

# Architectural Control Committee Design and Modification Guidelines

9/22/2001

- **INTRODUCTION**

These Design and Modification Guidelines are published by The Fairways of Towne Lake Homeowners Association, Inc. and should serve as the basis for a common understanding of the design objectives and standards by all present and future residents. These Guidelines will be used by The Fairways Architectural Control Committee (hereafter referred to as the "ACC") to review plans and specifications pursuant to the provisions of the applicable Declaration of Covenants, Conditions, and Restrictions (hereafter referred to as the "Declaration") of The Fairways community. The requirements of these Guidelines shall be in addition to and not in lieu of the requirements and provisions of the Declaration. These guidelines are effective 9/22/2001 and supersede the "Fairways at Towne Lake Design Standards " revised 10/24/1990, Means Brothers, Inc., and any other standards previously adapted or published by the Association.

This document will outline the overall design guidelines of the community, and the procedures for the approval process. The ACC, consisting of members appointed by the Board of Directors of the Homeowners Association, intends to be fair and objective in the design review process and impartial and understanding of individual goals.

- **MODIFICATIONS AND DESIGN REVIEW**

- **Definition of Modifications**

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

- Structures
- Exterior Doors, windows, or trim
- Exterior materials or color
- Fences, decks, terraces, walls, driveways, turnarounds and walks
- Exterior lighting
- Landscaping
- Mailboxes
- Swimming and decorative pools, spas and hot tubs, and fountains
- Landscape structures, statuary, and furniture
- Sports and play equipment
- Other exterior items related to, 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.

- **Who is Subject to the Review Process?**

All property owners are responsible for obtaining the necessary review and approvals to comply with the terms of the Declaration and these Guidelines. The builder will be responsible for new construction and homeowners will be responsible for anything that is a modification to or deviation from the original house and/or landscape plans. There are no exemptions. Each application is reviewed on an individual basis.

- **Who Administers the Review Process?**

The administration of the review process is the responsibility of the ACC. However, the ACC may delegate the responsibility for administering these procedures or parts thereof to a representative.

- **DESIGN REVIEW PROCEDURES**

- **Application and Review Requirements**

All applications for modifications must be submitted to the ACC via the current Management Group 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. The applicant in advance of formally engaging the third party expert shall pay these fees.

- **Step 1 - Application**

- **For Minor modifications (Play Equipment, Change of House Color, Statuary, Landscaping, Tree Removal):** submit a detailed description of the planned addition or change with any drawings or product brochures that are applicable. Color changes must state the existing color and a color sample (chip) of the proposed new color. Tree removal requests should state the number, approximate size, and type (pine, hardwood, etc.) A landscape plan must show placement, number, species and size of proposed landscape additions.

- **For Moderate or Major modifications (Deck/Screened Porch, Retaining Wall, Gazebo, Fence, Steps, Room Addition, Swimming Pool):** please enclose two copies of the following with your request:

A site plan, to scale, showing exact location of modification being requested in relation to your property lines. The preferred document is a State of Georgia registered survey plat clearly showing property lines, existing improvements, and proposed modification(s). Please show exact location of modification(s) being requested in relation to your property lines. Existing fences, decks, walkways, driveways, etc., should also be indicated.

A detailed description of the modification, drawings, exterior elevations, floor plan, detail of material to be used, pictures, catalog pages, brochures, or color samples must be included.

- It is recommended that homeowners check with the Cherokee County Permit Department (770-528-2043) to obtain necessary permits and building code information. All modifications requested on golf course easements must have written approval of the Eagle Watch Architectural Control Committee.

- Applications for all modifications must be made on the form posted on the Fairways WEB Site . Submit all modification requests to: The Fairways Homeowners Association as listed on the Association WEB Site. Submission may be either electronic or by mail and should include all required information noted, including materials and colors.

- **Step 2 - Review and Approval**

The Management Company may, in writing, approve modification requests that fall within guidelines furnished by the ACC or may contact a member of the ACC to discuss an interim approval if the situation so indicates. The Management Company and the ACC are not obligated to provide interim or final approval of any request in less than a forty-five (45) day interval from date of receipt, but may do so for routine requests. The Management Company will provide a written approval response to the submittal in these cases including approvals by the ACC.

- **Step 3 - Follow Up Review**

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

- **Regulatory Compliance**

Plans submitted for modification 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.

