

# Hamilton Township Design Standards

These Design Standards apply to Hamilton Township, The Highlands at Hamilton Township and The Estates at Hamilton Township Communities

*Version #: 11/27/09*

To: Hamilton Township, The Highlands at Hamilton Township and The Estates at Hamilton Township Homeowners

From: Architectural Control Committee (ACC)

Date: November 27, 2009

CHANGES: Changes from version 9/1/08 **highlighted in red**

Our subdivision is a "Deed Restricted" community. Architectural controls as outlined in our "Declaration of Covenants" were written to create a harmonious look and to protect property values.

The ACC, a voluntary committee of homeowners, was formed to assure these standards and controls are upheld.

These Design Standards were created to give additional detailed guidance to homeowners seeking to make changes/improvements in their property.

We ask for your cooperation for the protection of your neighbor's and your own property values. A copy of these Design Standards, as well as our Declaration of Covenants can also be found on the Hamilton Township website at [www.hamiltontownship.net](http://www.hamiltontownship.net), under the HOA link.

## **2010 ACC Committee**

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## **DESIGN STANDARDS for Hamilton Township, The Highlands at Hamilton Township and The Estates at Hamilton Township Communities**

### **Authority**

- i. This DESIGN STANDARDS document is promulgated pursuant to authority granted to the Architectural Control Committee (hereinafter referred to as the "ACC") of the Hamilton Township Development (hereinafter referred to as the "Development") under Article II, Section 1 of the Declaration of Covenants, Restrictions and Easements for Hamilton Township Subdivision (hereinafter referred to as the "Declaration"). **The requirements of these Design Standards shall be in addition to and not in lieu of the requirements and provisions of the Declaration.**
- ii. These Design Standards may be amended from time to time by a majority vote of the members of the ACC.

### **Purpose**

- i. Plans and specifications must be submitted to and approved by the ACC pursuant to the Declaration and these Design Standards for the sole and exclusive purpose of assuring that all Structures within the Development are in conformity and harmony of external design and general quality and in conformity and harmony with existing standards of the neighborhood.

### **Definitions**

- i. The word "Structure," "Owner, and "Lot," as used herein shall have the same meaning as such words have in the Declaration.

### **Submission of Plans and Specifications**

- i. Any modifications to the homeowner's lot or home require ACC approval in writing PRIOR to any changes being made to the lot in accordance with the requirements of Article II, Section 1 Declaration. Please use the current ACC Approval form, which can be found on our website under the HOA link at [www.hamiltontownship.net](http://www.hamiltontownship.net).

## **Design Standards** (Please refer to Article VIII of the Declaration for additional reference)

### **Article 1: Residential Use**

- i. All Lots shall be restricted exclusively to single-family residential use. No business or business activity shall be carried on or upon any Lot at any time except with the prior written approval of the Association. The leasing of any Lot for residential purposes shall not be considered a business or business activity.

### **Article 2: Debris**

- i. No rubbish or debris of any kind shall be dumped, placed or permitted to accumulate upon any portion of an Owner's Lot so as to render the same unsanitary, unsightly or offensive. No nuisance shall be permitted to exist upon any portion of the Property.

### **Article 3: Erosion Control**

- i. No activity which may create erosion or siltation problems shall be undertaken on any Lot except for the initial construction of residences and development of the Property.

### **Article 4: Signs, Flag Poles, Banners, and Flags**

- i. No signs whatsoever shall be installed, altered or maintained on any Lot, or on any portion of a Structure visible from the exterior thereof, except:
  - a. such signs as may be required by legal proceedings;
  - b. not more than one "For Sale" or "For Rent" sign, provided, however, that in no event shall any such sign be larger than six (6) square feet in area. An exception would be a home on a corner lot, bordering two streets – a sign on each street will be allowed. Following the consummation of the sale or rental of any Lot, the sign located thereon shall be removed immediately
  - c. directional signs for vehicular or pedestrian safety;
  - d. entry signs used to identify subdivision, marketing signs used to advertise subdivision by Developer and in conjunction therewith, brochure holders
  - e. temporary commercial contractor signs (e.g. painting, basement finishing, deck construction), **which must be removed 7 days after the completion of the project, and be in place for a total of no longer than 90 days total.**
  - f. Temporary, small, lawn treatment signs**
  - g. small security, invisible fence, and “private residence” signs
  - h. temporary political candidate signs, no more than six (6) square feet in area, to be removed one week after elections or after a period of 90 days total display.
- ii. Flag poles must be attached to the side of a home and be no more than six feet in length. No free standing flag poles of any type are allowed, except during federally designated holidays. Flags may not be attached to the mailbox post or displayed in windows. Flag or banner size may not exceed 4 feet by 6 feet. No flag or banner which could be considered of an offensive nature may be displayed. During holidays, flags which are not attached to a home may be displayed for no more than five days.
- iii. The Board of Directors may from time to time, place signs for communicating meetings and social events at their discretion.

