

DESIGN STANDARDS

ROSEMOORE AT HARPER WOODS HOA

I. **AUTHORITY** This DESIGN STANDARDS document is promulgated pursuant to authority granted to the Architectural Advisory Committee (hereinafter referred to as the “AAC”) of the Rosemoore at Harper Subdivision (hereinafter referred to as the “Subdivision”) under Covenants, Restrictions, and Easements recorded in Deed Book 13317, Page 6280, Filed and Recorded December 2, 2000 in Cobb County Georgia records (hereinafter referred to as the “Covenants”). The requirements of these Design Standards shall be in addition to and not in lieu of the requirements and provisions of the Covenants, including Article V. Architectural Control; Article VI. Restrictions; Article VIII. Maintenance of Lots and Landscaping.

II. **PURPOSE** Plans and specifications must be submitted to and approved by the AAC pursuant to the Covenants and these Design Standards for the sole and inclusive purpose of assuring that all structures, landscaping, park area, and grounds within the Subdivision are in conformity and harmony of external design and general quality, and in conformity and harmony with existing standards of the neighborhood.

These Design Standards are intended to govern construction, alteration, or maintenance of all existing and new exterior structures, structural or other exterior element changes, landscaping and any site modifications including, without limitation, fences, swimming pools, utility sheds or enclosures, porches, pet housing, or other attached or detached structures, roofing, gutters and downspouts, wood and metal trim, siding, chimney spark arrestors, painting, screening elements, driveways, gas lights, mail boxes, signage, all landscaping, trees, shrubs, grass, mulch, benches, fountains, and all landscape sculpturing.

III. **DEFINITIONS** The words “Structure”, “Owner”, “Landscaping”, and “Lot” as used herein shall have the same meaning as such words have in the Covenants, except that “Lot” shall include “Common Property” (defined as grounds, park area, alley drives and all other common area within the Subdivision). The word “structure or Structure” as used herein shall also mean and include any natural or man made improvement if not specifically identified, and vehicles or other items as hereinafter identified. The words “plans and specifications” as used herein shall include the normal construction permit documents, material manufacturers specification sheets, plans and specifications prepared by contractors or similar documents as required to fully delineate the intended construction. The word “construction or Construction” as used herein shall include all items, without limitation, involving improvements, modifications, alternations, additions, maintenance, and replacement of any structure. The word “Board” as used herein shall mean the residing Rosemoore at Harper Woods Home Owners Association Board of Directors.

IV. SUBMISSION OF STRUCTURE PLANS AND SPECIFICATIONS

A. Plans and specifications for the construction, placement, removal, addition, alteration of any structure on any Lot shall be submitted to and reviewed by the AAC in accordance with the requirements of Section 3.a. of the Covenants. Each owner shall submit to the AAC two complete sets of plans and specifications, clearly showing which Lot is covered by such plans and specifications. A completed Modification Request Form must accompany the plans and

specifications. Any submittals for approval must be made prior to Lot owner purchasing any materials or services

- B. All plans and specifications are required to be submitted to the AAC a minimum of 30 days before beginning any work. All requests must be on a Modification Request Form and include a complete description of the project. The plans for all projects that include any exterior structural or other exterior element changes to the house, or construction such as fences, swimming pools, utility sheds or enclosures, porches, or other attached or detached structures, must indicate the location of project elements relative to the property lines and also be accompanied by an elevation clearly showing these changes. All projects must be completed by the date specified on the Modification Request Form.