- **Final Review**

Final approval by the ACC constitutes a binding agreement between the applicant and the Fairways Homeowners Association. Any change from the approved plans must be resubmitted to the ACC for approval. The ACC may, at its discretion, assist the applicant by suggesting alternative design solutions.

The ACC's decision may be:

- Approval
- Conditional approval with stipulations
- Disapproval
- Deferral pending submission of more information or deferral to a specific date
- Pending on-site review by the ACC.

- **Appeals**

Any decision reached by the ACC may be appealed back to the ACC via the Management Company for reconsideration. Within 14 days after a decision has been rendered, and notice of the decision has

been issued to the applicant, the applicant or affected parties may file a written appeal with the ACC. 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 these Guidelines. 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. The applicant in advance of formally engaging the third party expert shall pay these fees. If the ACC denies this appeal, the applicant or affected parties may file a final appeal to the Board of Directors of The Fairways Homeowners' Association. This should also be filed in writing within 14 days of the denial of appeal by the ACC.

- **MISCELLANEOUS**

- **Enforcement**

- The provisions for enforcement of the Declaration shall apply to the enforcement of these Guidelines in addition to any other available remedies.

- **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 Guidelines as herein defined. These Guidelines confer no third party benefit or rights upon any entity, person or applicant.

- **Non-Liability of The Fairways Architectural Control Committee**

- Neither the ACC, nor its respective members, secretary, successors, assigns, agents representatives or employees, nor the Homeowners Association shall be liable for damages or otherwise to anyone submitting plans to it for approval, or to any applicant be reason of mistake in judgment, negligence of non-feasance, arising out of any action of the ACC with respect to any submission, or for failure to follow these 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.

- **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.

- **Applicant Representation**

- The applicant represents by the act of entering into the review process with the ACC 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 Guidelines and the Declaration with respect to approval of development plans and specifications.

- **DESIGN GUIDELINES**

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 ACC before any construction begins. (See "Definition of Modifications".)

- **Architectural Design Guidelines**

- **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.

- **Materials**

Recommended materials include:

- Natural wood lap siding; hard board lap siding. The use of vinyl siding is not permitted.
- Brick – All brick shall be in subdued colors and samples must be submitted for approval. Old used brick will be accepted in special areas, as will be the painting of brick. There shall be no weeping or black mortar.
- Stone – Stone shall be Tennessee fieldstone, or a stone approved by the ACC. Mortar with the stone shall be gray or buff (no black mortar).
- Stucco – Stucco is a specialized home finish. All stucco textures, as well as the color require approval by the ACC.
  
- Natural plywood siding shall have well-detailed edges and joints. Siding to be preferably 4 ½" to 6" exposed width, but not to exceed 7 ½" width.
- Only paneled or louvered shutters on windows will be accepted.

- **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, specify manufacturer, color name, and color number if applicable (i. e., Porter – Off White 16306), and include a paint chip.

Primary colors for siding, stucco and trim must be confined to lighter earth tones that are compatible with the natural environment. Highly reflective and bright colors shall be avoided. 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 (i. e., 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. Any changes to original colors or structural and trim materials must be noted on the submittal and approved by the ACC.

- **Decks**

Approved deck materials are cedar, redwood and pressure treated pine. Other materials require ACC approval. Railing and step design and details must be approved by the ACC. Decks may be stained or painted with approved colors. 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. Decks cannot extend beyond the side of the house.

- **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.

- **Fences and Walls**

- All fences and walls shall be approved by the ACC pursuant to these Guidelines. No fences or walls shall be erected or maintained on any lot nearer to the street than the respective rear corner of the residence. On corner lots, fences may not be closer to the side street than the building line of the house. Fences and walls shall complement the design, texture and color of all structures on the same lot, and shall not attract attention as a distinct architectural element. Fences and walls shall be no more than 6 feet above grade in height.

- The rear lots lying adjacent to any boundary to the Eagle Watch golf course may not be fenced without prior written approval of both the Fairways ACC and the Eagle Watch Architectural Control Committee.

- All wall and fence heights/material must be consistent with the standards mentioned herein. 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, see Appendix A for specifics about each. Woven metal or chain link fences are not permitted. The best visual side of the fence shall be placed toward the outside of all elevations, offering onlookers the most pleasing view. Adjacent property owners wishing to install approved fencing material shall install the same directly upon the property line to prevent unmaintained vegetation from growing in between the two fences. Earth banks and berms shall have a maximum slope of 2:1, and be covered with an acceptable ground cover.

