

Design Standards Deer Run Subdivision

1.0 Introduction

This design standards document is promulgated pursuant to authority granted to the Architectural Control Committee (hereinafter referred to as the “Development”) under Section 5.01 of the Deer Run Declaration of Covenants, Restrictions and Easements, recorded in Deed Book 1493, Page 110; Cherokee County, Georgia records (hereinafter referred to as the “Declaration”). The following guidelines provide the basis for a common understanding of the design objectives and standards by all those involved in this community and most importantly by the present and future residents. These procedures will be used by the ACC of Deer Run to review plans, specifications, and modifications pursuant to the provisions of the applicable Declaration of Covenants, Restrictions and Easements of the Deer Run community. The ACC intends to be fair and objective in the design review process and impartial and understanding of individual goals.

1.1 Definitions

The word “Structure”, “Homeowner” and “Lot” as used herein shall have the same meaning as such words in the declaration.

The word “Lot” is defined as the property located on the front, sides, and rear of home.

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

- A.** Structure
- B.** Exterior doors, windows, or trim
- C.** Exterior materials (i.e. paint, etc.)
- D.** Fences, decks, terraces, walls, drives, turn arounds and walks
- E.** Exterior lighting
- F.** Play equipment
- G.** Landscaping
- H.** Mailboxes
- I.** Swimming and decorative pools, spas and hot tubs, and fountains
- J.** Landscape structures, statuary and furniture
- K.** Sports equipment
- L.** Other exterior items related to, but not specifically mentioned on this list.

The ACC is responsible for reviewing all changes to the exterior of the Structures and Lots.

1.2 Who is subject to the approval process?

All property owners are responsible for obtaining the necessary review and approvals to comply with the terms of the Covenants, Restrictions and Easements. There are no exemptions or automatic approvals. Each application is reviewed on an individual basis.

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1.3 Submission of Plans and Specifications

A. The authority for administration of the approval process lies with the ACC. Plans and specifications for the construction or replacement of any Structure on any Lot shall be submitted to and reviewed by the ACC in accordance with the requirements of Article V, Section 5.06 through Section 5.08 of the Declaration. The homeowner shall submit to the Management Company a complete set of the Plans and Specifications. Pursuant to Article V, 5.04bii, of the Declaration of Covenants, Restrictions and Easements for Deer Run, the ACC shall have thirty (30) days from the receipt of a Modification Request Form to review it and render a decision. In any case in which the ACC shall disapprove the plans, or shall approve the same only as modified or upon specified conditions, such disapproval or qualified approval shall be accompanied by a statement of the grounds upon which such action is based. In any such case, the ACC shall, if requested, make reasonable efforts to assist and advise the Applicant in order that acceptable plans may be submitted for approval. However, the ACC decisions may be appealed to the Board of Directors.

B. Any change in the approved Plans and Specifications must be resubmitted for approval.

C. All applications for modifications must be submitted to the ACC in accordance with the procedures outlined above **prior to making any modifications**. If the modification is extensive or the applicant files an appeal based upon application denial, and the ACC deems it necessary to hire a third party expert, the fees associated with the retention of this third party expert shall be passed on to the applicant. The applicant, in advance of formally engaging the third-party expert, shall pay these fees. Applications for modification must be made on the current Approved Modification Request Form (MRF). See MRF for instructions on submittal process.

D. Homeowners must notify the management company within ten (10) days upon completion of modifications for inspection.

2.0 Construction (Tree Removal, Grading, etc.)

A. Trees: The ACC requires the homeowner to mark any tree six (6) inches in diameter, or larger for inspection. No trees of this size may be removed without approval. In addition, no tree of any size within fifty (50) feet of Running Deer Parkway will be removed without approval from the ACC. (Refer to Article VI (6.06) of the Covenants for further information) All stumps and brush are to be removed from Lots.

B. Debris: All construction debris shall be kept out of view and removed from Lot every fifteen (15) days.

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

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D. Mud that is washed or tracked into the streets by construction vehicles shall be removed immediately at the cost of the homeowner involved.

E. Construction will be permitted between the operating hours to follow city and county ordinances.

3.0 Design Details

A. Air Conditioning Units: Air conditioning must be central in design. Units must be placed on either the side or rear of the house and should be minimally visible from the street. No air conditioning units or fans may be placed in windows or in walls in either a temporary or permanent fashion. Exceptions may be granted for emergency situations.

