



COMMUNITY ASSOCIATION, INC.

GUIDELINES TO  
THE PROTECTIVE COVENANTS  
FOR MEMBERS OF  
EDGEWATER  
COMMUNITY ASSOCIATION

December 12, 2019

## **I. Introduction**

### **Purpose of the Covenant Guidelines Document**

One of the primary purposes of the Declaration of Covenants, Conditions and Restrictions for Edgewater (the "Covenants") was to provide the homeowners in Edgewater with a framework of rules and regulations that would assure each of us that the property within our Community would be developed and maintained in a fashion that will protect the investment of every homeowner. One important aspect of maintaining the integrity of a residential community is to provide the homeowners association with the right to review and approve changes to the exteriors of homes within the community. The Covenants strictly prohibit the addition of any Structure, or the alteration of any Structure, on any Lot without written approval of the Covenants Committee. The Declaration further states that the Covenant Committee has the right to develop and disseminate guidelines for the Community. These guidelines shall be considered an extension of the Covenants. This document is not an all-inclusive list of restrictions, but a set of rules and regulations to be followed by homeowners when planning landscaping, or the construction or alteration of any Structure located on their property.

The Covenant Guidelines set forth herein have been developed pursuant to Articles VI Section 10 of the Covenants. Their purpose is to establish guidelines related to (1) the use and maintenance of property within Edgewater and (2) construction of improvements (including the alteration of structures) upon our Lots. As guidelines, the Design Standards may not be determinative of whether or not a particular use of one's property is acceptable, or whether or not the plans for a proposed improvement will be approved.

Because of the uniqueness of each Lot within the Community, including variations in size, topography and location, certain uses, improvements or modifications suitable for one Lot may be inappropriate for another Lot. Therefore, despite the guidelines offered by these Design Standards, the Covenant Committee is authorized to apply or adopt different standards for different lots to reflect those differences. As an example, the Covenants Committee may allow an improvement, modification, or change to a Structure which cannot be seen from any street within the Community, but prohibit the same improvement if it has more visual impact on another lot.

## **The Covenants Committee**

The Covenants Committee is made up of homeowners in Edgewater. The Covenants have granted The Covenants Committee discretionary powers regarding the aesthetic impact of design, construction and development including architectural style, colors, textures, materials, landscaping and overall impact on surrounding properties.

The intent is to promote and assure that all improvements are aesthetically compatible and reflect the image of a quality swim and tennis community. During the Modification Request Form review process, the Covenants Committee intends to be fair, impartial and understanding of individual goals.

### **Overview of the "Modification Request Form" Review Process**

See the website at [EdgewaterHOA.org](http://EdgewaterHOA.org) for a copy of the Modification Request Form.

#### **General Information**

A Modification Request Form is an application which owners within Edgewater must complete and submit for approval to the Covenants Committee before making exterior changes to the appearance of a lot. Homeowners are requested to provide as much detail as possible when submitting a Modification Request Form to the Covenants Committee. This will eliminate confusion and reduce the time required to respond to the homeowner. Plans should be specific in nature and include such items as types of materials to be used, planned start/completion dates, types of plants, size of plants, nature, shape, height, and actual photographs or drawings of items/structures to be added when applicable. Plans should also be limited in size to work that can be completed in a 12-month period. Each Modification Request Form will be responded to in writing within 30 days from the day all final documentation has been received. These 30 days start over when extra information is needed to clarify modifications.

#### **Step 1 - Submitting Modification Request Form**

Homeowners are requested to submit photocopies of all plans and documentation. All submitted plans become the property of the Covenants Committee 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 included and mailed to our property manager as listed on website and on the modification form.

#### **Step 2 - On-Site Review Process**

The purpose of the on-site review is for the Covenant Committee 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 Covenants Committee will respond to the Modification Request Form with one of three decisions:

Approved as Presented, approved with Stipulations, or Denied as Presented. Our property manager will contact the homeowner in writing with an explanation relative the decision.

- **Request Approved as Presented** - The plan was accepted as documented and the homeowner can begin the requested changes immediately.
- **Request Approved with Stipulations** - 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 Denied as Presented** - If the plan was denied, an explanation will be provided. In many cases, the Covenants Committee will recommend one or more alternative solutions. If the homeowner is receptive to one of these solutions, they simply need to submit a letter to the Covenant Committee detailing their agreement with the proposed solution. The Covenant Committee must approve the homeowner's plan before the homeowner can proceed with their request.