V. CONSTRUCTION

- A. After approval by the AAC of plans and specifications for any Structure and prior to the commencement of any site preparation, material staging, clearing, grading or construction on the Lot for which such plans and specifications were approved, the location of such structure shall be clearly marked on such Lot. After such marking, the Owner or the Owner's contractor shall request in writing that a representative of the AAC inspect the proposed location of the Structure as marked on the Lot to determine whether such location is consistent with the guidelines for location of buildings contained in Section 7A of these Design Standards. After receipt of such written request, the AAC shall have three (3) days in which to: 1) inspect the proposed location of the Structure as marked on the Lot, and 2) notify the Owner in writing of its approval or disapproval of the proposed location of the Structure. In any case in which the AAC shall disapprove the proposed location or shall approve the same only as modified or upon specified condition, such disapproval or qualified approval shall be accompanied by a statement of the grounds upon which such action was based. In any case the AAC shall, if requested, make reasonable efforts to assist and advise the applicant in order that an acceptable location may be marked and submitted for approval. In no event shall the Owner allow any construction work, as outlined in this paragraph V.A., prior to approval of the proposed location by the AAC.
- B. During approved construction, all vehicles in any way connected with such construction shall enter the Lot or Lots under construction only by the driveway as approved in the plans and specifications by the AAC. In no event shall any driveway other than those approved by the AAC be constructed or used for temporary Access to any Lot. All Vehicles shall be parked at the Lot to avoid damage to trees, paving, curbs, gutters, fences, and any other improvements on the Lot or adjacent Lots not involved in the construction. In no event shall construction vehicles block Access through the Subdivision streets or alley drives or to any neighboring Lot. In no event shall material delivery trucks block access through the Subdivision streets or alley drives or to any neighboring Lot. Due to the potential of blocking fire Access to the Subdivision lots, any such vehicle blocking access will be towed at contractor's expense. Any damage caused by contraction related vehicles will be repaired at contractor's expense.
- C. All stumps, brush, construction debris shall not be buried, dumped, temporarily stored on any Lot or area of the Subdivision, and shall be removed from the Lot and Subdivision as often as necessary to keep the Lot and Subdivision attractive and in a trash free state during and after completion of construction. Contractor shall immediately provide a construction debris container upon written notice by the AAC, delivery of which shall be by hand to the contractor or Lot owner.

- D. Grading, excavation, or any disturbance of the existing finished Lot or Subdivision grade shall comply with the Cobb County Code and Regulations. The existing drainage pattern of the Lot or the Subdivision shall not be altered. Should the construction cause silting of the existing detention pond or mudding of existing streets and alley drives, silting prevention devices shall be installed per Cobb County Regulations, as necessary, or upon written notice by the AAC, delivery of which, shall be by hand to the contractor or Lot owner.

VI. DESIGN DETAILS

- A. Any major alternation of an existing building structure shall comply with the Cobb County Building Department Regulations, existing Zoning, the Covenants, Rosemoore at Harper Woods Subdivision Plat approval requirements, these Design Standards, and the review and approval of the AAC.

Exterior appearance of all existing building structures, materials, and colors shall not be altered without written approval of the AAC so the existing visual and aesthetic character of the Subdivision is not compromised or changed to the detriment of the real estate values.

Homeowner must submit three (3) swatches of intended paint color for approval, with the exception of the Structure being painted one shade lighter or darker, in which case no swatch is necessary.

Original exterior color schemes put forth by MDC Homes for Rosemoore at Harper Woods Community can be made available to any Homeowner, upon request.

- B. Exterior conditions that will not be acceptable.
Including, but not limited to peeling paint, excessive mildew, rusting gutters, rotting wood, non-secured shutters, extensive fading of paint, shingles missing or falling off.
- C. Garage door replacements must be constructed of metal, be windowless, and compliment the existing style within the Community. Lot owner must submit plans and specifications to the AAC for approval in the event garage doors need replacement due to damage or non-operating conditions. Garage door color must also be approved by the AAC.
- D. Silver finish aluminum exterior doors and windows shall not be approved. Doors and windows needing replacement shall be the same as existing on the structure. No natural wood finish or stained doors will be approved. Storm doors may be factory painted or anodized aluminum. In any event, prior to any exterior door or window replacement, plans and specifications indicating type, finish, and color must be submitted to the AAC for approval prior to purchase or installation.
- E. Chimney spark arrestors, rain caps needing replacement shall be the same as existing on the structure and prior to replacement plans and specifications indicating type, finish, and color must be submitted to the AAC for approval prior to purchase or installation.
- F. All exterior colors and materials shall comply with these Design Standards and shall be approved by the AAC.