- **Residential Play Equipment**

- 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 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 shall be constructed on any part of a lot located in front of the rear line of the residence constructed thereon. Any such play equipment must have approval of the ACC and include sufficient landscaping treatment acceptable to the ACC. Basketball goals must have standard-white, gray or clear backboards and be properly maintained at all times. Basketball goals should be located in side or rear yards and oriented for minimal visual impact from the street. No basketball goal or backboard shall be installed on any portion of a house. Neighbor(s) impacted by basketball goal placement must be consulted and written approval from them submitted with the modification request.

- 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. Playhouses should not be visible from the street. For corner lots, landscaping or other appropriate screening should be used.

- **Detached Structures**

- Detached storage or workshop buildings are not permitted. Other detached structures will be approved only in unusual circumstances and in accordance with the Declaration.

- Animal house exterior colors and materials must relate to the exterior of the house. 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.

- **Exterior Lighting**

All exterior lighting additions and modifications 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.

- **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 noise or other nuisance to neighbors and must be screened from view. No above-ground pools will be permitted.

- **Landscaping**

- 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 re-grading 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.
- Front yards must be sodded with Bermuda or Zoysia grass. Side and rear yards may be sodded, seeded or treated naturally. Outdoor storage of garden tools and hoses must be completely screened from view. Preferably these items should be stored inside either garage or basement.
- Homeowners must keep their yards mowed and edged. Grass must not grow over 6 inches tall. Lawns should be edged around curbing, driveway, islands and flowerbeds. Grass creeping into beds should be removed. Bushes should be trimmed to maintain a good appearance and at a height which will not cover front windows.
- Homeowners should maintain a schedule of fertilization, watering, and weed control to keep lawns green during the growing season. Areas that have been taken over by weeds should be re-sodded. Areas where red

clay is exposed should be sodded or covered with mulch, ground cover, or bushes. Mulch should be kept fresh and reapplied as needed.

- Trees and hedges should be pruned and maintained. Diseased or dead trees must be removed with prior ACC approval. The ACC may require replacement of trees removed. In the areas around trees, saplings and weeds must be removed as necessary. Ground cover or mulch should be applied as necessary.
- All mailboxes must conform to the approved Fairways design. 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.
- Lawn furniture to be placed in the front of residences or in front yards, including benches, must be submitted for review.
- Yard statuary is discouraged. Any yard statuary 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.

- Gazebos, arbors, etc. should be fully detailed (site plan, elevations, details, etc.) and submitted for review. Site compatibility will determine approval of modification. Fountains will be considered on a case-by-case basis, based upon design and consistency with surrounding landscaping and residences.

- Tree Save - Trees may only be cleared from the pool and decking footprint area; no other tree clearing will be allowed unless diseased, dead, or overhanging trees pose a danger to persons and/or property. Tree clearing limits must be field staked and approved in the field by the ACC's representative. The limits must not be violated. No tree having a diameter of six (6) inches or more (measured from a point of two (2) feet above ground level) shall be removed from any Lot unless approved by the ACC. Cutting, disturbing or otherwise impacting trees on the Eagle Watch golf course property and easement is only permitted with written permission from the Eagle Watch Architectural Control Committee.

- **Signs and Flags**

All signs are subject to Section 12(j) of the Declaration; The number of temporary signs (i.e., garage, lawn sales, etc.) must be kept to a minimum and may be put up no sooner than 24 hours in advance of a sale and must be removed promptly after a sale has ended. With the exception of the Homeowners Association, no sign may be placed on the common property or the entrance areas of the development, without the approval of the Homeowners Association or the ACC. Flags and decorative banners must be kept in good condition.

- **Construction and General Design Guidelines**

- **Lot Grading and Clearing**

- The ACC may request the marking of trees to be removed from the Lot. In the event any trees are to be removed within the Green Belt Buffer Area along Towne Lake Parkway – as shown on the recorded plat, the Owner or Contractor shall obtain written approval from the Master ARC, except for (a) diseased or dead trees; (b) trees needing to be removed to promote the growth of other trees or to construct a house; or (c) safety reasons, all as provided by Section 18 of Article VI of the Master Declaration. A perpetual easement has been established along the Golf Course lots that is parallel to and extends twenty-five feet inward from the golf course. No fence, wall, structure or other Improvement other than underground improvements shall be permitted in the easement and no plantings or trees or foliage may be removed from this easement area without specific prior approval of the Golf Facilities. In such case, Owner shall clearly mark all trees and /or plantings to be removed. After such marking, the Owner or the Owner's contractors shall request a representative of the ACC or of the Golf Facilities to inspect the proposed trees to be removed. In no event shall the Owner allow any grading or cutting of trees on the Lot prior to approval by the ACC or the Master Architectural Review Committee if any grading or cutting of trees is within the established Green Belt Buffer area of Towne Lake Parkway.