Approved Requests: Once the Covenants Committee formally approves plans, homeowners can begin working on the improvements or alterations immediately. All work must be done in accordance with the plans as approved by the Covenants Committee. All changes or modifications to plans must be reviewed and approved by the Covenants Committee.

If in doubt, please turn in a modification form.

**Note:** 3 Signatures are required from your neighbors. The 3 neighbors are your next door neighbors and either your neighbor directly across the street or your backdoor neighbor directly behind you. This is based on who can see the modification. Your Modification Form must be completely filled out with your complete description of the modification at the time you ask your neighbor for their signature. As a signing neighbor you are responsible to clearly understand the modification. By signing you are agreeing the modification is acceptable to you; lack of signatures does not prohibit the modification pending approval by the ACC and board.

## **Non-Compliance/Violation Fines**

Violations will be brought to the attention of Edgewater's Management Company. This may be accomplished either by drive-throughs from a management company representative, or reported to the management company by any other source, including subdivision residents.

### **Letter system is explained as follows:**

- Homeowner will receive a letter from the management company that will state the violation, the necessary corrective action, and the timeframe within which the corrective action should occur. This letter is sent regular mail. Please correct or contact management company to discuss a plan and timetable in which this will be corrected. **DO NOT DELAY or IGNORE** this letter.
- If the initial letter is not successful, a second letter will be sent by the management company indicating that it is a second notice, restating the violation and corrective action, and giving the homeowners 10 days to correct the violation. This letter will also state that a fine will be imposed in the event the violation is not corrected. This letter is sent both Certified Mail and regular mail, this means you will get 2 copies. **DO NOT DELAY or IGNORE** this letter.
- If the previous step is not successful, a third letter from the association's attorney will send a third letter. It will state the fine imposed, the violation and the necessary corrective action. *Please note that legal fees and fines begin with the third letter.* This letter is sent Certified Mail and regular mail. This means you will get 2 copies. **DO NOT DELAY or IGNORE.**

- If the previous step is not successful within 10 days, a second attorney letter (4<sup>th</sup> letter sent) will be sent that will state the violation, the remedy, and will spell out additional steps the association will take, including the date such action will be taken. Fines not paid will result in a lien. PLEASE do not allow your violation to continue to this point.

## **Disclaimers**

Approval of any Structure by the Covenants 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 (770) 822-7530.

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 Covenants Committee, the members thereof, or the Association assumes liability or responsibility therefore, or for any defect in any Structure constructed from such plans and specifications.

Neither the Developer, the Association, the Covenant 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 Covenants 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 Covenants Committee, the Board or the officers, directors, members, employees and agents of any of them for damages or otherwise.

## **II. Exterior House Standards**

### **Construction**

#### **Article VI, Section 10 and 24**

- All construction requires the homeowner to complete a Modification Request Form and have an on-site visit from a member of the Covenants Committee. The purpose of the visit is to ensure that the construction adheres to the Covenant Committee Standards and is in harmony with the external design and general quality of the community prior to any work beginning.
- The original architectural character or theme of any home must be consistent for all components of the home. Once the character is established, whether it is traditional, contemporary, etc. no change may alter that character.

**Paint/Siding/Brick/Roof**  
**Article, VI Section 22**

- Any change to the exterior color of the house including, but not limited to doors, shutters, gutters, trim, brick and siding must be approved by the Covenants Committee. Repainting requires prior written approval only if the color is changed. A paint color change requires the following information:
  - A. Paint sample chip, (a clear color photo can be acceptable) with manufacturers name and color number, used in or approved by another John Wieland community. Any John Wieland community pallet in Gwinnett County is acceptable but must be approved John Wieland color in that community. Please include the address of the home and community the home resides.
  - B. Area of the home to be repainted: shutters, trim, front door and siding. Please make sure which color is to be painted on each surface listed.
  - C. Photograph of your home and the homes on either side (adjacent homes cannot be painted the same color.) Photo must be clear and in color. 1) photo from street of your house and neighbors house. This must show both front and side color of your house and both neighbor's house. 2) please make sure additional photo is made of your house showing both front and side together in same photo.
  - D. Covenants Committee may ask you to paint samples of new color to be reviewed by Covenants Committee before approval.
- **E. Painting brick or stone is prohibited**
- 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 Covenants Committee.

