



2018

**DESIGN GUIDELINES AND
COMMUNITY-WIDE STANDARDS
*FOR THE NON-GATED VILLAGES OF EAST PARK***

**East Park Community Association
Marietta, Georgia**

Effective September 2018

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Preamble

To ensure the continued benefits of a well-planned, enhanced, and maintained community, it is necessary from time to time for the Villages of East Park to examine its strengths, address challenges, and anticipate emerging or future issues. The following document serves to provide guidelines and standards in accordance with our keystone document, the Declaration of Covenants, Conditions, and Restrictions for the Villages of East Park (Declaration), as the community moves forward.

I. INTRODUCTION

1.1 Purpose of Design Guidelines and Community-Wide Standards

The purpose of the Design Guidelines and Community-Wide Standards for the Non-Gated Villages of East Park is to preserve and enhance the overall aesthetics of the East Park community by providing:

1. A set of standards and procedures for Owners to follow when making changes to the exterior of their Units (Guidelines). The guidelines set forth color, style, size, materials, and location criteria for construction, installations, or modifications of structures, landscaping, and lighting changes. In addition, the guidelines establish a process to review and approve these proposed changes to Units. The guidelines are under the purview of the Architectural Review Committee (ARC).
2. A set of standards for Unit maintenance (Standards), the standards ensure all Units within East Park are maintained with the consistency, quality and beauty that has long attracted residents to this community. Owners are expected to maintain all external features of their unit in good condition and working order. The standards are under the purview of the Board of Directors of the East Park Community Association, Inc. (Board).

The Design Guidelines and Community-Wide Standards for the Non-Gated Villages of East Park will **hereafter be referred to as Guidelines & Standards (G&S)**. The G&S are not all-inclusive. Issues and concerns not listed in this document might still be subject to ARC review and/or oversight by the Board as provided by the Declaration.

Capitalized terms in the G&S are used as defined in the Glossary (*see section IV*).

1.2 Governmental Regulations

Whenever the Declaration, the Georgia Environmental Protection Division, Cobb County, the City of Marietta, or other applicable governmental regulations are not equally restrictive, the most restrictive applicable standard will apply.

According to Georgia law, all East Park owners became subject to, and agreed to abide by, the terms of the Declaration, the By-Laws and all rules and regulations promulgated by the Board (including the G&S) by purchasing property within East Park (*Georgia Property Owners Association Act and OCGA 44-3-223*).

1.3 Preparer

The **Guidelines** have been prepared by the ARC and approved by the Board. The guidelines may be changed and amended to serve the needs of an evolving neighborhood in accordance with procedures set forth in the Declaration (*Declaration Article IX, 9.3*).

The **Standards** of conduct, maintenance, or other activity generally prevailing throughout the Community after first being established by the developer in 1999, are now determined by the Board (*Declaration Article I, 1.10*).

1.4 Enforcement

In the event of any violation of the G&S, the Board may take any action set forth in the By-Laws or the Declaration, including the levy of a Specific Assessment. The Board may remedy the violation by seeking court action for injunctive relief, requiring the removal or remediation of the violation. In addition, the Board will be entitled to recover the costs incurred enforcing compliance and/or to impose a fine against the Unit upon which such violation exists.

II. ARCHITECTURAL REVIEW AND APPROVAL PROCEDURES

2.1 Architectural Review Committee

The Architectural Review Committee (ARC) is responsible for ensuring the guidelines are met by reviewing and approving proposed changes to the exterior of Units in the Villages of East Park (*Declaration, Article IX*). The ARC is the decisive interpreter of the guidelines.

Members of the ARC are neighborhood volunteers appointed by the Board. Their job is to help Owners meet the aesthetic standards set forth in the G&S when making exterior changes to their Units. Members of ARC shall not bear any responsibility for ensuring the structural integrity or soundness of approved construction or modifications; nor for ensuring compliance with building codes and other governmental requirements; nor for ensuring the appropriateness of soils, drainage, and general site work. Neither the Association, the Board, any committee, or member of any of the foregoing shall be held liable for any injury, damages, or loss arising out of the manner or quality of approved construction on or modifications to any Unit (*Declaration, Article IX*).

2.2 Owner Application for Architectural Review and Approval

Unless otherwise specifically stated in the G&S, all plans and materials for new construction, installations, modifications, or improvements (including landscaping beyond normal maintenance) to the exterior of a Unit require an Owner's Application for Architectural Review and Approval be submitted to the Association's management company. Further, the ARC may require the submission of some or all of the plans and specifications listed on the application. Large-scale projects might require a separate application for each component (e.g., one for landscape, one for hardscape, one for roofing).

Any Owner who fails to submit an Owner's Application for Architectural Review and Approval before making a change will be considered noncompliant and deemed in violation of the Declaration and the G&S and subject to a lump sum fine of up to \$500, plus additional daily fine for each day that the property remains in violation.

The ARC will review and approve, approve with stipulations, or disapprove applications within 30 days from the time a completed application is received by the management company as prescribed in the Declaration. The application must be reviewed and approved in writing by the ARC before any change or any work on the change can be started. If work begins prior to approval, the Owner may receive a "Cease and Desist" order and be subject to fines levied by the Board (which may include a lump-sum fine of up to \$500 plus additional daily fines) and may be required to return the property to its former condition at the Owner's expense. If the G&S specifically allow an Owner to proceed with no approval required, such allowance will only be effective if the Owner complies with the requirements of the stated guidelines.

2.3 Plans to be Reviewed

Depending on the project, the ARC may require a site plan, elevation plan, and/or a property survey as part of an Owner Application for Architectural Review and Approval. If the plan is larger than 8.5"x11", please provide two copies.

