailed to:

Towne Lake Hills Golf Club
Attn: Richard Staughton
1003 Towne Lake Hills East
Woodstock, GA 30189
Fax: (770) 926-4021

Failing to get prior Golf Course approval will delay the process with your ACC.

Step 3

The Applicant must submit an application and one (1) set of plans drawn to scale indicating the extent of proposed improvement in sufficient detail to allow review. This must include drawings of exterior building, elevation changes, material, finish & color schedules and any construction details. A landscape plan must show placement,

number, species and size of proposed landscape additions. Any modification other than a color change requires a site plan of at least (1" = 20') showing the following:

1. Property lines
2. Setback and easements
3. Footprint of house and driveway, sidewalks, decks, patio retaining walls, etc.
4. Existing trees and landscaping
5. All proposed improvements, dimensioned to properly locate them from the house or property line.

The modification submittal must be submitted as indicated in Section 1.4 of this document.

Step 4

The Property Manager responsible for the management of the Towne Lake Hills property, may give immediate approval of modification requests that fall within guidelines furnished to the Property Manager by the ACC. Furthermore, the Property Manager may contact a member of the ACC to discuss an interim approval if the situation so indicates. Please note, however, that the Property Manager and the ACC are not obligated to provide interim or final approval of any request in less than the indicated forty-five (45) day interval, but may do so for routine requests.

The Property Manager will provide a written approval response to the submittal in these cases and report them at the next scheduled meeting of the ACC. All other requests will be referred to the ACC for consideration at the next scheduled meeting.

The Property Manager as noted in Par. 1.4 above has the responsibility of conveying the decision made by the ACC.

Step 5

For Moderate or Major Projects, or any submittal that is approved with stipulations, the Property Manager should be contacted, within seven days (7) of completion, to schedule an on-site review for verification and conformance with the approved submittals. Notifying the Property Manager as to completion and scheduling the time of review will be the responsibility of the applicant.

The ACC may, at its sole discretion, inspect the state of the approved project anytime until it has been signed off.

2.2 Regulatory Compliance

Plans submitted for Modifications review must comply with all applicable building codes, zoning regulations and the requirements of all agencies having jurisdiction over the project. It is the responsibility of the Applicant to obtain all necessary permits, inspections and final Certificate of Occupancy. Regulatory approvals do not preclude the authority and responsibility of the ACC for design review and vice versa.

2.3 Final Review

The Committee's final approval of your project application constitutes a binding agreement between the Applicant and the Association. **Any deviation from the approved plans must be resubmitted** to the Committee for approval. A Committee decision is based on a simple majority and shall not be arbitrary or capricious. The Committee may, at its discretion, assist the Applicant by suggesting alternative design solutions.

2.4 Appeals

Any decision reached by the ACC may be appealed back to the Committee for reconsideration.

Within 14 days after a decision has been rendered, the Applicant or affected parties may file a written appeal with the Towne Lake Hills Architectural Control Committee at the address specified in Par 1.4 above.

Technical design information supporting the appeal request must be included with the request. All appeals will be reviewed on a case-by-case basis, and the granting of an appeal for one residence for a particular situation does not imply or warrant that a similar appeal would be granted on another residence.

Each case will be reviewed on its own design merits, and in keeping with the overall objectives of the Design Guidelines.

Please remember that if the applicant files an appeal based upon an application denial, and the ACC deems it necessary to hire a third party expert, the fees associated with retention of this third party expert shall be passed onto the applicant.

NB: If the Architectural Control Committee denies this appeal, the Applicant or affected parties may file a final appeal to the Board of Directors of the Towne Lake Hills Homeowners' Association. This should also be filed in writing at the above address within 14 days of the denial of appeal by the Architectural Control Committee.

3.0 ENFORCEMENT

3.1 Modifications & Improvements

The provisions for enforcement of the Declaration of Covenants Conditions and Restrictions as it applies to non-conformance of the architectural guidelines as stipulated in Article XV – General Provisions Section 1 shall apply to the enforcement of these Design Review Procedures and Guidelines, in addition to any other available remedies. But what does that really mean? Quite simply, the HOA has the power and authority to impose fines on any homeowner who doesn't follow the terms of the Covenants.

Let's say for example you decide to go ahead and do your project without approval from the ACC, in the worst case, you could be forced to return your property back to what it was before you started. Is it not less risky to get your project signed off before starting?

3.2 Neighborhood Image

As mentioned in the introduction of this document, the ACC is also responsible for the compliance of all homeowners to the regulations of Article VII Use Restrictions and Rules Sections 1 through 27 of our Covenants. Simply put, it means that the ACC is responsible for ensuring specific compliance with regards to:

- Use of Lots
- Signage
- Vehicle Parking & Speed
- Animals & Pet Rules
- Nuisance Rules
- Owner Maintenance
- Antennas
- Landscaping
- Tree Removal
- Lighting
- Garbage Cans, Woodpiles, Clotheslines
- Fences
- Exterior Colors
- Mailboxes
- Detached Structures
- Pools
- Garage Conversions
- Etc.

To this end, members of the Property Management Company and the ACC regularly inspect the visual impact of every home in the neighborhood and may, from time to time, bring to the attention of the homeowners where they are not in compliance. Should any particular homeowner consistently break the Covenants, they are reported to the HOA who, in their discretion, will impose fines, which becomes part of a special assessment on your home for that year. Specific rules are detailed in Section 5 of this document.

3.3 Waiver, Amendment and Third Party Benefit

The ACC maintains the right, from time to time, with concurrence of the Board of Directors, to waive, amend or modify these Procedures and Guidelines. Neither the ACC nor its agents, representatives or employees shall be liable for failure to follow these Procedures and Guidelines as defined herein. These Procedures and Guidelines confer no third party benefit or rights upon any entity, person or applicant.