**Doors/Windows/Shutters/Gutters**

- 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 Covenants Committee.
- Screens and mullions must be on all windows or no windows on front and side of house.
- Lead glass doors may be permitted in front of the house when approved by the Covenants 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 side or back of the house must be submitted to the Covenants Committee, which will make a decision based on the impact to surrounding houses.
- Storm windows and doors must be made of aluminum with baked enamel finish to match the surrounding trim. The Modification Request Form 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/doors which will be installed.
  - C. Color.

**Driveways/Walkways/Patios**  
**Article VI Section 10**

- Submission of a Modification Request Form for a patio is not required if:
  - A) The patio does not extend beyond the sidelines of the house and does not extend to within 10 feet of the side property lines, and
  - B) The patio does not exceed 6 inches above ground level at any point.
- Submission of a Modification Request Form for a walkway is not required if the walkway is within the rear yard and:
  - A) The walkway does not extend beyond the sidelines of the house and does not extend to within 10 feet of the property lines and

- B) The walkway does not exceed 4 inches above ground level at any point.
- A Modification Request Form must be submitted for patio covers, trellises and arbors attached or unattached to the house, permanent seating, railing, and other items not enumerated above.
- Driveways and sidewalks must be concrete. Driveways and sidewalks must be replaced when cracked and damaged. Any other product, please submit a Modification Request Form.

### **Decks**

#### **Article VI, Section 10**

- A Modification Request Form must be submitted for all decks, including extensions and alterations. The Modification Request Form 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.
  - C. The deck may not extend past the sidelines of the home, however, the stairs may.
  - D. The color must be stained natural or neutral.
  - E. Vertical supports for wood decks must be a minimum of 6 x 6-inch wood posts or painted metal poles (black) or stacked brick.
  - F. Owners are advised that a building permit is required for decks.

### **Garage/Parking**

#### **Article VI, Section 1 and 4**

- Homeowners are encouraged to keep vehicles in their garage and are requested to keep garage doors closed when not in use. Garage doors must be painted to match the trim if brick home or may match siding color when garage doors are surrounded by siding.
- No vehicle may be parked on any yard.
- Parking of vehicles on the street is prohibited. Temporary parking (4 hours or less is allowed if not a nuisance to neighbors and an impediment to traffic flow). Homeowners are responsible for guest parking and must ensure that guest's park in a safe manner and do not impede access to other driveways and traffic. Be especially careful not to park directly behind a driveway impeding neighbors from backing out of their driveway easily.
- No vehicle of any type may be parked in the street overnight.
- 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.
- All passenger vehicles parked in open view and not in a garage must be operable, may not be unsightly, and must be driven on a regular basis.

### **Mailboxes/Street Numbers**

#### **Article VI, Section 12**

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 are required on both sides of mailbox post and visible without landscape covering these numbers. Auxiliary mailboxes may be attached to the post. To replace missing or damaged parts, please call a board member or the property manager to direct you where to purchase appropriate materials. Surnames are not permitted on the mailbox.

All mailboxes are to be black metal measuring 11" x 8 x 20" with a red flag. All posts are to be painted white. The color is JW06-852 and can be purchased at Sherwin Williams. Address numbers are to be 3" high, black metal or plastic and tacked on or nailed on.

#### **Address Plaques**

House numbers may be attached to the front door, as long as they are brass, black or match the house trim, and are nailed or screwed to the door. Plaques are prohibited on front of house.

#### **Front Porches/Stoops**

##### **Article VI, Sections, 1, 10, and 12**

A front porch is defined as an entry area that is fully covered by a roof. 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. 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 furniture is prohibited. Statuary is not permitted on a front porch or a stoop.

Front doors and entry area decorations must be tasteful in keeping with the style and colors of the house. Plants and flowers in pots 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/stoop flowerpots (maximum of four) of natural colors and which contain evergreens or flowers do not require the submission of a Modification Request Form. 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.