Site plan (a bird's-eye view drawing, *see figure 1*) **may need to:**

- show the boundaries of the Unit;
- show footprint of the house/driveway/front walk/sidewalks;
- show important elements that may be impacted (e.g., fences, landscape beds, trees, patios, decks, Buffer Zones);
- show placement and footprint of proposed new or modified elements;
- show structural changes in scale of minimum ¼ inch =1 foot; and
- show drainage patterns and irrigation systems.

Elevation Plan (front or side view) **may need to:**

- show elevation with heights and slopes; and
- show roof pitches and mounted structures (e.g., gables).

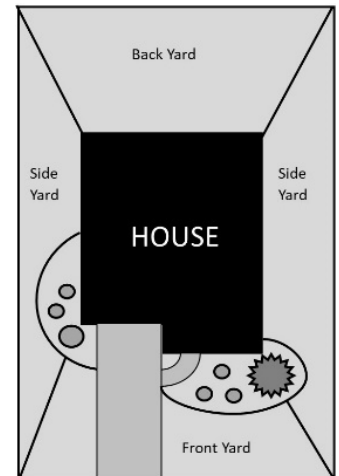


Figure 1

2.4 Application Review Criteria

The guidelines provide a framework for making changes to the exterior of a Unit, but the guidelines are not all-inclusive. When deciding if the proposed change conforms to the aesthetics of East Park as originally established by the developer and supported by the G&S, the ARC (or the Board in its sole discretion) considers among other things:

- the guidelines as stated in the G&S;
- the harmony with existing structures and landscape;
- the location in relation to surrounding structures, the topography, and plantings;
- the visibility, and impact on neighbors and community; and
- the color, style, size, materials, and quality of workmanship.

Note: Screening and/or landscaping may be required as a condition of approving a submission.

Variance: The ARC will not grant approval for proposed changes that are inconsistent with the G&S, unless the ARC grants a variance. Variances may be granted in unique circumstances (including, but not limited to, topography, natural obstructions, hardship, or aesthetic and/or environmental considerations). Failure to obtain a Permit or financing does not constitute a hardship. The ARC will have the power to grant a variance from strict compliance in such circumstances so long as the variance does not result in a material violation of the Declaration and is consistent with the purposes of the Declaration and duly adopted rules and regulations, all as determined by the ARC and/or Board in its sole discretion (*Declaration, Article IX, 9.5*). Variances will be granted in writing and signed by the ARC chairperson with the approval of a majority vote of the ARC members. A variance does not constitute a precedent for future deviations from the G&S.

2.5 Application Review Period and Decision

Each submitted Owner's Application for Review and Approval will be reviewed and decided upon by the ARC within 30 days of the Association's management company's receiving a completed application. Application approval requires a majority vote of all ARC members. Each application receives one of these three designations:

Approved: The entire application as submitted is approved.

Approved with Stipulations: The application is approved if the ARC's conditions for correcting all objectionable elements are met. The Owner must agree in writing to the ARC's stipulations or the application will be denied.

Disapproved: The entire application as submitted is rejected. The ARC may provide comments but is not required to do so.

Note: All approvals are conditional upon Owners completing all elements of their project as stated in their approved application.

2.6 Resubmittal of Disapproved Application

A resubmittal to the ARC after disapproval will only be considered if the Owner has modified the proposed plan or has new information which could, in the judgment of the ARC, warrant reconsideration. In such a case, the ARC will have 30 days from the date the resubmittal is received by the Association's management company to approve, approve with stipulations, or disapprove.

2.7 Appeal of ARC Decision

Owners may appeal ARC decisions to the Board by submitting the information and documents along with the appeal request to the Association's management company. If the Owner fails to appeal a decision of the ARC within 30 days, the ARC's decision is final.

2.8 Compliance with the City of Marietta or Other Governmental Authorities

The review and approval of plans and specifications by the ARC will not be a substitute for compliance with the permitting and approval requirements of the City of Marietta, the Georgia Environmental Protection Division, or other governmental authorities. If Permits are applicable, they are required for ARC approval and are the Owner's responsibility to obtain.

2.9 Changes after Approval

Any variation from an approved application must be resubmitted for approval. Close cooperation and coordination between the Owner and the ARC will ensure that changes are reviewed in a timely manner. If the City of Marietta, or any other governmental authority having jurisdiction over such changes, requires that changes be made to an approved application, the Owner must notify the ARC of the required changes and receive concurrent approval from the ARC prior to implementing the changes.

2.10 Implementation of Approved Application

All work must conform to the approved plan, and any work that does not conform constitutes a violation of the Declaration and the G&S. If the ARC determines that work in-progress or completed is noncompliant, the Owner will be notified by the Board in writing, specifying details of the noncompliance and requiring the Owner to provide full remedy. If the Owner fails to work diligently toward achieving compliance within the time allowed, the Owner will be subject to enforcement action by the Board including, but not limited to, fines and/or the cost of filing a court action for injunctive relief.

Time to Commence

If work does not commence on an approved application within 120 days, the approved application will be withdrawn, and it will be necessary for the Owner to resubmit the application to the ARC if the Owner wishes to proceed.

Time to Complete

The ARC will specify a completion date on each application for all approved work. The Owner may request an extension *no fewer than 3 days* prior to the last date of approved work, and the ARC may approve or disapprove the request. If work is not completed on time or within an ARC-approved extension, the approval will be withdrawn, and the incomplete project will be in violation of the Declaration and the G&S.

Note: On applications for review and approval submitted to the ARC to resolve a compliance violation, the dates to commence and complete in order to prevent additional fines and/or further enforcement action will be set by the Board.

2.11 ARC Inspections and Standards for Construction

Inspections

The ARC may perform periodic, informal inspections to ensure that work is progressing in conformance with the approved application. The Owner must coordinate a final inspection of the completed work by the ARC to verify compliance with the approved application. All inspections are observations only and will not relieve the Owner of an obligation to obtain inspection approvals from the City of Marietta and other governmental authorities.