3.4 Non-Liability of the ACC

Neither the ACC, nor its respective members, Chairperson, Secretary, successors, assigns, agents representatives or employees shall be liable for damages or otherwise to anyone submitting plans to it for approval, or to any Applicant by reason of mistake in judgment, negligence or non-feasance, arising out of any action of the ACC with respect to any submission, or for failure to follow these Procedures or Guidelines. The role of the ACC is directed toward review and approval of site planning, appearance, architectural vocabulary and aesthetics. The ACC assumes no responsibility with regard to design or construction, including without limitation, the civil, structural, mechanical, plumbing or electrical design, methods of construction, or technical suitability of materials.

3.5 Accuracy of Information

Any person submitting plans to the ACC shall be responsible for verification and accuracy of all components of such submission, including, without limitation, all site dimensions, setbacks, easements, grades, elevations, utility locations and other pertinent features of the site or plans. Any persons submitting plans to the ACC shall be responsible for contacting all impacted neighbors prior to signing and submitting the application. Failure to contact appropriate neighbors, if neighbors oppose your plans, may result in withdrawal of the ACC approval of the application.

3.6 Applicant Representation

The Applicant represents by the act of entering into the review process with the Towne Lake Hills Architectural Control Committee that all representatives of Applicant, including, but not limited to, Applicants architect, engineer, contractors, subcontractors, and their agents and employees shall be made aware by the Applicant of all applicable requirements of the ACC and shall abide by these Procedures, the Guidelines and the Covenants, Conditions and Restrictions with respect to approval of development plans and specifications.

4.0 DESIGN GUIDELINES

Remodeling and additions to existing structures are required to follow the same guidelines as new construction. Criteria governing site location, grading/excavation, structures, roofs, landscape and all other components will remain the same as the previous submittal. Of particular concern will be setbacks, height limits, skylights, solar collectors, recreational features, lighting, antennas, and satellite dishes. Approval from the ACC is required for all of these conditions and all remodeling just as it is for new construction. The Guidelines that follow address a broad range of exterior building and site conditions. They are not intended to be all-inclusive, but rather a guide by which a high quality community can be planned, designed, built and maintained. Note: Please remember that all proposed new construction and modifications to existing buildings or landscapes must be submitted, reviewed and approved by the Architectural Control Committee **before** any construction begins. (See Section 1.1 for definition of Modifications.)

4.1 Architectural Design Guidelines

4.1.1 Foundations/Retaining Walls

Exposed concrete block or poured concrete foundations and site retaining walls must be covered with stone, brick, or stucco to complement the house materials. Retaining walls that attach to the residence should utilize the same materials as the wall that they adjoin. Crosstie timber walls may only be used if they are in the rear yard of the residence and are approved by the ACC. Wall height is limited to 6 feet.

4.1.2 House Body and Trim

All exterior paint colors must be approved by the ACC. Paint colors to be approved include, but are not limited to, exterior trim, windows, doors, shutters, gutters, garage doors, railings and decks. When submitting paint colors, include paint chip, specify manufacturer, color name, and color number if applicable (ie., Porter—Jade Blue 16306).

Primary colors for siding, stucco and trim must be confined to lighter earth tones that are compatible with the natural environment (“primer” white paint is not an accepted color). Stucco and synthetic stucco must be painted or integrally colored. Colors for windows, doors, louvers, gutters and downspouts must be compatible with primary and trim colors.

Windows, shutters, louvers, and doors (including garage doors) shall be painted a single color (ie., no two-tone.)

For additions and modifications, house and trim colors and materials should be identical to that on the original residence, except where unavailability of original materials or improved materials technology dictates a change.

Painting with no change in existing color will be approved subject to the homeowner signing and submitting a request form stating that they have and will use the formulae for existing colors.

The use of vinyl or aluminum siding or trim products is not approved.

All siding and exterior trim must be marketed and warranted as being able to receive and retain paint.

Cement fiber siding such as *Hardiplank*, painted to match the existing siding, is permitted to replace original siding.

Fascia, sill nose, brick mould and other exterior trim composed of Cellular PVC or other non-rot materials that are marketed and warranted as being able to receive and retain paint and identical in size and shape to the original, may be used to replace wood products as long as the end color scheme matches existing color schemes they are replacing.

Any changes to original colors or structural and trim materials must be noted on the submittal and approved by the ACC. (*Ref Towne Lake Hills Covenants Article VII Section 22*)

4.1.3 Windows

Original window material and design for Towne Lake Hills are wood, double-hung formats, with those hung on the front façade having “grills”. (*See example in Appendix B*) Storm windows are not permitted on front windows.

The HOA has, however, identified acceptable non-rot alternatives to wood windows. Homeowners desiring to install a window made of a material other than wood may submit an application, with samples, to the ACC for review and approval.

The change of glass from regular to Low-E and changes in grill placement, (ie between glass panes, pop-in grills, or architecturally correct grills) will be approved, provided the change is made to all windows of a particular façade of the home, (naturally excluding leaded glass or stained windows), and the grill patterns match existing patterns of that home. Any change in grill pattern requires ACC approval. eg: Colonial to Prairie or Gothic styles, and so on.

*Cellular PVC and other synthetic window trim pieces that are **marketed and warranted as being able to receive and retain paint**, may be used to replace identical wood trim **without prior approval** from the ACC, so long as the replaced trim is painted to match the existing trim.*

4.1.4 Roof

Primary residential roofing materials must be architectural (may also be referred to as dimensional or laminate) asphalt shingles; colors acceptable are Weathered Wood, Slate Blend, and Black Blend. Sheet metal and PVC work such as roof caps, flashings and plumbing vents must be painted to match the roof colors. Roof stacks and plumbing vents must be placed on the rear slopes of roofs and painted to match the roof color.