#### **Window Boxes**

##### **Article VI Section 10**

Window boxes are subject to the review of a Modification Request Form. Window boxes placed on the home by John Wieland homes at the time the home was built should be kept neat with live plants only. Artificial plants are not acceptable anywhere that is visible from the street. No artificial topiaries

#### **Satellite Dishes**

##### **Article VI, Section 11**

- Satellite dishes, other than the small, DSS dishes are prohibited.
- Dishes must be installed on the rear of the house, so as to have minimal visual impact from the street. Any installation that will have such visual impact will require a Modification Request Form be submitted. The submission shall include reason(s) why the dish cannot be placed in a location that will have no visual impact.
- In the event that it is necessary to install the dish in a location other than attached to the house, landscaping must be utilized to minimize the visual impact. Plans for such landscaping must be submitted with the Modification Request Form.



### **Window Air Conditioning Units**

A/C units are prohibited on front or sides of homes. They may be used in a back window not visible from the street.

## **III. LANDSCAPING STANDARDS**

### **Exterior Landscaping and Maintenance**

#### **Article VI, Section 12**

- 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.
- Be considerate of your neighbors by not starting your yard work before 9am using loud equipment such as lawn mower, edger, leaf blower and chain saw. Please make sure your landscapers also observe not starting yard work until 9am.
- Artificial plants are prohibited if can be seen from street. This includes topiaries.
- Each owner is responsible for removal of debris, clippings, etc. from the property line to the center of the adjacent streets. All planting areas shall be properly maintained at all times, and after the first frost, all effected material shall be removed. The bare earth shall be covered with appropriate mulch to prevent erosion. When applied at a 3 inch depth mulch will help control weeds.
- The painting and/or other appropriate external care of all buildings, fences, and improvements shall be done in a manner with such frequency as is consistent with good property management and the precedent set in the surrounding community.
- Yard equipment stored outside the home must have minimal visual impact on neighboring lots. Metal storage structures are prohibited. Lattice under decks, or neutral colored yard storage structures (such as those made by Rubbermaid Sheds) may be utilized either under the deck or close to the rear of the house.
- A Modification Request Form 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.
- Bermuda and Zoysia are warm season grasses that produce runners to spread. These types of grasses are recommended and kept at a height of 1 inch. Bare spots in grass are prohibited. All yards must be maintained.
- Fescue can be used in shady yards only. Fescue struggles in hot summers. Fescue requires over-seeding in spring and fall and must be aerated in fall and early spring. Fescue must be kept at a height of 3 to 4 inches. When cut too low it will damage and begin to thin out especially in mid-summer heat. Bare spots in grass are prohibited. All yards must be maintained.
- All grass must be maintained to prevent weeds and fertilized for healthy growth. This is best achieved by using a lawn care company. If a good calendar is kept keeping up with each application and type of application, the home owner can achieve good lawn results.
- Water needs vary by type of grass but proper watering is essential. Pay close attention in the summer months to make sure you are watering.



### **Landscape Beds/Trees/Bushes**

- Landscape Beds shall be maintained regularly with fresh pine straw or mulch, regularly edged and weeded regularly.
- Driveway, sidewalks and along streets must be edged. All paved areas including street along your property must be blown clean of yard debris. PLEASE DO NOT BLOW YARD DEBRIS INTO ROADSIDE DRAINS. PLEASE ALSO MAKE SURE YOUR LANDSCAPER DOES NOT BLOW DEBRIS INTO ROADSIDE DRAINS TOO.
- Weeds growing between concrete gutter and asphalt road must be kept weed free by home owner.
- Landscaping shall relate to the existing terrain and natural features of the lot utilizing plant materials native to the southeastern United States.
- The preferred landscape bed edging is a neat a 4"-6" trench. Other edging, if used, must be no more than 1" above the height of freshly mowed grass and must be a uniform type. A Modification Request Form must be submitted for any edging that does not meet this requirement. All plant beds must be covered with pine straw, natural chopped bark, or mulch. Wall bricks are prohibited to be used as edging.
- Landscaping walls require covenant committee approval and may be made of either pressure treated timbers, stacked stone, brick or landscaping stones. A Modification Form must be submitted for all walls. Walls include any structure above the height of the 1inch height described as edging. Walls also must be backfilled on the inside with dirt to top of wall level.
- Raised beds must have a Modification Form. Raised beds are similar to walls and should only be used at a minimum when scene from the street.