Damages to Common Areas

If the Owner's project requires access through Common Areas, the Owner must apply for permission for access from the Board in writing and submit the request along with a current certificate of insurance held by the contractor. Any damage to Common Area facilities and/or grounds caused by the Owner, their contractors, sub-contractors, agents, or employees must be brought to the attention of the Board immediately and, if so requested by the Board, repaired to the satisfaction of the Board within the time frame specified by the Board. If the Association repairs any such damage, it shall assess the costs of repair to the Owner.

Contractor Conduct

The Owner must ensure that all contractors and sub-contractors control the conduct of their employees while working in Non-Gated Villages of East Park. Loud music, profanity, and other behavior which is unbecoming of a reputable company is not tolerated. Workers violating this policy will be asked to leave the premises and will be denied access to the project.

Reminder: The City of Marietta noise ordinance limits construction noise to the hours of 7 a.m. to 7 p.m. Mondays through Saturdays and no activity on Sunday.

Work Site Cleanliness

Sites must be maintained in a clean and orderly manner. Construction materials must be stored neatly on-site. All project debris must be cleared at the end of each working day or kept on the Owner's property. Dumping construction debris in East Park Common Areas is prohibited.

III. GUIDELINES AND STANDARDS

3.1 Accessory Buildings: Sheds and Playhouses

ARC approval is required to construct, install, or modify accessory buildings (including sheds and playhouses) that measure more than 24 square feet, are more than 6 feet high from ground to peak, or are constructed on a concrete slab or footing. Applications may require: a description of construction materials, stain/paint color (brand, number, name), a site and/or elevation plan, (*see section 2.3*) and roofing specifications (*see section 3.32*).

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Accessory buildings must be architecturally unified with the house using similar design elements. Roofs must match the house roof in color, style, and type, but the pitch may vary.
- Utilities servicing accessory buildings must be installed underground.
- Placement must adhere to Setbacks, Easements and Buffer Zones and provide the least impact to neighbors.
- Accessory buildings must not be visible from the street.
- Carports and detached garages are prohibited.

ARC approval is not required to construct, install, or modify accessory buildings (including sheds, and playhouses) that measure less than 24 square feet, less than 6 feet high from ground to peak, and are not constructed on a concrete slab or footing if the following guidelines are met:

- accessory buildings must not be visible from the street; and
- placement must adhere to Setbacks, Easements and Buffer Zones and provide the least impact to neighbors.

Standard: The Owner is required to maintain accessory buildings in good condition.

3.2 Additions and Expansions

ARC approval is required to construct or modify additions or expansions to a house. Application may require: a site and/or elevation plan (*see section 2.3*), roofing specifications (*see section 3.32*), a description of building materials, paint color (brand, name, number), and a property survey.

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Placement must adhere to Setbacks, Easements, and Buffer Zones.
- Appearance and materials must match the existing house.
- Roofs must match that of the house roof in color, style, and type, but the pitch may vary.
- Expansion of living space into a garage is prohibited.

Standard: The Owner is required to maintain expansions as part of the house.

3.3 Air Conditioning Equipment

ARC approval is not required to replace or install ground-mounted air conditioning equipment that is not visible from the street. Window A/C units are prohibited.

Standard: The Owner is required to maintain air conditioners in good condition.

3.4 Arbor, Garden Trellis, and Latticework

ARC approval is required to construct, install or modify arbors, garden trellis, or latticework that are visible from the street. Application may require: a site plan and description of building materials.

Guidelines:

- Lattice must be painted trim color.
- Lattice must be constructed of wood, or composite/synthetic wood.
- Arbors and garden trellis must be generally recognized as complementary to the house in color, style, size and construction material.
- Placement must adhere to Setbacks, Easements, and Buffer Zones.

ARC approval is not required to construct, install or modify arbors, garden trellis, or latticework that are not visible from the street and adhere to Setbacks, Easements, and Buffer Zones.

Standard: The Owner is required to maintain arbors, latticework and garden trellises in good condition.

3.5 Awnings, Retractable Awnings, and Overhangs

ARC approval is required to construct, install, or modify all awnings or overhangs. Application may require: a color and material sample and an image showing proposed style. They must be generally recognized as complementary to the house in color, style, size and material. If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.

Standard: The Owner is required to maintain awnings and overhangs in good condition and working order.

3.6 Birdbaths, Birdfeeders, Birdhouses and Fountains

ARC approval is required to construct, install, or modify birdfeeders, birdhouses, birdbaths, and fountains that are visible from the street. Application may require: an image showing proposed color, style and size.

ARC approval is not required to construct, install, or modify birdfeeders, birdhouses, birdbaths less than 8 feet high or fountains not visible from the street. Placement must adhere to Setbacks, Easements, and Buffer Zones, and provide the least impact to neighbors.

Standard: The Owner is required to maintain birdfeeders, birdhouses, birdbaths, and fountains in good condition.

3.7 Clotheslines, Compost Bins, Firewood, and Rain Barrels

ARC approval is not required to construct, install or modify temporary clotheslines, compost bins, firewood, or rain barrels if the following guidelines are met (otherwise an application is required).

Guidelines:

- clotheslines, compost bins, rain barrels and firewood must not be visible from the street, adhere to Setbacks, Easements and Buffer Zones, and must be located to provide the least impact to neighbors;
- rain barrels (limit two) must be adjacent to house with a capacity no greater than 55 gallons each;
- temporary clotheslines must be removed when not in use; and
- firewood must be neatly stacked.

Standard: The Owner is required to maintain compost bins, firewood, and rain barrels in a manner which does not emit odors or attract rodents and insects.

3.8 Debris Removal

Standards:

- Maintaining Units free of debris is required.
- Removing dead leaves, sticks, grass clippings and trash from grass, landscape and flower beds, decorative containers, and/or driveways and sidewalk areas is required to maintain a clean, neat appearance.
- Removing items in poor condition, including containers, stored materials, and equipment visible from the street and not Screened from neighbor's view is required.
- Dumping yard waste or other waste in natural woodlands, Buffer Zones, or any East Park Common Areas is prohibited.