New Construction Projects

As a general rule, any new roof on additions or new structures should be gabled or hipped with a minimum pitch of 10:12. All front facing gables may not be below 10:12 or over 16:12 and variances will only be considered on one-story homes.

Front facing gables must have cornice returns and all roofs must have fascia boards and enclosed cornices.

No skylights may be placed on the front slope of any roof and must have bronze or black anodized frames.

New roof structures of any kind, requires county building permits.

4.1.5 Antennas & Satellite Dishes

Antennas, other than satellite dishes for television reception, are not permitted.

Satellite dishes, to the extent possible, should be located as inconspicuously as possible consistent with proper operation.

(Ref Towne Lake Hills Covenants Article VII Section 11)

4.1.6 Chimneys

Chimneys framed to receive prefabricated fireplaces and flues must be finished in appropriate materials and colors to blend with the primary house decor. Chimney caps must be fabricated metal painted an approved color.

4.1.7 Decks & Railings

Approved deck materials are *cedar, red wood and pressure treated pine*. Railing and step design and details must be approved by the ACC. Decks may be stained or painted with approved colors to match home. Vertical supports for wood decks must be a minimum 6"x6" wood post or a minimum of 8"x8" stucco or brick columns. Metal columns must be boxed in wood, stucco or brick to the above requirements.

New composite materials or low maintenance decking such as TREX, must be submitted for approval before utilization. ***Vinyl decking and railing products are not approved materials.***

It is also the homeowner's responsibility to comply with code and other regulatory agencies regarding the engineering and/or safety of deck construction. Building permits are required by county. Approval by the ACC does not imply approval by these authorities.

4.1.8 Screened Porches, Sunrooms & Room Additions

Detailed plans including elevations, a list of all materials, including:

-) Windows;
-) Roofing;
-) Siding (if any);
-) Decking;
-) Color selections;

must be submitted when applying for new sunrooms, screened or unscreened porches and other room additions to your home. Materials must be consistent with materials on the existing home and painted or stained to match.

Vinyl and aluminum framing products are not approved by the ACC. Windows must conform to window specifications as defined in 4.1.3 above. Building permits are required by county.

4.1.9 Stoops, porches, and steps

Stoops, porches, and steps on front and sides of houses shall be brick, stone, or stucco. No exposed concrete is allowed. All additions must be approved by the ACC. All roofs, overhangs, etc. must have matching color composition shingles or metal roofing. Canvas awnings are not allowed on the fronts of residences; they may be used on the side or rear of residences with ACC prior approval.

4.2 Site Design Guidelines

4.2.1 Walls & Fences:

No walls or fences shall be erected or maintained on any lot nearer to the street than the rear of the residence. Gates that restrict access (“Driveway Gates”) are considered fencing and are specifically prohibited. All fences and walls shall be approved by the ACC pursuant to the Design Standards adopted by the Towne Lake Hills Homeowners Association. Metallic link fences are not permitted except with tennis courts as defined in Section 4.2 (F) below.

The rear lots lying adjacent to any boundary to the Towne Lake Hills Golf Course may not be fenced without prior written approval of the ACC and the Golf Course operator.

All wall and fence heights/material must be consistent with the standards mentioned below. No fence or wall may be installed which will impede the natural flow of water across the lot. There are several approved fences to choose from, which are detailed here and pictured in our Appendix A.

Privacy fencing is only allowed for lots with pools or spas and must consist of a cedar shadow box design meeting governing codes and may be a maximum of 6’ in height and/or not exceed the maximum allowed by code. The best visual side of the fence shall be placed toward the outside, offering onlookers the most pleasing view. All fencing surrounding pools must be a minimum of 5’ in height per county code.

Adjacent property owners wishing to install approved fencing material shall install same directly upon the property line to prevent un-maintained vegetation from growing in between the two fences.

Shared fences must be on the property line.

(Ref Towne Lake Hills Covenants Article VII Section 21)

Cedar Split Rail fences

Natural wood finish only.

Fences should be placed on the property line or well inside your side of the property line.

Neighbors may not tie into neighbors fencing unless on the property line. Common fences are permissible with written permission of your neighbor, the common element shall be installed on the property line.

38” and 48”, wire mesh on interior is permissible.

Other substitutes such as “Appalachian treated pine” will be considered.

French Gothic Picket Fence

Natural wood finish only, Wood only, no PVC.

3” pickets, 2” spacing between pickets.

4x4 wood posts, 8 foot lengths between posts.

42” and 48” heights only.

Wrought Iron Fence (5’ minimum surrounding pools per county code)

Black only; Iron or Aluminum only, no PVC.
5/8" pickets, 3 13/16 — 4" spacing between pickets.
2" metal posts or 12" brick or stucco posts that match house.
6 foot lengths between posts.
42", 48", 60", and 72" heights only

Standard Privacy Fence (limited to pool or Jacuzzi)

Natural wood finish only.
4x4 posts, 1x6 boards.
Cedar or comparable.
2" spacing between boards.
Approximately 6 feet high.
Finished sides must face exterior and frame and supports must face interior of fence.
No supporting posts shall exceed the height of the fences' 1x6 boards.

Shadow Box Fence

Natural wood finish only.
4x4 posts, 1x6 boards, 3" to 4" spacing between boards on each side, 2x framing
cedar or comparable

4.2.2 Sports Equipment, Tennis Courts & Tree Houses:

All play equipment including **basketball backboards** must be approved by the ACC in advance of its placement. The play equipment must be located where it will have a minimum visual impact on adjacent properties and streets. Fixed play equipment should be naturally colored wood or metal.