- G. Roofing materials and colors shall be specified in the plans and specifications submitted to the AAC for approval and shall be subject to the color and material guidelines contained in Section VIII of these Design Standards.
- H. No plumbing or heating vents shall penetrate those roof surfaces or wall surfaces that face the public streets. All plumbing and heating vents that do penetrate the roof shall be painted to blend with the roof color.
- I. A written plan for landscaping must be submitted for landscaping must be submitted with a Modification Request Form to the AAC prior to installation, removal or replacement of any materials, such plan must include a drawing to show location, variety, and sizes of all plant materials, as well as location and description of all “hardscape” items such as fences, walls, rocks, foundations, statuary, benches, fountains, and all other man-made or natural items imported onto any Lot.
- J. No mailbox or other receptacle of any kind for use in the delivery of mail, newspapers, or similar materials shall be erected or placed on any Lots or Structures unless it shall conform to the mailbox originally constructed on each Lot. Should a mailbox need replacement, as allowed by express written approval of the AAC, the replacement shall conform to the Rosemoore at Harper Woods Subdivision mailbox specifications listed below.

Mailbox to be 8 ½ inches wide, 12 ¼ inches deep, 11 inches total height with rounded top and vertical wall 7 inches high, and red flag. Mailbox post top to be 63 inches above bare ground grade with bottom of mail box 35 inches above bare ground grade. All dimensions to be plus or minus ½ inch. Post top to be gold only and post and box to be painted flat black only. Numbers are to be 2 inches high in an Ariel style.

- K. 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 approval of the AAC.

VII. SITE PLANNING AND DESIGN

- A. All structures together with related paved and open areas shall be located on the Lot to:
 - 1. Minimize changes in the existing topography.
 - 2. Preserve existing trees and vegetation to maximum extent possible.
 - 3. Control drainage and prevent erosion.
 - 4. Conceal unsightly areas.
 - 5. Prevent drainage onto adjacent Lots.
 - 6. Provide maintenance space for Subdivision fences maintenance.

VIII. COLORS AND MATERIALS GUIDELINES

A. Materials

1. A minimum number of exterior materials shall be used on Structures to avoid a cluttered appearance. Any change of material combinations of existing Structures is not allowed except by express written approval by the AAC and the Board.
2. Secondary materials, when used, shall complement the dominant material in texture and color.
3. Recommended materials:
 - a. Hardie Plank siding:
 - b. Brick: No weeping or black mortar will be allowed. All brick shall be in subdued colors and sample must be submitted to the AAC for approval. Old used brick will be accepted in special areas with approval from AAC; painting of brick is not allowed.
 - c. Stone: Any stone modification or replacement must be approved by the AAC, and must compliment existing neighborhood stonework.
 - d. Roofing Shingles: Roofing shingle color must be approved by the AAC. No tile, ceramic, or metal roofing material is to be used as primary roofing material. Homeowner should match existing roofing material combinations. Any change to roof accent material must be approved by the AAC.
4. Unacceptable materials include, without limitation.
 - a. Natural wood or plywood siding.
 - b. Plastic siding.
 - c. Artificial brick, stone, or wood.
 - d. Color coatings, which simulate natural materials.
 - e. Unnatural tones of brick, stone, siding.
 - f. Visible silver finish and uncoated flashing.
 - g. Unfinished standard concrete masonry blocks.
 - h. Stucco; natural or artificial is not acceptable as an exterior material except by express written approval by the AAC and the Board; stucco or similar concrete appearing material may be used to cover foundation walls or slab edges not exceeding 8 inches above finished landscape grade, provided the color or such materials matches the dominate siding color and approved by the AAC.
5. The exterior materials of all Structures on all Lots shall be harmonious and complementary.

B. Colors

1. The exterior colors of walls, trim, roofing, flashing, chimneys and spark arrestors, gutters and downspouts, of single family residential Structures shall be compatible and harmonious with the colors of nearby residential Structures. Highly reflective colors (glossy) shall be avoided.
2. A minimum number of exterior colors shall be used. The main exterior wall color shall be dominant and shall not be different from the existing color by more than one shade, except by express written approval by the AAC and the Board.