Reminder: The City of Marietta prohibits blowing of leaves, grass clippings, or other debris into storm drains or drainage channels. Yard waste in biodegradable paper bags can be put out for weekly pickup when scheduled. Plastic bags in compost landfills are prohibited by state law.

3.9 Decks and Balconies

ARC approval is required to construct, remove, or modify (including changing the paint or stain color) decks and balconies (including stairs, railings, roofs, covers and enclosures). Application may require: a site and/or elevation plan (*see section 2.3*), stain/paint color (brand, name, number), a description of construction materials, and roofing specifications (*see section 3.32*).

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Placement is limited to back yards and must adhere to all Setbacks, Easements, and Buffer Zones.
- Decks and balconies must be an integral part of the house and/or patio area.
- Deck roofs must match the house roof in color, style, type, and roof material, but the pitch may vary (*see section 3.32*).
- Deck covers (including awnings and pergolas) must be of a color, style, size, and material generally recognized as complementary to the house (*see section 3.5 & 3.17*).
- Deck enclosures (including screened) must be constructed of wood, composite synthetic wood, and/or other materials generally recognized as complementary to the house.
- Construction material for decks, deck railings, balconies, and stairs must be of a color, style, and size generally recognized as complementary to the house.
- Railings must be located along open-sided walking surfaces, including stairs, ramps, landings, or steps that are higher than 30 inches measured vertically to any surface below that is within 36 inches horizontally from the edge of the open side. Railings must be not less than 36 inches high measured vertically above the adjacent walking surface, adjacent fixed seating, or the line connecting the leading edges of the steps. Screening is not considered railing.

Standards:

- Decks, deck railings, balconies, and stairs must be maintained in good condition.
- Bowing, splitting, or leaning rails must be repaired or replaced. Repainting/re-staining is necessary when there is unevenness in color, significant fading, chipping, or wood shows through.
- Deck boards must be cleaned, stained or painted, or replaced with new wood as needed.
- Painted decks must be maintained to prevent peeling and an unsightly appearance.

3.10 Doors

ARC approval is required to install a house/storm door that is new in color, style, size, or material, or to modify an existing door (including changing paint or stain color). Application may require: paint/stain color (brand, name, number), a description of material, and an image showing proposed style and size Also see Garage Door, (*section 3.16*).

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Front door modifications or new installations must be aesthetically compatible with Owner's village.
- Storm door must be clear glass, "full-view" type, and match the trim color or the stain color of the door.
- Mullions and/or trim on front door sidelights and/or transoms must be stained or painted the door or trim color.
- Front door sidelights and transoms can be removed, replaced, or modified when installing an appropriate style door.

ARC approval is not required if following guidelines are met:

- refinishing/repainting front doors in same finish/paint color (brand, name, number) as existing;
- painting back and/or side doors visible from street in existing trim color;
- replacing door if the color, style, size and material is same as existing;
- installing a screen door if not visible from street;
- installing a dog door if not visible from street; and
- replacing door hardware and/or installing complementary tone kick plate.

Standard: The Owner is required to maintain doors and hardware in good condition. Owners must refinish/repaint front door when it becomes faded, worn, or cracked.

3.11 Drainage

ARC approval is required to make changes to an established drainage pattern anywhere on the Unit. Application may require: a property survey and site plan.

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Modifications (including to gutters and downspouts) must not cause adverse drainage conditions on adjoining properties, Easements, Common Areas, or Buffer Zones.
- Water must drain away from the foundation of the house.
- Water must flow fully over walkways, sidewalks, or driveways into the street.
- Sump and/or condensation pump drainage must be absorbed within the Unit.
- Regrading must follow the natural contours.
- Dry creek beds and/or berms may be created to help ensure proper drainage, minimize runoff, or control storm water.

ARC approval is not required to make minor drainage modifications to Units that do not alter the established drainage pattern if the above guidelines are met.

Standard: The Owner is required to maintain drainage pattern in good condition and working order.

3.12 Dumpsters, Portable Toilets, and Storage Pods

ARC approval is required to temporarily install dumpsters, storage pods, and portable toilets for more than 72 hours. Portable toilets must be on hardstand, set back a minimum of 15 feet from the curb, and in a location that provides the least impact to neighbors.

ARC approval is not required to temporarily install dumpsters, storage pods, and portable toilets for less than 72 hours if notification is given to a Board member (phone or email), and the portable toilets are on hardstand, set back 15 feet from the curb, and in a location that provides the least impact to neighbors.

Standard: The Owner is required to ensure dumpsters, portable toilets, and storage pods are clean and do not emit odors or attract rodents.

3.13 Exterior Lighting and Security Devices

ARC approval is not required to install or replace exterior lighting if the following guidelines are met (otherwise an application is required).

Guidelines:

- Porch, garage, and wing wall light fixture replacements must be the same color, style, size and material as existing.
- Gas lamp replacement must be the same color, style, size and material as existing.
- Security and landscape lighting must be directed to provide the least impact to neighbors and not to interfere with the visibility of drivers.
- Security lights must be conservative in design, small and as few as practical, directed toward the house or ground, and limited in brightness to 2,000 lumens.
- Electronic security devices must be conservative in design and as unobtrusive as practical.

Standards: The Owner is required to maintain all exterior lighting and security devices in good condition and working order. Gas lamp mantles must be maintained, lit, and, when repainted, restored with black, rust-inhibiting, semi-gloss, high heat spray paint.

3.14 Fences

ARC approval is required to construct, install, remove, or modify (includes staining or changing the color) fences. Application may require: a property survey with visible stakes, site plan (*see section 2.3*), stain color (brand, name, and number), and description of construction materials, type and size.