### **Trash Cans/Garden Hoses**

#### **Article VI, Section 17**

- Trash cans are not to be allowed in front of the house except on days when trash pickup occurs. They may be placed in the front the night before pickup occurs. Otherwise, trash cans may be stored on the side or back of house only if they are totally hidden from view from the street and neighbors by shrubs or a fence. It is requested that trash cans are kept in the garage are in the garage or behind the house.
- All garden hoses when not in use shall be located or screened so as to be concealed from view of neighboring lots or streets. Each homeowner must make an attempt to conceal hoses from view.

### **Arbors**

#### **Article VI, Sections 10 and 24**

All Arbors must be located as an entry way to the back yard or in the back yard. If they are visible from the street, no bench may be attached. Preferred materials are wrought iron or wood. **A Modification Request Form is required for all arbors.**

### **Gazebos**

#### **Article VI, Sections 10 and 24**

All gazebos require a Modification Request Form and are subject to review and approval by the Covenants Committee. The Modification Request Form 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.
- All gazebos must be placed between the sidelines of the house, and within the rear yard.
- All gazebos require a building permit
- The color must be natural or stained to blend in with the natural surroundings.

### **Sheds**

#### **Article VI, Sections 10 and 24**

All sheds require a Modification Request Form and are subject to review and approval by the Covenants Committee. The Modification Request Form 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
- Height Requirements: No higher than 7.5ft
- Floor Required: No Dirt Floor
- Electricity: 1 GFCI for power tools only and 1 overhead lighting.
- Square Footage: 100-125sq ft
- Materials to be used: Siding to match home exterior. No Metal Buildings, No Window A/C
- Site plan must be submitted
- All sheds must be placed between the sidelines of the house, and within the rear yard.
- The color must be painted to match home siding.

### **Garden Plots (For raising fruits and vegetables)**

#### **Article VI, Section 12**

- A Modification Request Form must be submitted for garden plots unless all of the following conditions are met:
  - The plot is located behind the house and within the sidelines (rear corners) of the house
  - The size of the plot is limited to 150 square feet and
  - The maximum height of plants is less than 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 Modification Request Form must be submitted.

### **Fencing**

#### **Article VI, Sections 10 and 21**

- A Modification Request Form must be submitted for all fencing and must include the following:
  - Type:** A picture or drawing of fence type must be submitted. Fence types shall be: privacy, split rail (or plank rail), picket designs.
  - Structure:** The maximum height may not exceed 6 feet. The maximum span between posts shall be 10 feet. The minimum post size shall be 4 x 4 inches. Dimensions of all lumber used shall be indicated on the drawing and remain consistent with the fences in the community. Cross beam structure shall not be visible from any street or other lot (must face inside toward yard).
  - Site Plan:** A site plan denoting the location of the fence must accompany the Modification Request Form. Fences shall not be closer to any side street than the building line of the lot. Every attempt must be made to follow the property line, other than the exceptions noted in this guideline.
  - Color:** The fence must be STAINED natural or STAINED neutral color to complement the house and the natural surroundings. When adding boards to an existing fence these boards must be stained to match the existing fence.
- A Modification Request Form must be submitted for all dog runs. If other fencing exists on the property, fencing for dogs must be of the same type.

### **Firewood**

#### **Article VI, Section 17**

- Firewood piles must be located or screened so as to be concealed from view of neighboring lots, streets, and property located adjacent to the lot.
- Woodpile coverings are allowed only if the cover is black or earth tone (dark green or brown).

### **Composters**

#### **Article VI, Section 17**

A Modification Request Form is not required if the following conditions are met

- Size:** The size of the composter does not exceed 35: (l) x 33: (h) x 27: (d).
- Color:** The color and materials of the composter are of a natural tone such as dark green, brown or black
- Location:** The composter is located within the sidelines of the rear of the house so as to cause minimal visual impact on the adjacent properties.
- Structure** The composter must be a sturdy structure, consistent with those available in garden or hardware stores, and must have a tight fitting lid.

Handmade composters require the submission of a Modification Request Form, which shall include detailed plans and specifications.