All **tennis courts** and play structures shall be located at the rear of the dwelling, or on the inside portion of corner lots within the setback lines.

No play equipment, other than basketball backboards, shall be constructed on any part of a lot located in front of the rear line of the residence constructed thereon, and any such play equipment must have approval of the ACC and include sufficient landscaping treatment acceptable to the ACC. Permanent basketball goals must be mounted on freestanding black or neutral colored metal poles (i.e. not attached to the house), and have standard-white, gray or clear backboards. Portable basketball goals must be kept on owners property and must be of natural colors.

Tree houses are not encouraged; however, they may be approved if the design is conservative and does not conflict with the style and architecture of the residence. It should not encroach visually on neighbors, views or privacy.

(Ref Towne Lake Hills Covenants Article VII Section 12)

4.2.3 Detached Buildings:

Detached **storage, workshop buildings**, or other freestanding buildings (unless addressed in other sections of Design Guidelines) are not permitted.

(Ref Towne Lake Hills Covenants Article VII Section 24)

4.2.4 Exterior Lighting:

Except for “*Holiday Lighting*”, all **exterior lighting** must be submitted to and approved by the ACC, and should be a low- level, non-glare type and located to cause minimum visual impact to adjacent properties and streets. Exterior spotlights or floodlights must be hooded to eliminate glare onto adjacent properties and must not spotlight adjacent streets.

Lighting for tennis courts or other recreational areas will not be allowed.

(Ref Towne Lake Hills Covenants Article VII Section 14)

4.2.5 Tennis Courts:

Tennis Courts will be permitted only where they will fit naturally onto the topography of the proposed lot and located to provide minimal visual impact to surrounding properties and within building setback lines. Chain link fencing will be permitted only for tennis courts and must have a black or dark green vinyl coating. Location must be reviewed on a case-by-case basis. No additional lighting will be allowed without additional approval.

4.2.6 Bed Walls, Edging Material and Mulch:

Landscaping must relate to the existing terrain and natural features of the lot, utilizing plant materials native to the Southeastern United States. The amount and character of the landscaping must conform to the precedent set in the surrounding community. The preferred landscape bed edging is a neat 3”-5” deep trench. Other types of edging should be of natural colors and materials, and should be four (4) inches or less in height. Decorative, professionally installed, designer poured concrete edging shall be approved by the ACC prior to installation. The concrete coloring shall blend into the surrounding area and be at ground level. All mulched landscape beds should be covered with natural pine straw or chopped pine bark mulch or small nuggets. No landscape gravel is allowed.

Landscaping that involves regrading must be approved by the ACC in advance, must conform to Cherokee County soil disturbance regulations, and must not adversely affect drainage flows onto adjacent or downstream properties.

Fountains will be considered on a case by case basis, based upon design and consistency with surrounding landscaping and residences.

(Ref Towne Lake Hills Covenants Article VII Sections 12 and 15)

4.2.7 Plant Material:

Front yards must be sodded with Bermuda, Zoysia or Fescue grass. A minimum road shoulder of sod 6’ wide is required from lot line to lot line and including the entire street exposure of corner lots. Side and rear yards may be sodded, seeded or treated naturally.

Planting of ornamental plants and shrubbery in the front or side yards does not require prior approval. Any planting of trees must have approval.

Outdoor storage of garden tools and hoses must be completely screened from view. Preferably these items should be stored inside either garage or basement.

(Ref Towne Lake Hills Covenants Article VII Section 12)

4.2.8 Animal Houses:

Animal house exterior colors and materials must relate to the exterior of the house or neutral in color. The structure should be completely screened from any view from surrounding properties and roads, and be discreetly located so as not to cause a nuisance to neighbors. Clothesline and/or fenced “dog runs” are not allowed.

(Ref Towne Lake Hills Covenants Article VII Section 24)

4.2.9 Mailboxes:

All mailboxes must conform to the approved Towne Lake Hills design appropriate to the Section of Towne Lake Hills (i.e., TLH East/West or TLH North). Plans for neighborhood standard designs may be obtained through the Association. Only one (1) mailbox per Lot is permitted. Landscaping around mailboxes shall be limited to low plantings (mature plants less than 24” in height). Vines or other plant material, which will cover the entire mailbox and cover the residence number, are not allowed.

(Ref Towne Lake Hills Covenants Article VII Section 23)

It is also the homeowner’s responsibility to keep the mailbox looking good and painted when needed. This is one of the areas where the ACC receives most complaints. Shoddy looking mailboxes.

To paint your mailbox is not a complicated task. Go to your local hardware store or paint store and look for the aisle containing **Rustoleum**, or **Krylon**, or other consumer-oriented project paints. Find one in the color **Satin black** that says it’s okay for metal (or has a picture of it applied to metal), in either a spray can or a small can for brush-on (your preference). The instructions on the back will tell you to scrape or sand loose paint and rust, and to wash and rinse. Just follow the instructions on the can. Do not put anything on top of the paint, because peeling is not caused by a shrink-wrap effect breaking, it’s caused by poor adhesion of the paint to the mailbox. So DO sand or scrape the mailbox before applying your new coat.

There are also several ways you can spray paint your mailbox without painting your numbers or flag. One method is to use painting tape and cover the numbers and flag. We realize that using tape to cover the numbers can sometimes be hard and take time. Perhaps an alternative that could help you; On the numbers, use Vaseline and apply a thick layer using your finger. Once the paint on the mailbox is dry you can take rag and wipe the Vaseline off the numbers leaving them unpainted.

4.2.10 Fire Hydrants:

Landscaping around fire hydrants are prohibited by the fire department and should be clear of any shrubs or bush. Low growing flowers are permitted, as long as they do not interfere with the tap mechanism.