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Fence sections that face the street must be at least 15 feet back from the front corners of the house.
- Wood fences must be installed so the finish side of the fence faces outward from the Owner's Unit and the support structure side of the fence faces inward.
- Previously approved stains can be used on cedar or pressure-treated wood (*see attachment A*).
- Opaque stains may be permitted for older wood fences.
- Black metal (wrought-iron style) and split-rail fences will be considered.
- Fence heights must be in the range of 4 to 6 feet.
- Fences must be installed wholly within the property lines of the Unit but can be made to adjoin a neighboring fence if written permission is granted from its Owner.
- Fences that connect to an Association's common property fence must be of the same style and color.
- Chain-link and barb-wired fences are prohibited.

Note: The ARC considers the quality of workmanship, style, and harmony with the existing structures and landscaping, location in relation to surrounding structures, topography, visibility, and finish-grade elevation (among other things) in the approval process.

Standards: The Owner is required to maintain fences in good condition. Bowing or splitting of individual members or leaning of fence sections require immediate repair. All fences (wood or black metal) must be maintained with the existing, approved color stain/paint.

3.15 Flagpoles

ARC approval is not required to install one flagpole on a house if the following guidelines are met.

Guidelines:

- Flagpole must be mounted to the house for flying the American flag or a decorative flag.
- Flagpole must not reach higher than the lowest eave.
- Flags should be of an appropriate size for the pole and house.
- Small garden flags (limit one) within a landscaping bed are allowed.
- Displaying a flag in a manner other than on a flagpole is prohibited.

Standard: The Owner is required to maintain all flags in un-faded and good condition.

3.16 Garage Doors

ARC approval is required to replace or modify garage doors. Application may require: paint color (brand, name, and number) and an image of replacement door(s).

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Replacement garage door(s) and hardware must match. If a match is not available, both doors must be replaced with doors that are aesthetically compatible to the neighborhood.
- Garage doors that are adjacent to siding must be painted siding or trim color.
- Garage doors that are adjacent to brick must be painted trim color.
- Lightfoot Circle garage door trim must be painted trim color, but the inset panels can be painted siding or trim color or, if house has an all-brick front, shutter color. Hardware must remain black.
- Windows in garage doors are prohibited.
- Garage door removal is prohibited.

Standards: The Owner is required to maintain garage doors and their hardware in good condition and working order. Garage doors must remain closed except during periods of active use or ingress and egress. If dented, panels must be repaired or replaced with panels that match existing door.

3.17 Gazebos, Greenhouses, and Pergolas

ARC approval is required to construct, install, or modify any permanent gazebo, greenhouse or pergola. Application may require: a site and/or elevation plan and list of construction/plant materials.

Guidelines:

- Structures must be an integral part of the back yard landscaping.
- Gazebos, greenhouses, and pergolas must be generally recognized as complementary to the house and surrounding landscape in color, style, size, and material.
- Placement must adhere to all Setbacks, Easements, and Buffer Zones and provide the least impact to neighbors.

Standard: The Owner is required to maintain gazebos, greenhouses, or pergolas in good condition.

3.18 Holiday Displays

Standards: The Owner may display December holiday decorations no earlier than the weekend before Thanksgiving and remove them no later than January 15. Other holiday decorations should be displayed no earlier than 30 days before the holiday and taken down within 2 weeks of the holiday ending. Holiday displays which, in the sole discretion of the Board, create traffic congestion or become a nuisance to adjacent property owners will not be allowed.

3.19 Hot Tubs and Saunas

ARC approval is required to install, replace, modify, or remove hot tubs, Jacuzzis, saunas, or spas. Application may require: a site plan (*see section 2.3*), list of construction and plant materials, and an image and size of hot tub/sauna.

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Hot tubs and saunas must be an integral part of a deck, patio, or back yard landscaping.
- Hot tub location must adhere to all Setbacks, Easements, and Buffer Zones and provide the least impact to neighbors.
- Hot tubs and saunas must not be visible from the street and Screened from neighbor's view.

Standard: The Owner is required to maintain hot tubs and saunas in good condition and working order.

3.20 Landscaping

Buffer Zones

Tree Buffer Zones include the perimeter of East Park and designated areas within the community. East Park has both undisturbed natural tree buffers and tree protection buffers that vary in depth according to the Unit. Stream buffers are protective natural areas of vegetation adjacent to the stream channel. The stream buffers extend 50 feet from the stream bank and have an additional 25 foot Setback. These environmentally protected areas are under the jurisdiction of the City of Marietta and Cobb County and are controlled with ordinances. **See Attachment B for links to the guidelines and activities that require permits.**

ARC approval is required to remove or replace any tree measuring over 2 inches in diameter at 4.5 feet high in a buffer. The Board will assess a \$500 fine for removing any tree over 2 inches in diameter as measured at remaining stump without approval. Applications may require: written approval from the City of Marietta.

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- The tree must be confirmed as either diseased or dead (verified in writing by a Certified Arborist).
- Replacement with an approved tree in buffers is allowed and may be required.

ARC approval is not required to remove trees in Buffer Zones if they pose an **immediate safety hazard (i.e. must be removed within 24 hours to avoid imminent threat of harm to person or property)**. Notification must be given to a Board member (phone or email) prior to or as soon after the removal as practicable, and photos of the tree and documentation of the immediate safety hazard posed, to avoid fines.

Standards:

- Buffer Zones must be maintained in good condition.
- Avoiding the over-application of chemicals on lawns, gardens, and flower beds is required.
- Dumping of yard debris, concrete or rocks in Buffer Zones is prohibited.
- Spraying chemicals (pesticide, herbicide, fertilizer) in Buffer Zones is prohibited.
- Disposing of paint, paint waste, pesticides, fertilizers, pet waste, and sediment to run off the property and reach the stream unimpeded is prohibited.

Grass

ARC approval is required to increase or decrease the size of grass areas visible from street. Applications may require: a site plan (*see section 2.3*).