### **Lawn and Yard Furniture/Structures**

#### **Article VI, Sections 1, 10, 12**

All lawn furniture, yard furniture and structures including but not limited to bird baths, bird houses, shepherd hooks with or without hanging baskets, trellises, wind chimes, bird feeders, rock gardens, ponds, waterfalls, statues, figurines or similar types of lawn decorations, can only be located in the back yard within the side lines of the house and not in the front yard. This means that they do not show from the street. **Flowerpots (four maximum) are allowed only on the front stoop or the front porch or, between garage doors.**

**Front and Side Yard (Defined as between the street and the sidelines of the house)**

Exterior decorative objects, including, but not limited to such items as birdbaths, bird feeders, bird houses, wagon wheels, statuary, fountains, pools, shepherd hooks, garden flags, wind chimes and antennas will not be approved within the front yard and the side yard. Those items, if placed in the rear yard, between the sidelines of the house - meaning positioned behind the house so as not to be viewed from the street, will not require approval, unless they are located upon a corner or lake lot, in which case a Modification Request Form would be required.

**Back Yards (Defined as the yard between the rear corners of the house)**

Decorative objects, such as those listed above, are permitted in the back yard only. Furthermore, any items or activities prohibited in other Sections of Article VI are not permitted. Corner or lake lots will require a Modification Request Form for these items in the back yard, since these back yards have more visual impact.

**Flags**

A Modification Request Form 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. No political flags. All other flag poles/staffs require the submission of a Modification Request Form. In addition, all flags are subject to the review of the Committee/Board..

**Exterior Lighting**

**Article VI Section 14**

Except as provided below, a Modification Request Form must be submitted for all exterior lights or lighting fixtures not included as part of the original structures.

A Modification Request Form is not required if lights meet the following criteria:

- A. Lighting does not exceed 12 inches in height
- B. The number of lights does not exceed 10
- C. Outside light posts shall be black in color. Colored lens, lamps or bulbs of any type are not permitted.
- D. All lights are to be low voltage (maximum 12 volts) and located to cause minimum visual impact on adjacent properties and streets.

**IV. Recreational Equipment Standards**

**Recreational Equipment**

**Article VI, Section 10**

- A Modification Request Form must be submitted for all play equipment and playhouses except as noted below.
- Playhouses must be located where they will have a minimal visual impact on adjacent properties. In most cases, building material must match existing materials of the home and the playhouse may not be larger than 100 square feet. A Modification Request Form must be submitted for approval for a playhouse. Treehouses are not permitted.
- Except for lots adjacent to a lake, a Modification Request Form is not required to be submitted for play equipment if the play equipment is located:
  - A. within the extended side lines of the house
  - B. in the rear yard
  - C. if a privacy fence conceals the equipment from view from the street

If the lot will not accommodate play equipment within the extended sidelines of the house, or if the lot is situated such that placement of play equipment will create visual impact from the street, a Modification Request Form will be required.

- 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 playsets are prohibited. All play equipment shall be maintained neatly (kept painted, stained, etc.).
- Baseball backstops, batting cages, or similar equipment is not permitted.
- Skateboarding ramps 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 of the street. In addition, if such structures are used in the street, they must be moved when not in use.

### **Basketball Goals**

#### **Article VI, Section 12**

Whether permanent or mobile, A Modification Request Form is not required to be submitted if all of the following requirements are met:

1. Backboard is white, beige, clear, or light gray
2. Goal is not to be attached to the house or placed in the street
3. Goal must be kept in good appearance and condition (no rust, broken parts, must have a net, etc.)
4. No more than one basketball goal will be permitted on any lot.

### **Pools**

#### **Article VI, Section 10**

#### **Wading Pools**

A Modification Request Form is not required to be submitted for children's portable wading pools (those that can be emptied at night) that do not exceed 18 inches in depth where surface areas do not exceed 36 square feet.

#### **Above-Ground Pools**

**Above ground pools are prohibited**

#### **In-Ground Pools**

This guideline represents minimum requirements for Edgewater. 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 Modification Request Form 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. A six-foot privacy fence with a self-latching gate is required and must be consistent with fence guidelines
  - C. Maximum pool area: 800 square feet or 40% of the backyard (including deck area), whichever is smaller.