4.2.11 Lawn Furniture:

Any lawn furniture to be placed in the front of residences, in front yards or any location where it will be visible from the street, including benches, must be submitted for review, prior to placement. Beach chairs, umbrellas, plastic furniture and/or brightly colored items will not be approved.

(Ref Towne Lake Hills Covenants Article VII Section 12)

4.2.12 Yard Statuary and Ornamentals:

Yard statuary is discouraged and must be submitted to the ACC for review.

Statuary, as defined here, does not include reasonably sized flowerpots or containers placed at or on the front entry or steps. Other statuary, such as but not limited to urns, animals, or human figures, should be modestly sized and displayed on or at the front entry, rather than in lawn or flower bed areas. Approval of statuary requests is solely at the discretion and aesthetic judgment of the ACC.

Statuary and ornaments submitted to the ACC for review must conform to the Community Wide aesthetic standards and must be made of either, wood, concrete, rock or metal; finished in traditional earth tone colors such as bronze, verdigris, black or natural-colored cement. Multi-colored or brightly-colored items will not be approved.

(Ref Towne Lake Hills Covenants Article VII Sections 10 and 12)

4.2.13 Gazebos & Arbors:

Gazebos, arbors, etc. should be fully detailed (color samples, materials, site plan, elevations, details, etc.) and submitted for review. Site compatibility will determine approval of modification.

4.2.14 Swimming Pools:

All swimming pools must fit naturally into the topography of the proposed lot and be located to provide minimal visual impact to surrounding properties and streets. Exterior hot tubs must be screened from adjacent properties and streets. All pump, filters, and equipment for spas must be located where it will not cause a nuisance to neighbors and must be screened from view.

(In our experience, this is the area of most contention by neighbors and as such we recommend that you talk to them before submitting any plans to the ACC.)

4.2.15 Tree Removal:

Any tree removal must be approved by the Architectural Control Committee or their representative. Cutting, disturbing or otherwise impacting trees on Golf Course property and easement is only permitted with written permission from the Golf Course Management Company and the Architectural Control Committee.

With regards to new pool construction, trees may only be cleared from the pool and decking footprint area.

(Ref Towne Lake Hills Covenants Article VII Section 13)

5.0 Use Restrictions & Rules (Image)

All Owners and Occupants of any Lot are subject to and are required to comply with the use restrictions contained in Article VI and in Article VII of the Master Declaration of our Covenants. The Board of Directors of the HOA may, from time to time, without consent of the members, promulgate, modify, or delete use restrictions and rules and regulations applicable to the Lots and the Common Property. This authority includes, but is not limited to, the right to limit the type and size and to set the maximum and minimum speeds of vehicles within the Community. The HOA also has the authority to impose all other necessary traffic and parking regulations and to restrict the maximum noise levels of vehicles in the Community. Such regulations and use restrictions would be distributed to all Owners and Occupants prior to the date that they are to become effective and would thereafter be binding upon all Owners and Occupants until and unless overruled, canceled, or modified in a regular or special meeting by a Majority of the Total Association Vote.

Any additional covenants imposed on the property within any Neighborhood may impose stricter regulations and use restrictions than those contained in, or adopted pursuant to, this Article of our Covenants.

The HOA has, over the years, made some minor changes to these Use Restrictions and Rules and has required the ACC to regulate and enforce them. This section covers most of the rules which the ACC may monitor and we have included hereunder our interpretation of the Covenants for the benefit of our Owners.

5.1 Architectural Standards

Towne Lake Hills Covenants Article VII Section 10 refers: -This rule is probably the most important and definitely the most enforced Covenant Rule within the Association. It is the reason for the existence of the Architectural Control Committee. (ACC).

All modifications to any part of the exterior of your property, must be submitted for review and be approved in writing before any alteration is begun. This includes such items as tree removal, new walkways, arbors and any other landscaping ideas you may have. Even simple ideas like paint color changes must be submitted.

Design Guidelines can be found in this document. Don't be fooled by the words of the contractor you have engaged to do the work, rather check with the ACC.

Furthermore, ACC approval does **NOT** obviate the homeowner from seeking approval from any jurisdiction having authority over the project and vice versa.

5.2 Use of Lots

Towne Lake Hills Covenants Article VII Section 2, 5 and 6 refers: -Lots are for single family residential purposes only. No business or business activity is permitted without the prior written consent of the HOA Board. Leasing of a lot is not considered a business activity, however all and any occupant of the lot are subject to the rules and regulations of the community.

5.3 Signs:

Towne Lake Hills Covenants Article VII Section 3 refers: -No signs of any kind may be erected by any owner within the Community without the written permission of either the HOA or the ACC except:

- 5.3.1 Such signs as may be required by legal proceedings
- 5.3.2 Not more than one (1) "For Sale" sign of a maximum of four (4) square feet;
- 5.3.3 The approved community-wide standard security plaque mounted on the mailbox;
- 5.3.4 Yard of the Month plaque mounted on the mailbox for 30 days;
- 5.3.5 One Political sign in accordance with Cherokee County ordinances but not on common property.

5.4 Vehicles:

Towne Lake Hills Covenants Article VII Section 4 refers: No Vehicles may be parked on any street within the Community at any time, which includes cul-de-sacs. It further states that no Vehicle shall be parked on the Common Property or on any portion of a Lot other than the driveway and the garage, this includes sidewalks or on the grass.