- All stumps and brush are to be removed from lots. Construction debris shall be removed as often as necessary to keep the Lot and any Structure thereon attractive. Construction debris shall not be dumped in any area of the Development unless approved in writing by the ACC.

- Lots shall be graded in such a manner so as not to block any natural or man-made swales, ditches or drainage structures. Earth berms, hay bales, silt fence, mulch, boards, grassing, gravel blankets and any other approved siltation and erosion control measures shall be installed prior to grading of all lots to prevent mud and silt from running off the Lot onto streets and any other adjoining property. Whenever possible lots shall drain independently from, rather than to adjoining lots.

- Silt screens and the spreading of stone in temporary driveways shall be placed and maintained on lots per county standards during construction. Mud that is washed or tracked into the streets by construction vehicles shall be removed from said street immediately by and at the cost of the builder involved.

- **Minimum House Size**

- No single family residential structure shall be located on any lot unless said structure shall have at least 1,700 square feet of heated living area. Any such structure which exceeds one story in height shall have not less than 800 square feet on the ground floor and at least 1,800 square feet of total heated living area. No such structure shall exceed two and one half (2 1/2) stories in height, excluding the basement, provided however, that single family residential Structures may, subject to the approval of the ACC, be designed as Split-Level structures which are three stories high. The words "Split-Level Structures" as used herein, shall mean single-family residential structures in which floor levels of living space are separated so that ground levels are in differing elevations and in part of such Structure is three stories in height. In the Case of Split-Level Structures, there shall be not less than 1,300 square feet of heated living area on the two ground floor elevations and at least 1,700 total square feet of heating living area.

- In no event shall the set-backs be less than those shown on the recorded plat or as approved by Cherokee County and the ACC.

- **Houses on Slabs**

It is required that all slab houses be on "built-up slabs" of one step, preferably two, from the finished walkway to the Interior finished floor elevation.

- **Garages**

All houses shall have at least a two- (2) car garage. The orientation and location of garages should be determined in relation to topography, trees, and building lines in conjunction with overall house approval. Garages will be equipped with garage doors. Garage door materials and colors for such doors shall be specified on the Plans and Specifications submitted to the ACC for approval.

- **Windows and Doors**

The color and finish of all exterior windows and doors (including sliding doors) shall be specified in the plans submitted to the ACC for approval. All windows on the front of houses shall have pediments, either brick, wood, stucco, etc. - as applicable. Bay windows, with street exposure shall be faced in brick, stucco (as applicable), or with panels with raised molding trim - no masonite siding. All Bay windows with street exposure shall be capped with a metal roof. The use of mill finished aluminum screens

shall meet the design standards. The exterior front entrance doors shall be at least a 6 panel wooden door or a painted 6 panel insulated metal door.

- **Chimneys**

All chimneys shall be capped with a metal shroud which shall be either copper, or metal painted flat black. All chimneys attached to the front and/or side elevations of houses shall begin at ground elevation (no cantilevered 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.

- **Roof**

Roofing material and color shall be specified in the Plans and Specifications submitted to the ACC for approval. With the exception of a corner lot, no plumbing or heating vent shall penetrate roof surfaces which face the street or streets adjacent to the residential structure. All roof stacks and flashing must be painted to blend with roof color. Primary residential roofing materials must be asphalt shingles; colors acceptable are 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. Antennas, other than satellite dishes, are not permitted. Satellite dishes, to the extent possible, should be located as inconspicuously as possible consistent with proper operation. No skylights shall be installed on roofs facing streets. No "doghouse" dormers shall be approved. Dormers shall be the narrow frame Williamsburg type with 12/12 roof pitch, 2X4 header with at least a 4' 6" window, trimmed with a crown molding. Allowable roof pitches are as follows:

- **Peaked Roof.** The minimum allowable roof pitch of main frame of structure shall be 8/12 and minimum allowable roof pitches of all other roofs shall be 6/12 with the exception of a roof garden deck, bonus room, sunroom, or screened porch provided, however, that front facing gables must be a minimum of a 8/12 pitch.
- **Shed Type Roof.** Shed type roofs having an area in excess of (i) 150 square feet of maximum roof area for front porches and (ii) 40 square feet of maximum roof area as to other roof areas are prohibited, except for rooms over the garage, sunrooms and screened porches on the rear of houses on non-corner lots.