B. Antennae/Satellite Dishes: ACC approval of outside antennae or satellite dish shall be obtained prior to installation. Refer to Article VI (6.12) of the Declaration. Only one satellite dish allowed per residence. Satellite dishes may not be installed, mounted, or positioned from the forward edge of the residence if it is possible to obtain a signal elsewhere on the property that would be less noticeable. If the HOA determines there is an alternate location available, the homeowner will be required to relocate the satellite dish at the homeowner's expense. Any satellite dish not in use must be removed from the property/home. **Satellite dishes should be screened from view from the street and in a manner approved by the ACC.** Within ten (10) days of installation of a satellite dish the homeowner shall notify the ACC.

C. Awnings: Will be permitted after approval by the ACC. The front awning shall complement the color of the home and roof and be of solid color. No fabric, vinyl or fiberglass awnings permitted.

D. Basketball Goals: Commercially manufactured basketball backboards are acceptable as long as the backboards are clear or neutral in color. In addition, said basketball goals shall be installed only at the edge of a driveway so as to permit play on said driveway and not in the street. Basketball goals must be a minimum of 8 feet from the street. No basketball goal or backboard shall be installed on the house or on any other Structure. No permanently based goals shall be mounted facing the street. All basketball goals must be kept in good repair to be determined by the ACC. If it is determined that the basketball goal is in disrepair, the homeowner is responsible for repairing or removing said basketball goal.

E. Chimney Stacks: Cantilevered chimneys on the front of houses are prohibited. Metal shrouds and flashing on the top of chimneys shall be complimented to the color of the house (i.e. siding, stucco) or black.

F. Driveways: Shall be constructed with concrete. No color or tinting allowed. Asphalt is not permitted. Any new driveway construction must be approved by the ACC. Driveways must be properly maintained and kept in good repair. Painting of driveways will not be permitted.

a) Parking - Vehicles are to be parked on the driveway or in the garage. Vehicles may not be parked on the grass or sidewalk.

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G. Edging: Materials utilized for landscape edging must be:

- a) Consistent with the exterior of the structure.
- b) Installed according to manufacturer's specifications
- c) Maintained in good condition
- d) Approved by the ACC prior to installation

H. Exterior Colors: A Homeowner wishing to paint the exterior of their home must provide paint samples to the ACC along with color, manufacturer name, and sku paint number.

- a) The ACC may require that a sample of the requested paint be applied to the side or back of home for review.
- b) Homes may only be painted a maximum of three colors to include the main body of the house, the trim, which includes windows, and the accent color, which includes the shutters, front door and standing seam metal roofing. The ACC may approve a fourth color on the doors, which may also be a wood stain.
- c) Windows and trim around windows must be the same color. Exceptions must be approved by ACC.
- d) All colors must be compatible and harmonious to one another and must be pre-approved by the ACC each time a home is painted. This applies even if the home is being repainted with the current color. Color selection will depend on the compatibility of the color to surrounding houses as determined by the ACC.
- e) Refer below to "Section 3.0 Item N. Garages" for garage door colors.
- f) Decks, if painted, may only be the primary or secondary color of the house. Stain is permitted as long as it is compatible with the colors on the house.

I. Exterior Lighting: All exterior lighting must be submitted to and approved by the ACC. Lights should be a low voltage, non-glare and located to cause minimum visual impact to adjacent properties and streets. Exterior spotlights or floodlights must be hooded to eliminate glare onto adjacent properties. No colored bulbs or lenses are allowed with the exception of seasonal decorations. No string lighting in front of house.

J. Fences: Fences must be approved by the ACC prior to construction. Refer to Article VI Section 6.10 of the Declaration. All modification requests for fences must include a survey of the property and location of fence on the property. All neighboring fences must be indicated. Installation of a fence parallel to another fence along a common property line is prohibited.

Fences shall:

- a) Compliment the design, texture and color of all structures on the same lot.
- b) Be no more than five (5) feet above the grade in height when installed between property lines within the interior of the community and between side of home and property line. (Eight (8) foot fencing may be approved along I-575.)
- c) Not attract attention as a distinct architectural element.
- d) Fencing shall either be wrought iron or natural wood for Spaced Picket, Flat Three Rail Ranch with galvanized weld wire, or Shadow Box.
- e) Gates may not be solid.
- f) All spacing between boards must have a minimum of two inches.
- g) Fencing to enclose the rear yard shall begin at the rear corner of home.