Guidelines:

- Grass in all areas visible from the street must be bermudagrass.
- Bermudagrass must cover the majority of ground in yards adjacent to a street.
- Shade-tolerant bermudagrass can be used where needed.
- Owners may create dry creek beds and/or berms to help ensure proper drainage, minimize runoff, or capture storm water.
- Rye grass is prohibited.

ARC approval is not required to incorporate either centipede, fescue, or zoysia grass in areas not visible from the street. Over-seeding with rye grass for the winter is prohibited. Reseeding fescue with fescue is permitted.

Standards:

- Grass must be maintained in good condition.
- Grass must be kept at a height under 3.5 inches.
- Grass must not grow over the curbs, sidewalks, and driveways, or into landscape and flower beds.
- Grass must be watered, fertilized, and treated for pest and fungus control as necessary to keep lawns showing a healthy appearance during the growing season.
- Lawns must be free of weeds during the entire year.
- Bare spots in the front and side lawns must be filled in with new bermudagrass sod.

Landscaping and Landscape Beds

ARC approval is required to install/modify landscape beds and to remove/replace existing shrubs that are visible from the street. Applications may require: a site plan (*see section 2.3*) and list of plant materials with names and Cultivar.

Guidelines:

- Landscape beds along the foundation of the house must be balanced to include: a minimum of two types of evergreen plants in a variety of colors, textures, and sizes. Taller evergreen shrubs must be located at the front corners of the house. Shrubs must be of an appropriate size for their location.
- Landscape mulch must be pine straw, pine bark chips, shredded cypress or wood chips. The use of crushed rock, lava rock, pebbles, synthetic and rubber mulch, or grass clippings is prohibited.
- Trees visible from the street must be located in a 3 foot minimum diameter landscape bed. As a tree increases in size, the bed must increase (not to exceed 10 feet) and will require the appropriate plants and/or ground cover.
- Edging material is optional, but if installed, must be made of brick, stone, metal, or durable plastic. Metal and plastic edging must not exceed 2 inches in height above ground level. Brick and stone edging must not exceed 6 inches in height, unless it contains raised beds.
- Plant containers located on porch, driveway, or in beds must be decorative (no nursery pots). The number and size of containers must be appropriate for location.
- Wooden raised beds in yards adjacent to a street are prohibited.

ARC approval is not required to plant and/or change annuals and perennials in established beds or decorative containers, to install edging (see guidelines above), or to make modifications to landscape beds not visible from street.

Standards:

- Landscape and flower beds visible from street must be maintained in good condition.
- Landscape beds and mulched areas must be kept free of weeds, grass, pests, invasive vines, and tree shoots, dead leaves, dead flowers, and dead plants.
- Mulched areas must always present a neat, fresh appearance.
- Edges between the lawn and the landscape beds must be sharp.
- Decorative containers that are empty must not be visible from the street.
- Window boxes must be maintained with plants throughout the year. If artificial plants are used, they must be replaced when faded.
- Shrubs must be pruned for neat appearance, and shrub height must be maintained below top of front railing and below the mid-point of front windows.
- Shrubs near community sidewalks, in Easement areas near the street, or on corner lots must be maintained so they do not impede walkers' or drivers' visibility.

Trees Other Than in Buffer Zones

ARC approval is required to remove and/or plant any tree in the front, side, or back yard that measures over 2 inches in diameter at 4.5 feet high. Applications may require: a site plan (see section 2.3) and list of plant material. The Board will assess a fine of at least \$500 for removing any tree over 2 inches in diameter as measured at remaining stump without approval.

Guidelines:

- Front yards must have a minimum of one tree.
- Trees that have grown too large for the property can be replaced with a smaller tree.
- Trees that are diseased or dead (verified by a Certified Arborist) can be removed (replacement may be required).
- Trees visible from the street must be in a 3 foot minimum diameter landscape bed. As a tree increases in size, the bed must increase (not to exceed 10 feet) and will require the appropriate plants and/or ground cover.
- Trees must be an appropriate size for location, both at planting and maturity.

ARC approval is not required to remove trees if they pose an **immediate safety hazard (i.e. must be removed within 24 hours to avoid imminent threat of harm to person or property)**. Notification (phone or email) and photos of the tree and documentation of the immediate safety posed must be given to a Board member prior to or as soon after the removal as possible to avoid fines. If it was the only tree in the front yard, it must be replaced with a tree approved by the ARC.

ARC approval is not required to prune and/or limb up any tree in the front, side, or back yard or to remove any tree under 2 inches in diameter at 4.5 feet high.

Note: As a development within the City of Marietta, The Villages of East Park are part of the Tree USA Program. This means the community must have a viable tree management program (which includes maintaining a specified tree density) and comply with the buffer regulations.

Standards: The Owner is required to maintain trees in good condition by pruning, fertilizing, and applying pest control as needed. Trees near sidewalks must be limbed up so as not to impede walkers' and drivers' visibility.

3.21 Mailboxes, Posts, and House Numbers

ARC approval is not required to replace mailboxes, posts, and/or house numbers if the following design guidelines are met.

Guidelines:

- Mailbox, post, and house numbers must be same in color, style, size, and material as East Park Standard (*see attachment C*).
- Additional house numbers are permitted elsewhere on Units but must not to exceed 3 inches in height.

Standards:

- Mailboxes, post, and house numbers must be maintained in good condition.
- House numbers must remain clearly visible.
- When mailbox and post need repainting, use black, rust-inhibiting, semi-gloss spray paint.
- House numbers on the mailbox address plate must be painted with gold leaf paint or replaced with new standard numbers when faded or missing.
- Number stickers are prohibited.
- Mailboxes adornments such as magnetic decorations and wraps, except for holiday seasons, are prohibited.