We realize that this is somewhat of a severe restriction and as such tend to overlook many violations in this regard. Since many Owners require "extra space" for parking during "special functions" such as garage sales, dinner parties, etc., your HOA modified the rule, as follows: ***"No Private Vehicle may be habitually parked on any street within the community - No overnight parking of any kind will be permitted."***

Except for "unmarked" automobiles (including minivans) and passenger trucks which are licensed and usually operable, vehicles may not be parked so as to be visible from any Lot for periods of more than twenty-four (24) continuous hours. The term "vehicles," **includes, without limitation, motor homes, boats, trailers,** motorcycles, scooters, trucks, campers, buses, and automobiles (including minivans). The term "unmarked", means not having prominently displayed and visible signs or markings on the exterior surface of the vehicle such as business names or phone numbers, commercial advertising or other similar markings (but not including license plate signs and window decals naming schools, athletic teams organizations and the like).

Commercial vehicles may be parked on a street for short periods of time, but never exceeding eight (8) hours, for the purpose of loading, unloading and/or while working on site, following these guidelines:

- J Only if the driveway is full or needed to render the service
- J Only during normal working hours (8 to 5);
- J All trailers must remain in-tow;
- J Are not parked within 50 feet from a stop or yield sign;

-) Are not parked within an intersection;
-) Follow the one-side parking rule defined hereunder.

Under NO circumstances may any COMMERCIAL vehicle be left on a street overnight.

Should you partake in a “garage sale” function, part of your registration for the event requires you to comply with parking regulation which will usually stipulate on which side of the street prospective buyers may park. This will never be omitted and will never include BOTH sides. It is your responsibility to ensure that your visitors abide by this rule.

Similarly, should you have a dinner party or other function, or have commercial vehicles conducting services for you during any day, where they require more parking than you have in your driveway and need to park on the street, you may do so, following the guidelines in this section, provided: All your visitors must park only on one side of the street but should one of your neighbors already be parking in your immediate vicinity, all your guests should park on that side ONLY. No vehicle should be parked facing oncoming traffic. This will prohibit bottlenecking of roads, as is many times the case during Garage Sales, etc.

At NO time is any parking allowed WITHIN an intersection or **50** feet from a stop sign.

5.5 Animals and Pets.

Towne Lake Hills Covenants Article VII Section 7 refers: No animals, livestock, or poultry of any kind may be raised, bred, kept, or permitted on any Lot, with the exception of dogs, cats, or other usual and common household pets in reasonable number.

No pets may be kept, bred or maintained for any commercial purpose.

Dogs which are household pets, must at all times, whenever they are outside a Lot be confined on a leash. Without prejudice to the ACC’s right to remove any such household pets, no household pet that has caused damage or injury to any other party or property, may be walked in the Community.

When walking your pet, it is your responsibility for cleaning up your pet’s waste.

5.6 Unsightly or Unkempt Conditions.

Towne Lake Hills Covenants Article VII Section 9 refers: Lots must be maintained to community standards. Lawns must be regularly mowed and edged, beds mulched and weeded.

“The pursuit of hobbies or other activities, including specifically, without limiting the generality of the foregoing, the assembly and disassembly of motor vehicles and other mechanical devices, which might tend to cause disorderly, unsightly, or unkempt conditions, shall not be pursued or undertaken in any part of the Community.”

Naturally, if these activities are undertaken within your own garage, has no adverse affect on your neighbors, does not create odors or noise pollutants and doesn't affect the condition of your property as seen from the road, they would not be brought to our attention.

5.7 Garbage Cans, Woodpiles, Hosepipes, Recycle.

Towne Lake Hills Covenants Article VII Section 17 refers: -All garbage cans, woodpiles, garden hoses, ladders, wheelbarrows, and/or any other similar utilitarian items, must be located or screened so as to be concealed from view of any neighboring Lot and/or from the street.

Recycle Bins, Garbage and any Garden Waste may not be placed on the curbside earlier than 4:00 pm the night before collection and must be position off the street in such a manner that it does not create an obstruction for any oncoming traffic.

5.8 Subdivision of Lots

Towne Lake Hills Covenants Article VII Section 18 refers: -No Lot may be subdivided or have its boundary lines changed without the consent of the HOA Board. Furthermore, such division boundary line change or replatting, if approved by the Board, may NOT be in violation of the applicable subdivision and/or zoning regulations.

5.9 Firearms

Towne Lake Hills Covenants Article VII Section 19 refers: -The use of any firearms in the community is strictly prohibited. The term firearms includes "BB", pellet and paintball guns.

5.10 Solar Panels

Towne Lake Hills Covenants Article VII Section 20 refers: -Solar panels may only be erected with the prior approval from the ACC or HOA Board but will never be permitted on any portion of the Lot where it will be visible from the street or adjacent properties.

5.11 Above Ground Pools

Towne Lake Hills Covenants Article VII Section 26 refers: -Under no circumstances will above ground swimming pools be permitted in the Community.

5.12 Garages

Towne Lake Hills Covenants Article VII Section 27 refers: -No garages may be converted into living space.

Appendix A – Approved Fencing

Privacy Fencing:

Limited to lots with a pool or Jacuzzi.



CEDAR Standard Privacy Fencing

4x4 Posts

1x6 Boards

Cedar or comparable wood

Maximum of two inch spacing between boards – if any.

Maximum of six (6) feet high

Finished side, as per picture, must face exterior of lot and frames, posts and other support, must face into the property.

Support posts must not exceed the height of the fence boards.