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- h) Staining is permitted as long as it is a compatible color with the house.
- i) Fences must be installed on, or within eight (8) inches, of the property line.
- j) All fences must be in good condition or maintained.

Prohibited Fencing:

- k) No chain link fences or chicken wire are permitted.
- l) No split rail fences shall be approved.
- m) No solid fencing shall be approved except along I-575
- n) No painted fences are permitted.
- o) No dog runs, or pens are permitted.
- p) No parallel fencing or fence within a fence permitted.

K. Flagpoles - Flags are to be hung properly from a standard flagpole that is attached to the home. Flags and flag poles must be maintained. No other flagpoles are permitted.

L. Foundations: All exposed poured concrete foundations shall be paint finished or veneered in brick, stone or stucco up to the main floor level on all sides. All exposed block foundations shall be stucco finished or veneered in either brick or stone. The ACC shall determine the acceptability of material proposed. The intent of this section is to prohibit exposed unfinished concrete or block foundations.

M. Front porches: Homes with front porches shall have a painted front and side banding and painted lattice beneath the banding. Paint color of the banding and lattice shall be the same color as the trim or color of house (i.e. siding, stucco). All railings must be wood or metal. Vinyl is not permitted.

N. Garages: Garages facing a street shall be equipped with garage doors. Garage door materials for such doors shall be specified on the Plans and Specification submitted to the ACC for approval. Garage door color shall be painted the same color as the main body of the house or the same color as the trim. To request the garage to be the same color of the accent colors (i.e. front door, shutters, etc.) a modification request must be submitted for approval. Garage Doors shall be a solid color. Garage doors must be kept fully opened or closed. Screen panels may not be used in place of solid doors when the garage door is open.

O. Landscaping: A written plan of landscaping must be submitted to the ACC prior to installation of trees, bushes, and hardscape items. This plan should include a drawing to show placement, number, variety/species and size of these items. Hardscape items include, but are not limited to, artwork, fountains, walls, rocks, pools, monuments and statues. Proposed changes or additions in landscaping must be submitted in detail as set out in "Section 1.3, Item A" to the ACC for approval. A time frame for completion shall be agreed upon between the ACC and the homeowner. All gardens to produce food for consumption shall be located on the rear of the lot and should not be visible from the street. Front lawns must be sodded. Side and rear yards shall be sodded seeded or maintained naturally. Outdoor storage of garden tools and hoses must be completely screened from view. Garden hose boxes may be used during seasonal months provided it is maintained and discreet.

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- a) Lawn furniture to be placed in the front yards, including benches, must be well maintained and must be submitted for review and approval prior to installation.
- b) Gazebos, arbors, etc. should be fully detailed (site plan, elevations, details, etc) and submitted for review. Such structures are not permitted in front yards.
- c) Maintenance- Each lot shall, at all times, be kept clean and in a well-maintained condition. Lawn areas shall not exceed 4" in height and must not grow over the curbing. Islands and bed areas shall be kept free of weeds and grass and be edged and mulched regularly. Trees and bushes shall be pruned regularly, and any dead plant material must be removed from the property immediately.
- d) Front yards must be sodded with Bermuda or Zoysia grass.
- e) Planting of Bradford Pear trees is prohibited.

P. Mailboxes and Other Delivery Receptacles:

All individually owned lots must have a well-maintained mailbox that meets the following specifications: Mailbox Specifications: Aluminum Pedestal, with Pineapple Finial Top, Large Aluminum Post, 3-Inch Fluted, Large Size Mailbox, Large (Gold Metallic) Vinyl Numerals on Decorative/Secure Plate Below the Mailbox & Black Powder Coat Paint. Ordering information: Sign Kwik (404) 314-7806 signkwik@bellsouth.net. No other delivery receptacles such as newspaper holders or other similar boxes shall be permitted unless approved by the ACC. Altering of the mailbox or post is prohibited unless said alteration is part of seasonal decorations.