3.22 Paint

ARC approval is required to paint siding, trim, shutters, and doors (including garage doors) with a new color. Consideration is given to compatibility with brick or stone on the house and with the exterior finishes of the houses in the immediate vicinity. Slight variations from existing neighborhood color schemes may be granted at the discretion of the ARC. Applications require: paint color (brand, name, number). To enable the review process, a sample siding color must be painted in a *discreet* area on the house covering two horizontal boards (3 feet long) with trim and shutter color painted next to it. A “cease and desist” order will be issued if house painting is observed without approval.

Guidelines:

- Exterior house colors must match or be consistent with formerly approved colors already used in East Park.
- Color schemes consist of three or four paint/stain colors (siding, trim, shutters, and door).
- Front doors are typically stained a dark natural wood color but can be approved for painting.
- Siding must be painted lighter than shutters and darker than trim.
- Shutters must be painted darker than siding and brick.
- Trim must be painted lighter than siding and brick. Gutters and downspouts are considered trim (*see section 3.40*). Exception: sidelights and/or transoms, (*see section 3.10*)
- Garage doors that are adjacent to siding must be painted siding or trim color.
- Garage doors that are adjacent to brick must be painted trim color.
- Lightfoot Circle garage door trim must be painted trim color, but the inset panels can be painted siding or trim color or, if house has an all-brick front, shutter color. Hardware must remain black.
- Back and side doors must be painted trim color if visible from the street.
- Painting brick and stone is prohibited.

Reminder: The ARC is allowed up to 30 days to approve an application. Keep this in mind when scheduling the contractor.

ARC approval is not required if the Owner is repainting siding, trim, shutters, or door(s) with no changes in color (brand, name, number).

ARC approval is not required to touch-up any exterior paint in accordance with the existing paint scheme. Prior to painting, the Owner may replace wood trim that has deteriorated with wood, polymer materials or other composites, and replace compromised siding and/or other exterior elements if the final appearance is unchanged and can be painted to match existing color.

Standards: The Owner is required to maintain exterior paint in good condition. Repainting is necessary when paint shows unevenness in color, signs of oxidation (chalkiness), significant fading, chipping, or when wood/siding begins to show through.

3.23 Paths and Walkways (including Steps)

ARC approval is required to construct, install, remove, or modify paths or walkways in the front yard and/or a hardscape walkway anywhere on Unit. Applications may require: a site plan (*see section 2.3*) and list of construction materials.

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Modifications must not cause adverse drainage conditions on adjoining properties, Easements, Common Areas, or Buffer Zones.
- Paths, walkways, and steps may be constructed with concrete, brick pavers, natural stone, manufactured stepping stones, pebbles, pea gravel, or hardwood mulch. Granite rock, slate chips, and wood are prohibited.

ARC approval is not required to construct, install, or modify paths in a side and/or back yard, if made of natural stone, manufactured stepping stones, pebbles, pea gravel, or hardwood mulch. Granite rock, slate chips, and wood are prohibited. Modifications must not cause adverse drainage conditions on adjoining properties, Easements, Common Areas, or Buffer Zones.

Standard: The Owner is required to maintain paths, walkways, and steps in good condition.

3.24 Patios

ARC approval is required to construct, remove, or modify open patios, enclosed patios, and patio covers. Applications may require: a site and/or elevation plan (*see section 2.3*), paint/stain color (brand, name, number), description of construction materials, and roofing specifications (*see section 3.32*).

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Placement is limited to back yards and must adhere to all Setbacks, Easements, and Buffer Zones.
- Open patios must be an integral part of the house and backyard landscaping.
- Patio construction material must be of a color, style, size and material generally recognized as complementary to the house.
- Concrete patios may be stained, stamped, and/or painted if not visible from the street.
- Patio roofs must match the house roof in color, style, type, and roof material, but the pitch may vary (*see section 3.32*).
- Patio covers (including awnings and pergolas) must be of a color, style, size and material generally recognized as complementary to the house (*see section 3.5 & 3.17*).
- Patio enclosures (including screened) must be constructed of wood, composite synthetic wood, and/or other materials generally recognized as complementary to the house.

Standard: The Owner is required to maintain patios and patio covers in good condition.

3.25 Paving: Front Walks and Driveways

ARC approval is required to replace or modify existing paving of front walks or driveways. Applications may require: a site plan (*see section 2.3*) and list of construction materials.

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Driveways and front walk must remain unpainted/unstained concrete.
- Transparent sealer is allowed.
- Finish must be similar to existing neighborhood (standardized, light-to-medium broom finish).
- Colored or stained finish is prohibited.

Standards: The Owner is required to maintain front walks and driveways in good condition. Driveways must be pressure-washed when dirty or mildewed.

3.26 Pet Houses

ARC approval is required to construct or install structures for the care, housing, or confinement of any animal. Stables, poultry houses, rabbit huts, or other similar outdoor structures are prohibited. Applications may require: description of building materials and an image of proposed structure.

Standard: The Owner is required to maintain pet housing in good condition.

3.27 Pools

ARC approval is required to construct a pool and associated facilities. Applications may require: a site plan (*see section 2.3*), property survey, and list of construction materials.

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Pool must be an integral part of the backyard landscaping and not visible from the street.
- Pool must be environmentally and aesthetically compatible with the house and landscape.
- Placement must adhere to all Setbacks, Easements, and Buffer Zones and provide the least impact to neighbors.
- Lighting must be directed to avoid any nuisance to neighbors.
- Pools must have 6 foot privacy fence (*see section 3.14*) and securable gates.
- Drainage and run-off must not cause adverse conditions on adjoining properties, Easements, Common Areas, or Buffer Zones.
- Above ground pools are prohibited.

Standard: The Owner is required to maintain pools, water, associated facilities, and grounds in good condition and working order.

3.28 Porches

ARC approval is required to construct, replace, or modify front or side porches (including steps, railings, roofs, and columns). Applications may require: a site and/or elevation plan (*see section 2.3*), paint/stain color (brand, name, number), description of construction materials, and roofing specifications if needed (*see section 3.32*). (*Also see exterior lighting 3.13*).