### **Article 5: Fences**

The ACC must approve all fences to be located on any Lot. Fences and walls shall:

- i. Complement the design, texture, color, and layout of all structures on the same Lot **and adjacent lots. Elements that may be considered can include (but not limited to) distance from sidewalk, type of fence, and sightlines from sidewalk and road.**

- ii. Shall be a maximum of 6 feet above grade in height;
- iii. Shall not attract attention as distinct architectural elements.
- iv. Any solid fence placed on a lot shall be constructed so that the finished or smooth side faces the adjacent properties;
- v. Fences shall be left unstained or, if stained, shall be in neutral earth tones as close to the natural environment as possible so as to not call attention to the fence as an element of the landscape. Fence staining, if opaque, or painting shall be approved by the ACC. The entry fencing to the development, as maintained by the Homeowner's Association, shall be an exception and shall be painted and maintained in good order.
- vi. Prohibited Fencing: Woven metal or chain link fences shall not be used, with the exception of the chain link fence around the designated water retaining area and tennis courts at the recreation areas.
- vii. In **some** cases the fence will be required to connect to the back corners of the house.

**Article 6: Recreational Vehicles, Commercial Vehicles, Automobiles, Trailers, etc.**

- i. Recreational vehicles, commercial vehicles, boats, trailers, campers, trucks (except personal pickups and vans), travel buses or similar such equipment may not be **routinely** parked or stored on any Lot except in a closed garage. **Generally, said equipment should not be parked for more than 48 hours, allowing for loading/unloading before and after trips.**
- ii. A commercial vehicle may be defined by any one of the following:
  - 1) A vehicle rated to carry more than one ton.
  - 2) A vehicle with more than two (2) advertising signs or any advertising message (sign, paint, window tint, vinyl etc.) measuring more than 1.5 sq ft.
  - 3) Vans with visible OSHA safety racks.
  - 4) Any vehicle with equipment or supply racks.
- iii. No inoperative vehicle shall be parked on any lot or in the street for any period of time in excess of fourteen (14) days.
- iv. No owners or occupants of any Lot shall repair or restore any vehicle of any kind upon any Lot, except for emergency repairs, and then only to the extent necessary to enable the movement thereof to a proper repair facility.
- v. No vehicle shall be permitted to park for any period of time on any lawn areas (front, side, or rear) regardless of visibility from the street. All vehicles shall be parked in driveways, or temporarily on the street for a period not to exceed 48 hours.
- vi. Cars visible from the street may not be covered with a tarp or cover of any kind.

**Article 7: Recreational Equipment**

No recreational and playground equipment shall be placed or installed on any Lot which is visible from the street abutting such Lot, except with the prior approval of the ACC.

- i. All swing sets, trampolines, basketball goals, etc that are visible from the street require ACC approval prior to installation.
- ii. Metal swing sets and play structures, tire swings, or poorly maintained play structures are not permitted
- iii. Basketball goals must be properly maintained and located adjacent and ideally not more than 15 to 20 feet from the garage. Installed or portable basketball goals are typically approved. Backboards may be clear, white or smoked colored. Under no circumstances may the backboard be attached to the home. Portable basketball goals may not be placed in street for more than two consecutive days.
- iv. No recreational equipment (ex. Skateboard ramps, soccer/lacrosse goals, baseball nets, etc.) may be placed on any lot where visible from the street for more than two consecutive days. Some flexibility will be afforded to corner lots where the entire backyard is visible from the street; however these items may not be placed in front yards or driveways on a permanent basis, even on these corner lots.

#### **Article 8: Accessory Structures**

- i. Detached storage buildings, carports or sheds will not be permitted. Storage sheds will generally be approved if attached to the house in such a manner that they are not visible from the street and appear as part of the original construction. All materials used such as siding, roofing, paint, etc. must match the existing structure in materials and color. Sheds may not exceed a height of eight (8) feet and all designs must be approved by the ACC before construction begins.
- ii. Generally, dog runs will not be approved; however under certain circumstances, the ACC may review and approve the construction of pet enclosure areas. Consideration of neighbors shall be paramount. Such areas shall be constructed according to fencing guidelines described in article 5 and shall be placed so as not to be visible from the street.