Shadow Box

4x4 Posts

1x6 Boards

Cedar or comparable wood

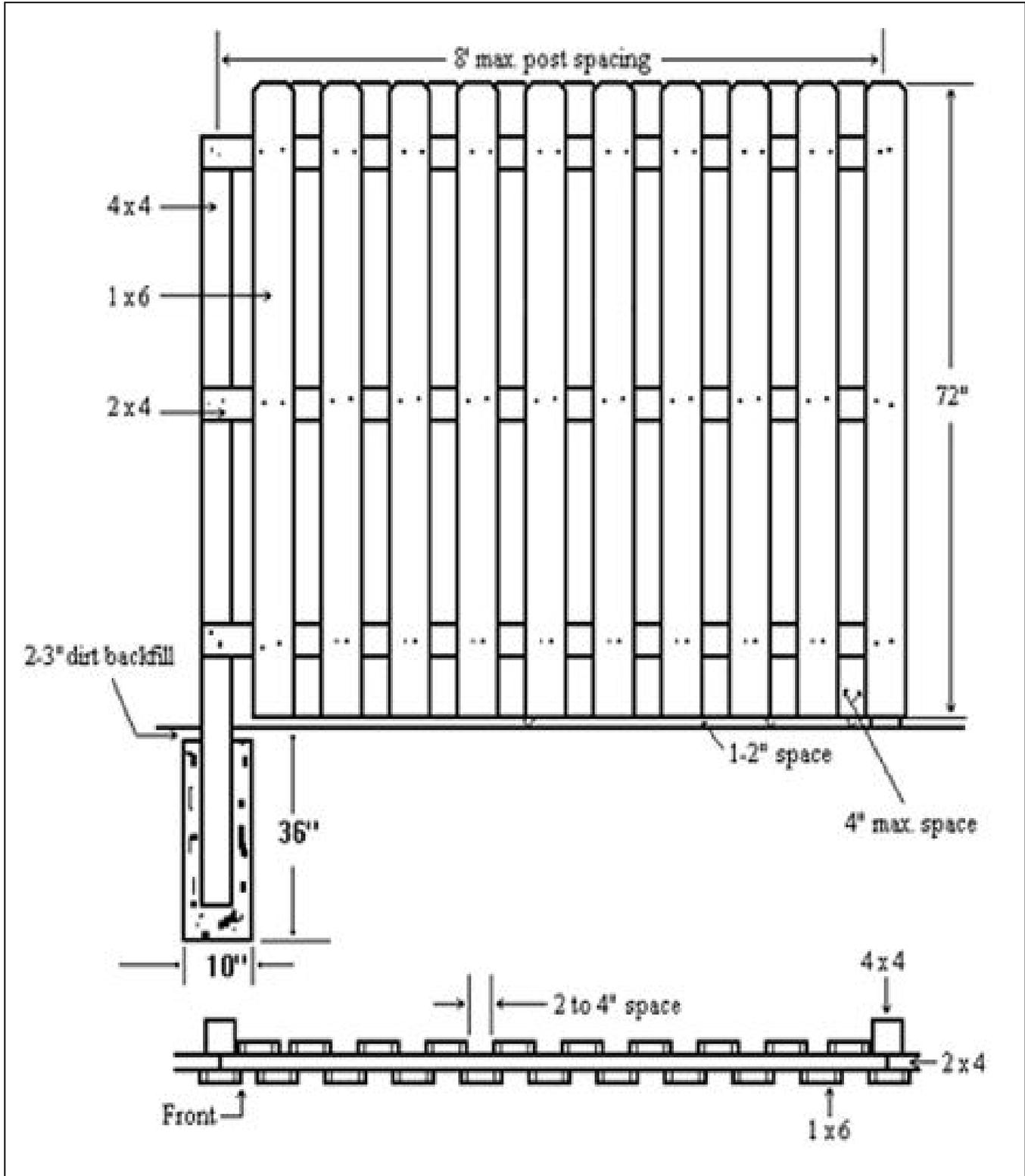
Three to Four Inches between boards covered on the opposite side by similar dimensions.

This type of fence creates equal finishing on both sides.

Supporting posts must not exceed the height of the fence boards.

Straight Shadowbox Fence Design

Limited to lots with a pool or Jacuzzi.



Cedar Split Rail Fences:



Where fences face Corp Property, fences must be erected at least 8 inches inside the owner's property.

Wire mesh on interior portion is permitted.