- **Driveways**

Driveways shall be constructed with concrete. However, other hard-surface material may be considered by the ACC If an exception is requested when plans are submitted to the ACC for approval. Driveways should be curved when possible taking into consideration existing trees and landscape planting.

- **Prefabricated Structures**

Prefabricated or factory built structures shall not be permitted within the Development, and such manufactured units shall not be employed as elements in the construction of residential structures affixed to real property within the Development except by express written consent of the ACC.

- **Specific Design Guidelines**

- **Homes on Golf Course Lots**

- **BRICK HOMES.** The front elevations and all foundations surrounding the building(s) up to the first floor level shall be brick. Chimney stacks shall be bricked from the ground level to the first floor level. The front stoops shall be brick (exceptions can be made by the ACC, for example, for homes with wood porches). All foundations surrounding building(s) up to the first floor level shall be either brick or stone. Chimney stacks and front stoops shall be either brick or stone, depending on texture of the foundation, from the ground level to the first floor level. All siding homes shall have a 10" skirt board and drip cap along with double-sided corner boards and a rake board in gables.
    - **STUCCO HOMES.** Stucco shall be on all sides. Chimney stacks shall begin at ground level.
    - **REAR DECKS.** All rear decks shall be on brick, stone or stucco columns as applicable, or a minimum of 6" X 8" wood columns.

- **Homes on Non Golf Course Lots**

- **BRICK HOMES.** Front elevations and side-exposed foundations of all building(s) will be brick. Chimney stacks shall begin at ground level abutting front and side elevations. The front stoops shall be brick (exceptions can be made by the ACC, for example, for homes with wood porches).
    - **SIDING HOMES.** The front elevations to the first floor level shall be either brick, stucco or stone. All siding homes shall have a 10" skirt board and drip cap along with double-sided corner boards and a rake board in gables.
    - **STUCCO HOMES.** In Unit I, stucco homes shall be stucco on the front, sides and the rear foundation. In all other phases, stucco homes must be stucco on at least the front elevation, and the exterior foundations above ground level to the first floor level.

- **Site Planning and Design**

- 1. Location of Structures**

All structures, together with related paved and open areas, shall be located on each lot to:

- minimize changes in the existing topography;
    - preserve existing trees and vegetation to the maximum extent possible;
    - control drainage and prevent erosion; and
    - create prime views and conceal unsightly areas.

- **View Easements**

View easements and restrictive building areas have been established on golf course lots by the developer. Therefore owners of lots with view easements may not construct any type of structure above their first floor level that would block the view easement. No trees or shrubbery shall be planted within the view easement that will grow higher than 3 feet above the first floor level unless maintained at a maximum of said height.

## **Appendix A - Approved Fencing STYLES**

### **Shadow Box**

4 x 4 posts  
1 x 6 boards  
Cedar or comparable  
3" – 4" spacing between boards  
Finished side must face exterior of the fence Frame  
and supports must face interior of the fence

### **Cedar Split Rail Fences**

Wire mesh on interior is permissible  
Minimum of 8" inside the property  
line  
Common fences permissible with written permission of  
neighbor – the common element shall be installed on the  
property line

### **French Gothic Picket Fence**

3 " pickets - 2" spacing between pickets 4 x 4" wood posts  
8' between posts  
42" and 48"  
heights only

### **Wrought Iron Fence**

Iron or Aluminum only  
– (no PVC 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 with 2" spacing

## **Instructions for Request for Modification**

**The Fairways Homeowners' Association utilizes a complete package application procedure. The application is considered complete when all required documentation has been received. If your application is incomplete, your application will be returned unprocessed.**

Requests will be responded to within seven days unless investigation or additional information is required. Involved or non-routine requests may take up to 45 days for a response.

The Fairways Architectural Control Committee and Association representatives are authorized to enter onto a lot in connection with the review and/or approval of the requested modification and completed project. By submitting an Application, Applicant covenants that all representatives of Applicant, including, but not limited to, Applicant's architect, engineer, contractors, subcontractors, and their agents and employees, shall be made aware of, by the Applicant, and shall comply with, all applicable Association and ACC requirements, including the Declaration and of these Procedures and Guidelines. I understand that any deviation from plans approved by the ACC shall be in violation of the Declaration and subject to removal at my expense upon direction from the Association, in addition to other sanctions.