Q. Outbuildings - No freestanding storage buildings or sheds allowed.

R. Pools and Spa Equipment: Plans for proposed swimming pools, hot tubs, surrounding decks, surrounding fencing and screening must be submitted to the ACC for approval before any clearing, grading or construction is commenced. All pumps, filters and equipment for pool or spa equipment must be located so as not to cause a nuisance to neighbors and must be screened from view. No aboveground pools shall be approved.

S. Recreational Equipment: No metal playscape or metal playground equipment will be allowed. Any permanent playscape or equipment must be pre-approved by the ACC. Canvas or plastic tops must be neutral in color and solid with no stripes or prints. All playscapes/playgrounds must be located where it will have a minimum visual impact on adjacent properties and street. Playscapes include, but are not limited to swing sets, houses or activity centers. Trampolines are permitted but must also be submitted for location approval.

T. Roof: Roofing manufacturer, material, and color shall be specified in the Plans and Specifications submitted to the ACC for approval. Only architectural, monochromatic roofs allowed. No roof patching allowed on roofs 3+ years of age. With the exception of a corner lot, no plumbing or heating vent shall penetrate roof surfaces that face the street or streets adjacent to the residential structure. Roofs shall be kept in good repair and be well maintained.

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Allowable roof pitches are as follows:

- a) Peaked Roof:** The minimum allowable roof pitch of the main frame of the structure shall be 8/12 and minimum allowable roof pitches of all other roofs shall be 6/12 with the exception of a deck, bonus room, sunroom, or screened porch provided, however, that front facing gables must be a minimum of 8/12 pitch.
- b) Shed-Type Roof:** Shed-type roofs for (i) front porches having an area in excess of 240 square feet of roof area and (ii) other roof areas in excess of 40 square feet of roof area shall be prohibited, except on rooms facing the rear of the house and over the garage, sunrooms and screened porches on the rear of houses on non-corner lots.

U. Screening

- a) Refuse Containers:** Refuse containers must be kept screened by adequate planting or fencing to conceal them from view by neighboring residences and streets. Refuse containers must be set back from the front of the house. Screening must be approved by the ACC.
 - 1. Allowed screening includes mature shrubbery, wood shadowbox or picket fencing.
 - 2. All fencing must be a compliment color of all structures on the same lot.
 - 3. All fencing must be no more than five (5) feet above grade in height when installed.
 - 4. No vinyl fencing is allowed.
- b) Pools and Pool equipment:** Refer above to "Section 3.0 Item R. Pools and Spa Equipment"
- c) Other:** Screening may be used within the Development to define private spaces or divert attention from particular views and must be approved by the ACC. Screening may be used in connection with the following:
 - 1. Free standing utility apparatus such as transformers and switching equipment.
 - 2. Exterior, ground level machinery

V. Seasonal Decorations: May not be put up more than thirty (30) days prior to the holiday. Must be removed within fifteen (15) days following the holiday. Seasonal flags and decorations are allowed for holidays.

W. Signs:

- a)** All signs are subject to Section 6.08 of the Declaration.
- b)** The number of temporary signs (i.e., garage sales, lawn sales, etc.) must be kept to a minimum and may be put up no sooner than 24 hours in advance of a sale.
- c)** Signs must be removed promptly after a sale has ended.
- d)** No sign may be placed or replaced on the common property or the entrance areas of the development without prior approval from the ACC or the HOA Board of Directors.
- e)** No signs are to be attached to Deer Run Community street and/or signposts. Signs will be removed, and homeowner will be fined.

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X. Skylights and Solar Panels: Must have approval of ACC. No skylights or solar panels shall be installed along the roof facing the street.

Y. Statuary: All statuary to be located in the front of a residence, or visible from the street, must be well maintained and approved by the ACC, in writing, prior to placement. Flowerpots shall have live/living plants (not weeds) in them at all times. Empty pots are to be removed from view when not in use. No artificial plants allowed. Statuary must be of concrete or concrete in appearance and must remain of natural color. Statuary must be within the constraints of an island or planting bed. No more than two (2) statuary objects may be placed in any front residence. Only reasonably sized flowerpots or containers may be placed at the front entry or steps.

Z. Steps: Wooden steps on the front of the home shall have risers that are painted the same color as the trim on the home and be well maintained.