- D. Glaring light sources, which can be seen from neighboring lots may not be used.
- E. A separate landscape plan must be provided with the Modification Request Form.
- 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 demonstrating his/her knowledge of swimming pool design. Plans and specifications shall be drawn to scale and shall be accompanied by a complete specification so as to permit a complete review of the plans and shall include
  - A plan and sectional view with all the necessary dimensions of both the pool and the surrounding area
  - Pool related drainage must be directed away from neighboring lots; and
  - Location of mechanical equipment (pump).
- A walk area or deck no less than four feet in width as measured from the inside wall of the pool, and with a minimum surface area equal to that of the pool shall completely surround the pool.
- If construction is not commenced within three months from the date of approval, the application approval is invalid and the project must be re-submitted.

**Outdoor Spas and Hot Tubs**  
**Article VI, Sections 10 and 24**

- All spas and hot tubs require a Modification Request Form.
- 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 Modification Request Form.



## **Docks**

### **Article VI, Sections 10 and 26**

A form must be submitted for all docks and must include a site plan with location, dimensions, and all construction details

- All docks must be constructed of pressure treated wood
- All nails and other hardware used in construction must be coated with a protective coating to retard rusting
- Commercial oil drums may not be used in the construction of docks or for any other purpose on a lake
- Carpeting may not be installed on docks.
- Docks may not extend more than 20 feet into a lake
- Docks that extend into a lake must be equipped with reflectors on those sides of the dock which extend into the lake
- All docks must be kept in good repair to prevent loose boards from floating away
- Floatation devices, chairs, towels, and other items must be removed from the dock except when in use so as to maintain a clean and uncluttered appearance
- Diving boards, sliding boards and other play equipment may not be attached to docks or otherwise located so as to be used in connection with a lake
- Floatation docks are prohibited
- All lake front property must remain as natural as possible, i.e., no sand or gravel beaches
- All lake front alterations require submission of a form.

## **V. Miscellaneous Items**

### **Dog Houses**

#### **Article VI Section 8**

- Dog houses are allowed in the rear yard and must be located close to the house to provided minimum visual impact to adjacent properties and the street. It shall be located so as not to cause a nuisance to neighbors. The dog house exterior colors must be a natural wood color, stained in a natural wood color or painted to match the exterior of the house. Landscaping shall be added to block visibility of doghouse where necessary. Dog Houses do not need approval by Covenants Committee as long as they meet the above requirements.

### **Holiday Decorations**

#### **Article VI, Section 12**

- Exterior Christmas Decorations may not be displayed before Thanksgiving Day and shall be removed by the second weekend in January.
- For 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.

## **Pet Management**

### **Article VI Section 8**

- 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 too 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. Before HOA gets involved, a signed written statement must be submitted to EHOA documenting the nuisance and signed by at least 3 homeowners adjacent to or across the street from homeowner with the barking dogs.
- As a courtesy to neighbors, pet owners are responsible for cleaning up their pet's droppings while walking them in common areas or on other homeowner's property. Any conflicts are to be resolved by involved homeowners or by calling Gwinnett County Animal Control at 770- 339-3200.

## **Signs**

### **Article VI, Section 3**

- No sign of any kind shall be erected by an owner without written consent of the Committee except: legal preceding signs, one "For Sale" sign consistent with the community wide standard having a maximum area of four square feet.
- For Lease or For Rent signs are prohibited
- One security alarm sign is allowed in the front yard, placed either by the mailbox or by the front steps.

## **Spirit signs**

Spirit signs, banners, or flags such as for the Collins Hill Eagles or Edgewater Lightning, 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. All other spirit signs require submission of a modification request.

## **Political Signs**

- A home may only have ONE [1] political sign per yard. The sign may only have a maximum face area of four-square feet and may only be displayed in the front yard of a Lot.
- For the Primary Election, a political sign may be displayed for a period of ONE [1] month prior to the Primary Election and must be removed the day of the Primary Election.
- For the General Election, a political sign may be displayed for a period of ONE [1] month prior to the General Election and must be removed the day of the General Election.
- For any Run-off Election, a political sign may be displayed for the period of the run- off and must be removed the day of the Run-off Election.