3. Secondary colors shall be:
 - a. Compatible with the dominant color.
 - b. Limited to architectural details, such as garage doors, trim, fascia, frames, flashing, trim, and preformed roofing.
 - c. High contrast colors, when used, shall be limited to entry doors sly trim and other accent colors shall not cause coordinated to assure a harmonious blend.
 - d. The colors of walls of adjacent Structures shall not be the same, unless existing colors are the same.

IX. SCREENING GUIDELINES

- A. Screening shall be used within the Subdivision to block the view from the street of various objects.
- B. Examples of objects to be screened include, without limitation, the following;
 1. Refuse containers: Need to be screened if visible from any street, public or private, and/or from any lot, from any perspective.
- C. Subject to approval of the AAC, the following methods of screening shall be used.
 1. Planting screens shall.
 - a. Be composed of specie approved by the AAC.
 - b. Be installed at a height sufficient to screen the object in question but not less than 3 feet in height.
 - c. Be spaced at a density, which will create an effective year-round visual screen.
 - d. Be harmonious with and be compatible with the character of the Subdivision.
 - e. Not include “flowering weed” type specie.
 2. Fence screens and wall screens shall.
 - a. Complement the design, texture, and color of all Structures on the Lot.
 - b. Be a maximum of 6 feet above the finished grade in height.
 - c. Not interfere with the maintenance of the Subdivision fences.
 - d. Specifically comply with Covenants Art VI., Sect. 1 paragraph (e), Sect. 3 paragraph (a)
 3. Prohibited Screening
 - a. Woven metal or chain link fence material.
 - b. Plastic or vinyl fence material.
 - c. Split rail fence style.
 - d. Fence that obstructs vision and creates a traffic hazard.

X. FENCE GUIDELINES

- A. Subject to approval of the AAC, the following methods of fencing shall be used.
 1. Wood fencing to be used to enclose property, in accordance with Covenants Art VI., Sect. 1 paragraph (e), Sect. 3 paragraph (a)
 - a. All fences shall be erected with the horizontal and/or vertical support members facing the Structure located on the Lot on which said fence is being erected;
 - b. All fences shall be the height of six (6) feet tall, unless otherwise approved by the AAC and Board.

- c. Any stain applied to any wood fence shall be natural wood stain color only, and must be approved by the AAC.
 - d. Fence style and location to be approved by the AAC.
 - e. Not interfere with the maintenance of the Subdivision fences.
 - f. Have provision for entry into those Lots on which a Subdivision fence is located for the purpose of maintaining the Subdivision fence.
2. Prohibited Fencing
- a. Woven metal or chain link.
 - b. Plastic or vinyl material.
 - c. Split rail fence style.
 - d. Fence that obstructs vision and creates a traffic hazard.
 - e. No fence shall be painted any color.

XI. PROHIBITED STRUCTURES

- A. Satellite dishes and radio antennas located on a structure or on a Lot that appears cluttered and detracts from the character and harmony of the Subdivision.
 - 1. Only one (1) satellite dish to be installed on any Structure and/or Lot and is to be located on the rear of the Structure as not to be seen from the front of the Structure. A second satellite dish may be installed with the approval of the AAC.
 - a. If for the reason of not being able to receive a signal, the satellite dish can not be located on the rear of the structure, a letter from the service provider must be written on company stationary and signed by the service provider representative, then submitted to the AAC for record keeping.
- B. Sky lights
- C. Those structures and items contained in the Covenants.

XII. BASKETBALL BACKBOARDS

- A. No permanent basketball posts, backboard, or hoops to be erected from the ground or attached to a Structure on any Lot.
- B. Portable basketball goals are not to be left out overnight, and are to be stored as not to be seen from any street, public or private, and/or any Lot from any perspective.