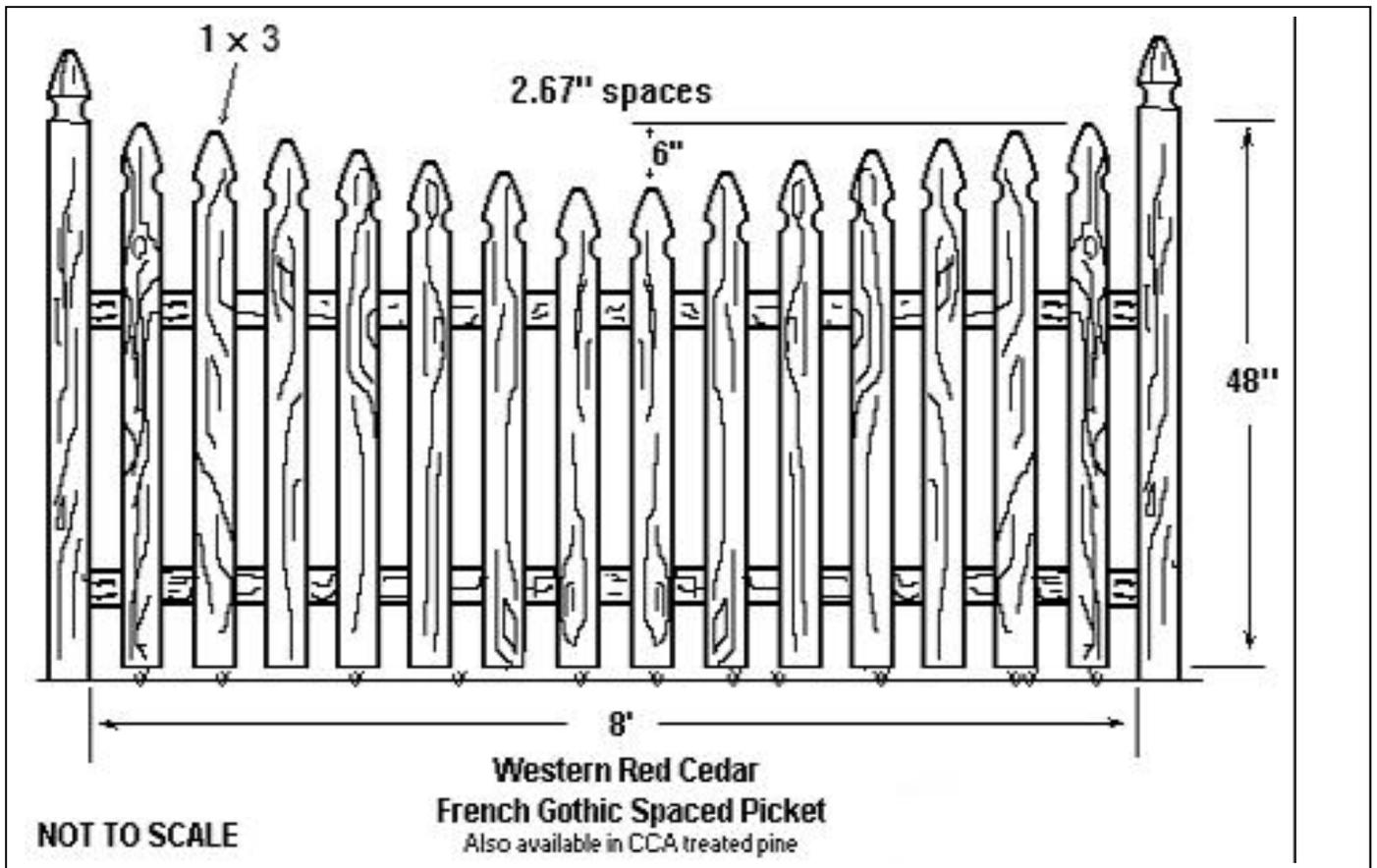
Common fences are permitted with written approval from neighbors, where it may be erected on the common property line.

Other substitutes such as "Appalachian Treated Pine" will be considered as alternative woods.

Two level or three level cross rail members are permitted.

(Three level cross rail members shown in picture.)

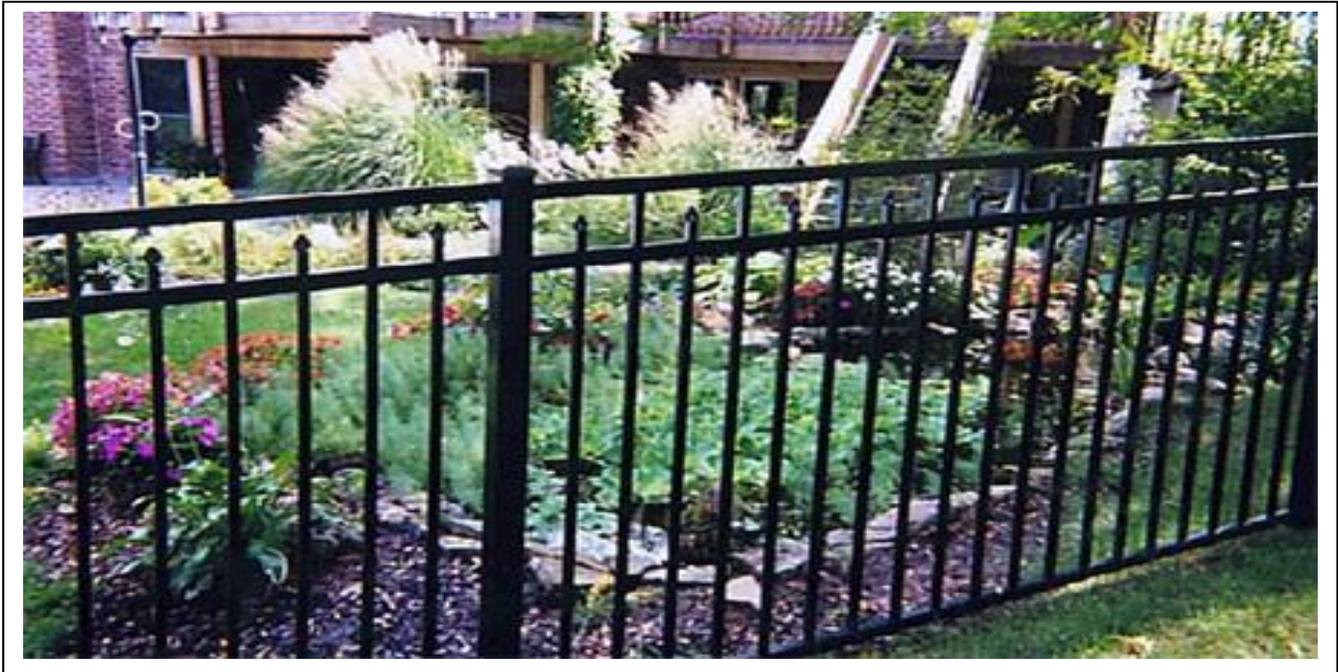
French Gothic Spaced:



NOT TO SCALE

Western Red Cedar
French Gothic Spaced Picket
Also available in CCA treated pine

Wrought Iron or Aluminum Fencing:



5/8" Pickets

3 13/16" to 4" spacing between pickets

2" metal posts or 12" brick or stucco posts that match house

6 foot lengths between posts

42", 48", 60" or 72" Heights, only.

Appendix B – Approved Windows