AA. Windows and Doors: Any changes to windows and doors shall be specified in the MRF and submitted to the ACC for approval. The style and color of all exterior windows must remain consistent with the original design. The use of mill finished aluminum screens for windows shall meet the design standards. Aluminum mill finished screen doors are prohibited on the front and sides of the home.

- a) Any replacement of the front entrance door shall be approved by the ACC.
- b) Storm doors may be permitted but must be full view glass panel and/or screen. All front storm/screen doors must be submitted for approval.
- c) Grids and Screens are not required but if used, window grids must be consistent on windows viewable from the street and screens must be consistent on all working windows viewable from the street. .

AB. Window Treatments: Including draperies, shades, blinds, etc., must be of a beige or white color on the side exposed to the street(s) (i.e. no prints or patterns). No window coverings on garage doors will be permitted. Tinting must be submitted to the ACC for approval.

AC. Gas Lamp Posts (Deer Run Trails): Gas lamp posts must be maintained and cannot be removed.

4.0 Design Standards; Color and Materials Guidelines:

The exterior materials of all structures on all Lots shall be harmonious and complementary to the development.

A. Materials

Natural wood lap siding, Hard board lap siding, and cement lap siding are approved siding materials. **No Vinyl or Aluminum siding will be approved.** Natural screening materials must be approved by the ACC.

- a) The exterior colors of all residential structures shall be compatible and harmonious. All exterior colors must be pre-approved by the ACC each time a

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home is painted. Color selection will depend on the compatibility of the color to surrounding houses as determined by the ACC.

b) Primary colors are the large areas of the home (i.e. Stucco, siding, etc.)

c) Secondary colors are the trim colors and shall be compatible with the primary colors.

d) Accent colors are the front doors, shutters, and standing seam metal roofing and shall be complimentary.

e) Garage doors must be painted the primary or secondary color. To request the garage to be the same color of the accent colors (i.e. front door, shutters, etc.) would be an exception and would need approval by the ACC.

f) Decks, if painted, may only be the primary or secondary color of the house.

g) Staining is permitted as long as it is a compatible color with the house.

h) Natural screening materials must be approved by the ACC.

5.0 Commercial Vehicles:

A Commercial Vehicle is defined as but not limited to any motor vehicle which has an outward appearance of being used in connection with business (e.g. the vehicle displays work equipment in view and/or is commercially lettered, contains a commercial business name or logo or advertising “wrap”). Actual use of the vehicle shall yield to its outward appearance. A vehicle with a removable sign or logo shall not be a commercial vehicle while the sign is removed unless it meets the definition of “commercial vehicle” even without the sign or logo. Notwithstanding the foregoing, any such vehicles or equipment may be stored on a Lot, provided such vehicle or equipment is kept in an enclosed space and is concealed from view by neighboring residences and streets. First responder/police cars are permitted.

6.0 Exceptions

Exceptions to these Design Standards may be allowed by majority vote of the members of the ACC, but only in cases where the ACC determines that (i) an exception is necessary in a particular case to avoid undue hardship to deal with unique, unusual or extraordinary conditions or circumstances encountered on a particular Lot. (ii) Such exceptions shall be in writing. No exception allowed hereunder shall have a precedential or other effect upon any other situation in which an exception is requested of, or considered by the ACC.

Approval of any Structure by the ACC in no way is a certification that the Structure has been built in accordance with any government rule or regulation or that the Structure complies with sound building practice or design.

THESE DESIGN STANDARDS MAY BE AMENDED FROM TIME TO TIME BY A MAJORITY VOTE OF THE MEMBERS OF THE BOARD OF DIRECTORS AS LONG AS SAID AMENDMENTS DO NOT CONFLICT WITH THE MASTER DECLARATIONS AND DEER RUN’S DECLARATION OF COVENANTS OR ARTICLES THAT REQUIRE MASTER ARCHITECTURAL REVIEW COMMITTEE APPROVAL.

THESE STANDARDS APPLY TO ANY ALTERATIONS, ADDITIONS OR PAINTING OF EXISTING STRUCTURES. IF THE HOMEOWNER PROCEEDS WITH ANY ALTERATIONS, ADDITIONS, AND/OR PAINTING WITHOUT PRIOR APPROVAL BY THE ACC, THE HOMEOWNER RUNS THE RISK OF HAVING TO CORRECT ANY VIOLATION AT HOMEOWNER EXPENSE.