

## ARCHITECTURAL STANDARDS COMMITTEE COMPENDIUM

Congratulations for wanting to improve your property and thank you for taking the time to read the Architectural Standards Committee (ASC) Compendium. To state the obvious, we know that having to get permission to modify your property is a hassle, but consider the alternative. We all know someone with marginal décor taste.....imagine if they were your neighbor and we did not have any architectural controls or restrictions. The ASC insures and protects our community's value. This is a compendium of the Architectural Controls and Covenants, as found in the Charleston Bay Declaration of Covenants, Conditions, and Restrictions. Section 6, pages 7 - 12, last update 2000.

**The Architectural Standards Committee, of the Charleston Bay Homeowner's Association, MUST approve, in writing, ALL exterior architectural changes, additions, and certain landscape changes. ALL requests MUST be submitted, in writing, using the attached "modification request form."**

**1) STRUCTURAL AND LANDSCAPING ADDITIONS/ALTERNATIONS** - Any additions or alterations of town homes, including driveways, patios, decks, fences, storage structures, sunrooms, and landscaping must be approved in advance, in writing, by the ASC. An architectural plan or sketch of plans approved by Gwinnett County Planning and Development (if applicable) and a site plan must be submitted.

**2) EXTERIOR PAINTING AND COLORS** - ALL painting MUST be approved in advance, in writing, by the ASC. All current town home paint colors and any white or cream colors for coins and trim will be generally approved. Owners MUST submit, with the modification request form, manufacturer's paint chips for both.

**3) EXTERIOR APPEARANCE** - ANY item which hangs from town home, or is visible to neighbors, must be approved in advance, in writing, by the ASC. Some examples of these are window boxes, awnings, shades, window tinting, etc. Pictures of items must be attached to the modification request form.

**4) GARBAGE BAGS AND RECYCLING BINS** - Garbage bags may only be set at the curb 12 hours prior to scheduled pick up, and recycling bins must be removed by the evening of pick up day.

**5) GUEST PARKING AREAS** - Except with advance written authorization by the ASC or the Charleston Bay Board of Directors, guests may park vehicles in designated guest parking areas for no more than 5 consecutive 24 hour periods. Homeowners may park vehicles in guest parking areas no more than one 24 hour period, per week. Guest parking signage clearly marks guest parking areas. The ASC is authorized, by the Charleston Bay Homeowners Covenants, to immediately have vehicles towed, without notice, at the owner's expense.

**6) POOL AREA PARKING** - Except with advance written authorization by the ASC or the Charleston Bay Board of Directors, no vehicles may be parked overnight at the pool area. No overnight parking signage at the pool area clearly states this. The ASC is authorized, by the Charleston Bay Homeowners Covenants, to immediately have vehicles towed, without notice, at the owner's expense.

The above list of items does NOT exclusively represent all items that require advance approval by the ASC. We have put together this compendium to make it easier for you. For a complete list, please see the Charleston Bay Declaration of Covenants, Conditions, and Restrictions. Section 6, pages 7 - 12, last update 2000. ANY exterior architectural change, without advance ACS approval, can result in changes at the owner's expense and/or fines. **All applications received by the 25<sup>th</sup> day of the month, will be considered at the next scheduled monthly board meeting. The Homeowners Board of Directors meets the second Monday of every month. Although, the covenants allow 45 days for approval, we will do our utmost to get approval back to you quickly.**

The Architectural Standards Committee and the Charleston Bay Homeowners Board of Directors sincerely appreciate your cooperation in maintaining the architectural integrity and design cohesiveness of Charleston Bay.

## **VIOLATIONS**

Apparent covenant violations - as reported by any source - may be submitted to the ASC to be referred for appropriate action. Community Management Associates may also be a point of contact. The first action will be confirmation that a violation exists. If substantiated, the homeowner in violation will be contacted, the violation explained, and is requested to provide corrective action in a reasonable time period according to the following policy: Upon recognition of a violation, a letter will be forwarded from the Chair of the ASC or Community Management Associates advising the homeowner of the violation, stating the steps necessary to remedy the violation and a time period in which to either respond (in writing) and/or remedy the violation. If after "due process", the violation cannot be resolved by the ASC, or if there is no response to the first letter, or if the violation has not been remedied within the prescribed time period, then the ASC is obligated to refer the matter to the Board. A letter will be forwarded to the homeowner by authority of an officer of the Association advising a new time frame in which to complete the required corrective action and/or respond. An offer of hearing before the board will be extended. As a third step, if there is still no corrective action or completed corrective action, the particular violation will be forwarded to the Association's attorneys. The homeowner will again be asked to remedy the violation and consequences for failure to take appropriate action will be documented. Failure to comply could result in any or all of the following sanctions:

- Suspension of the right to vote in Association matters;
- Suspension of the right to use the recreational facilities and/or common areas;
- Recordation of notice of covenant violation with the superior court;
- Imposition of a fine on a per violation and/or per day basis; see schedule;
- Correction of the violation by the Association with all costs charged to the homeowner; and/or,
- Filing of a lien for all fines and costs, including but not limited to legal fees, to correct the violation.

As a last resort, if the action is still outstanding, then it may be necessary for the Association to file a lawsuit in order to enforce the covenants. When a determination has been established that a property is in violation of the Guidelines, and the property owner has been properly advised, that violation will remain active until it is resolved. Transfer of ownership of a property WILL NOT erase an outstanding violation since a violation follows the property, not the property owner.

## **PENALTIES**

Any resident who is found to be in violation of the Declaration of Covenants, Conditions and Restrictions and these Architectural Guidelines, Appearance and Design Standards is subject to penalties according to the following schedule:

- a. Failure to apply for ASC approval of a project \$500
- b. First Notice [except as provided in (a) above Letter - Mailed when violation first occurs
- c. Second Notice of the same violation Letter - Mailed when violation not corrected within specified amount of time
- d. Third Notice \$25/per day - Fine imposed if not corrected as required
- e. If violation not corrected and fine not paid Lien on property

These Architectural Guidelines, Appearance and Design Standards supersede any previous standards. It is hoped that these guidelines serve their intended purpose of providing help in understanding our community

standards. If you are unsure of the need to submit a form for a project, not specifically referenced by these guidelines, please call any member of the ASC, or any member of the Charleston Bay Board of Directors for assistance. Also, please remember that these are GUIDELINES. If you feel you have a unique situation that bears consideration, submit a request. The ASC will make every attempt to approve the request, given there is neither direct violation of the covenants nor any negative impact on the community as a whole.

#### CHARLESTON BAY - COVENANT ENFORCEMENT PROCEDURES