#### **Article 9: Improvements on Lots.**

All construction of and maintenance of improvements to lots, dwellings, accessory structures and all other improvements on any Lot in the Property (**including, but limited to: screened-in patios, outdoor kitchens, permanent BBQ's/fireplaces, decks, patios**), shall require ACC approval and be undertaken and completed in accordance with the following conditions:

- i. All construction shall be carried out in compliance with the laws, code, rule, regulations, and orders of all applicable governmental agencies and authorities.
- ii. Concrete block or cinder block shall not be used as a building material for the exposed exterior surface of any dwelling or accessory structure constructed or placed on any Lot.
- iii. No lumber, bricks, stones, cinder blocks, scaffolding, mechanical devices, or any other materials or devices used for building purposes shall be stored on any Lot except for purposes of construction of a dwelling or accessory structure on such Lot nor shall any such building materials or devices be stored on any Lot for longer than the length of time reasonably necessary for the construction in which such materials or devices are to be used.

- iv. The enclosed, heated living area shall contain not less than two thousand (2,000) square feet for two-story dwellings and not less than eighteen hundred (1,800) square feet for one story dwellings. No dwelling shall be constructed exceeding three stories in height, including basement, on any Lot.
- v. Vegetable gardens must be located between the rear of the dwelling and the rear lot line and not be visible from the street. Some flexibility will be afforded to corner lots where the entire backyard is visible from the street; however these items may not be placed in front yards or driveways on a permanent basis, even on these corner lots.

**Article 10: Animals**

- i. No animals, including birds, insects, reptiles, may be kept on any Lot unless kept thereon solely as household pets, but only in a reasonable number and not for commercial purposes. No animal shall be allowed to become a nuisance or roam free or endanger the health of other Lot Owners or make unreasonable noises, emit foul or obnoxious odors or constitute an unreasonable interference with the rights' of other Lot Owners to enjoy the peaceful possession of their property. **Extreme cases will be referred to Cobb County Animal Control for resolution.**

**Article 11: Miscellaneous Fixtures**

- i. The ACC must approve all awnings, shades or window boxes which are to be attached to or hung or used on the exterior of, any window or door of any house; and all railings, fences, walls. Awnings typically will not be permitted.
- ii. No Owner shall be allowed to attach or construct any foil or other reflective materials, or flags, for use on any windows or sunscreens, blinds, or shades.
- iii. No window mounted heating, air-conditioning or fan units are permitted.
- iv. Outside clotheslines or other outside facilities for drying or airing clothes are specifically prohibited and shall not be erected, placed or maintained upon any lot, nor shall any clothing, rugs or other items be hung on any railing, fence, hedge or wall.
- v. Windows visible from the street must have treatments consisting of drapery, blind, decorative panels, or other traditional window coverings, and shall be harmonious in color and style with both the house and neighborhood in general. Bare windows, treatments exhibiting incompatible/discordant colors, and temporary coverings not limited to newspaper, aluminum foil, sheets, etc. are not permitted

**Article 12: Tree Removal**

- i. No trees shall be removed without the express written approval by the ACC, except for diseased or dead trees or trees which need to be removed to promote the growth of other trees or to comply with the landscape plan approved by the ACC.
- ii. Clear cutting of pine trees is not allowed.

**Article 13: Mailboxes and House Numbers**

- i. Any replacement mailboxes and/or mailbox posts require ACC approval. All replacement mailbox posts must be consistent in both style and color with the existing mailbox posts for your respective phase of development. No metal or plastic post attachments for newspapers or other deliveries will be allowed.
- ii. House numbers painted onto the curb of the street shall not be permitted.
- iii. Mailbox and post must be maintained in good condition, adequately painted or otherwise finished in approved colors for neighborhood. Posts are to be painted Duron "Dauphin Gray" # 8773M in Semi-gloss. Numbers and mailbox are to be painted black and flag on mailbox to be painted red.

**Article 14: Exterior Lighting**

- i. The ACC must approve all exterior lighting, including the design, type, location and coverage area. Lighting should not result in an adverse visual impact to adjoining neighbors due to location, wattage, or other features.