XIII. LOT MAINTENANCE AND UPKEEP

- A. Signage
 - 1. One freestanding security sign, not to exceed 12" by 12" in flat area and a total height of 18" above the ground, may be positioned in a planted area in close proximity to the building structure.
 - 2. Political signs to be removed one week after promoted election has taken place.
 - 3. No street numbers are to be painted on the curb.
- B. Flags
 - 1. No flag poles to be permanently embedded in any Lot with concrete or any other materials.

2. Temporary flagpole can be attached to Structure, i.e., flagpole bracket, but the AAC reserves the right to enforce relocation of such in the event that it is obstructive to vision and/or causes a traffic hazard and/or detracts from the appearance of the neighborhood as decided by the AAC and Board.
- C. Décor
1. Seasonal décor (i.e. Halloween, Christmas...) to be removed from Lot within 30 days of the celebration day.
 2. Special day décor (i.e. birthday, wedding...) to be removed from Lot within 7 days of celebration day.
- D. Lanterns
1. Gas lanterns on every Lot must remain lit.
 2. Lantern topper, the eagle, and horizontal bar caps are to be painted gold.
 3. Lantern pole and horizontal bar are to be painted flat black.
- E. Lawn upkeep
1. When replacing or repairing lawn, only Bermuda grass is to be used.
 2. Homeowners are not to over seed lawn.
 3. Grass must be kept less than four (4) inches tall.
 4. Grass areas must be kept free of weeds.
 5. Homeowner must fertilize lawn at least once per year.
- F. Planting Beds
1. Beds must be kept free of weeds and grass.
 2. Beds must have sufficient ground cover, no bare ground showing.
 3. The following mulching materials can be used, one at any given time, without the approval of the AAC.
 - a. Pine straw (long or short needle)
 - b. Pine bark chips
 - c. Natural colored mulched wood
 - d. Natural colored wood chips
 4. Any material used outside of those listed above must be approved by the AAC.

XIV. AMENDMENT

- A. These Design Standards may be amended from time to time by a full vote of the AAC. Amendments will be effective 30 days after they are published and distributed to the Homeowners.

XV. EXCEPTIONS

- A. Exceptions to these Design Standards may be allowed by a majority vote of the AAC and the Board, buy only in cases where the AAC and Board determines that:
1. An exception is necessary in a particular case to avoid undue hardship or to deal with unique, unusual, or extraordinary conditions or circumstances encountered on a particular Lot;
 2. The exception will serve the spirit of these Design Standards and not be to the detriment of the Subdivision.

- B. Such exceptions shall be in writing.
- C. No exception allowed hereunder shall have established any precedent or other effect upon any other situation in which an exception is requested or considered by the AAC or Board. Exceptions may be granted for a specific period of time or for the current Lot owner only.

XVI. COVENANT REFERENCES

- A. Article VI. Architectural Control
 - 1. Section 1. Architectural Restrictions - buildings, structures, fences
 - 2. Section 2. No Combinations of Lots
 - 3. Section 3. Architectural Control
 - a. Paragraph (a) - buildings, fences, wall, garage, patio, carport, playhouse, swimming pool, mailbox, or other structure or landscaping...
 - b. Paragraph (b) - plans and specifications
 - c. Paragraph (c) - certificate
 - d. Paragraph (d) – violations, remedies, costs to restore.
 - 4. Section 4. Declarant Exemption
 - 5. Section 5. Architectural Advisory Committee
- B. Article VII. RESTRICTIONS
 - 1. Section 1. Residential Use
 - 2. Section 2. Prohibited Activities
 - 3. Section 3. Nuisances
 - 4. Section 4. Trash
 - 5. Section 5. Animals
 - 6. Section 6. Signs
 - 7. Section 7. Antennas: Aerials: Satellite Dishes
 - 8. Section 8. Clotheslines
 - 9. Section 9. Window Air-Conditioners
 - 10. Section 10. Temporary Structures.
 - 11. Section 11. Vehicles; Trailers: Boats: Automobiles
 - 12. Section 12. Subdivision Lots
 - 13. Section 13. Outbuildings
 - 14. Section 14. Interpretation
 - 15. Article VIII. MAINTENANCE OF LOTS AND LANDSCAPING