**Article 15: Sight Distance at Intersections**

- i. All property located at street intersections shall be so landscaped as to permit safe sight across the street corners. No fence, wall, hedge or shrub planting shall be placed or permitted to remain at any corner where this would create a traffic or sight problem.

**Article 16: Property Maintenance**

- i. Only major changes in the landscape design and features of a Lot shall require approval by the ACC. Minor alterations, additions of trees or plants, or minor changes to "hardscape" elements, shall not require approval. In order to avoid non-compliance on what constitutes a major change, homeowners should check with the ACC if there is a question.
- ii. Each lot shall at all times be kept in a clean and well-maintained condition. Lawn areas should not exceed 4" in height and must not grow over the curbing. Islands and bed areas shall be kept free of weeds and grass, remained edged and be regularly mulched. Trees and bushes shall be pruned regularly and should not be allowed to cover any part of the sidewalk. Any dead plant material must be removed from the property immediately.
- iii. No structure shall be permitted to fall in disrepair. Each structure shall be kept in good condition and adequately painted or otherwise finished. In the event of damage or destruction to any structure or property, all necessary clean-up, repairs or reconstruction must be performed on a timely basis and in accordance with current approved plans and specifications.
- iv. Grass clippings must not be allowed to accumulate on driveways or in the street.

**Article 17: External Painting, Siding Material, Roofs**

- i. Repainting of an existing house in the original paint colors (previously approved by the ACC or the original color) shall not require any additional ACC approval.
- ii. Any color change to the house body and/or trim, front door or shutters requires ACC approval prior to starting the job. Continuity/compatibility of color and finishing materials with the original construction and surrounding dwellings, including nearby house colors, will be

considered.

- iii. Vinyl or aluminum siding will not be permitted. Any siding alterations must have ACC approval.
- iv. No change in color or existing roofing material shall be permitted without approval of the ACC.

**Article 18: Solariums/Greenhouses**

- i. Solariums or greenhouses of a prefabricated nature constructed primarily of (more than 50 percent) glass and aluminum shall not be permitted. The addition of solariums and greenhouses shall be subject to the review and approval of the ACC regarding materials, size and location.

**Article 19: Outside Sculpture or Ornamentation**

- i. No residence shall be permitted to have any statuary, sculptures, birdbaths, excessive flower pots or containers, or other decorative item(s) made of concrete, plaster, or metal on the front lawns, walks, or driveways. It is the intent of the Design Standards that all front lawns and landscaped areas to be as uncluttered with ornamentation as possible. Park style benches are allowed provided they are not constructed of concrete and are a natural or earth color.

**Article 20: Landscape Edging**

- i. Materials utilized for landscape edging must be consistent with the exterior of the structure, shall not exceed 6" in height and must be pre-approved by the ACC. Acceptable edging materials are limited to metal, wood, fieldstone, "solid" brick and low profile, solid black plastic edging or concrete materials.

**Article 21: Trellises**

- i. All trellises, arbors, wooden screens and lattice structures must be approved in writing by the ACC prior to the beginning of construction.

**Article 22: Swimming Pools, Hot Tubs and Spas**

- i. Above-ground pools will not be permitted, but in-ground pools are permitted with approval in advance from the ACC.
- ii. Exterior hot tubs must be screened from adjacent properties and streets. All pumps, filters and equipment for spas must be located so as not to cause a nuisance to neighbors and must be screened from view. The final site selection and placement will require approval by the ACC prior to installation, as well as final inspection by the ACC after installation is complete.

**Article 23: Antennas and Satellite Dishes**

- i. Externally mounted antennas such as television, citizens band, computer or radio will not be permitted.
- ii. DBS Satellite dishes 1 meter in diameter and under are acceptable; however, if the dish is visible from the street, the placement of the dish must be approved in writing by the ACC prior to installation. The dish should not be installed, mounted or positioned in front of the forward edge of the residence.

**Article 24: Trash Containers**

- i. Trash containers should be stored as inconspicuously as possible, must have lids, and must be in good condition. Containers are to be placed curbside no earlier than the day prior to pick-up and must be removed by morning of the day after pick-up.

**Article 25: Holiday Decorations**

- i. Seasonal decorations, other than Christmas and other December holiday decorations, may be placed not more than 14 days before the celebrated holiday, and must be removed no later than 7 days thereafter. Christmas and other December holiday decorations, including lights, may be placed from Thanksgiving week of each year through January 30<sup>th</sup> of the following year.