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Porch railings, steps, and columns must be architecturally unified with similar design elements used on the house.
- Porch roofs must be the same as existing in color, style, and type, but the pitch may vary (*see section 3.32*).
- Railings must be located along open-sided walking surfaces, including stairs, ramps, landings, or steps that are higher than 30 inches measured vertically to any surface below that is within 36 inches horizontally from the edge of the open side. Railings must be not less than 36 inches high measured vertically above the adjacent walking surface, adjacent fixed seating, or the line connecting the leading edges of the steps.
- Step railings must be trim color or black metal (wrought-iron style).
- Wheelchair ramps are allowed if American with Disabilities Act design requirements are used.

Standard: The Owner is required to keep porches and porch steps in good condition and free of clutter.

3.29 Recreational Equipment

ARC approval is required to construct, install, or modify recreational equipment taller than 7 feet and all sizes of permanently installed (including mounted into an in-ground sleeve) basketball goals. Applications may require: a site plan (*see section 2.3*) and an image of proposed equipment.

Guidelines:

- **Recreational equipment (including all basketball goals) must not be visible from the street.**
- Placement must adhere to all Setbacks, Easements, and Buffer Zones and provide the least impact to neighbors.
- Pole-mounted basketball goals must be mounted on black poles and have clear or white backboards.
- Tree houses are prohibited.

ARC approval is not required to construct, install, or modify recreational equipment under 7 feet tall if placement is not visible from the street, adheres to Setbacks, Easements, and Buffer Zones, and provides the least impact to neighbors. Use of a portable basketball goal is allowed if, when not in use, it is not visible from the street.

Standard: The Owner is required to maintain recreational equipment in good condition and working order.

3.30 Retaining Walls

ARC approval is required to construct, replace, remove, or modify retaining walls that are over 3 feet in height or visible from the street. Applications may require: a site plan (*see section 2.3*) and list of construction materials.

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Walls must be aesthetically compatible with Owner's village if visible from the street.
- Modifications must not cause adverse drainage conditions on adjoining properties, Easements, Common Areas, or Buffer Zones.

ARC approval is not required to construct, replace, or modify retaining walls under 3 feet in height and not visible from the street. Modifications must not cause adverse drainage conditions on adjoining properties, Easements, Common Areas, or Buffer Zones, or alter an established drainage pattern.

Standard: The Owner is required to actively monitor, maintain, and repair all retaining walls to ensure good condition and structural integrity.

3.31 Roof Equipment: Gutters, Downspouts, Flashing, Skylights, Solar Panels, and Vents

ARC approval is required to install new rooftop equipment. Rooftop equipment and exposed flashing must blend with roof colors. Applications may require: an image of proposed equipment.

ARC approval is required to install skylights or solar panels that are visible from the street. Applications may require: an elevation plan (*see section 2.3*) and an image of proposed equipment.

ARC approval is not required if the following guidelines are met:

- replace roof equipment if same as existing;
- install skylights or solar panels that are not visible from the street;
- replace existing gutters and downspouts, (must be painted trim color);
- increase the size of gutters from 4 inches to 6 inches; or
- modify gutters/downspouts that do not cause adverse drainage conditions on adjoining properties, Easements, Common Areas, or Buffer Zones.

Standard: The Owner is required to maintain roof accessories in good condition.

3.32 Roofing

ARC approval is required to replace a full roof. Applications may require: roof shingle color, brand, type, style, and shingle warranty.

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Shingles must be algae-resistant, three tabs or architectural (also called laminated), with a minimum 20 year warranty.
- Ridge vents must be covered with shingles that match the roof.
- Tile, slate, wood, roll roofing or shingles that look like tile, slate, or wood are prohibited.
- Roof designs that use more than one lot color/style shingle that are cut-in and installed to create a design in the roof are prohibited.

Note: If requesting shingles not previously approved, the ARC will require a shingle sample that must be approved by a majority vote of ARC members.

ARC approval is not required to replace small damaged roof sections if the same lot color and style of existing shingles are used.

ARC approval is not required to replace accent metal roofing with existing material.

Standard: The Owner is required to maintain roofs in good condition.

3.33 Satellite Dishes and Antennas

ARC approval is not required to install satellite dishes and antennas (1 meter or less in diameter) as allowed by the Federal Communications Commission to receive television signals. Please request the installer to follow the guidelines below to maintain the aesthetics of our neighborhood.

- Dishes should be installed in a location that is not visible from the street.
- Dishes installed through roof shingles should be discouraged as it may cause the roof to leak.
- Installing a second dish in a different location might be less offensive than stacking or locating it beside the first dish.
- Dish installation on any type of pole or structure (other than the house) is discouraged. If necessary, installations should not go above the lowest eave and not be visible from the street. These are undesirable locations and should be considered only when more acceptable solutions are not practical.
- Antennas should be installed in the least conspicuous location on the Unit (usually the back yard), not visible from the street or Common Area, and Screened from neighbor's view.

ARC approval is required to install a dish or antenna that does not receive television signals.

Standard: The Owner is required to maintain satellite dishes/antennas in good condition.

3.34 Shutters

ARC approval is required to add/remove shutters or to replace/modify existing shutters with ones of a different color, style, size, or material. Applications may require: paint color (brand, name, number) and an image if modifying existing style of shutter.

Guidelines:

- Shutters must be an appropriate size and architectural style for the window.
- Shutters must be painted darker than the body of the house.
- Shutters must match in style and size. If matching shutters are not available, all shutters must be replaced with shutters that are aesthetically compatible to the neighborhood.

ARC approval is not required to replace/repair shutters if they are the same as existing in color (brand, name, number), style, size, and material.

Standard: The Owner is required to maintain shutters in good condition.

3.35 Siding, Brick, and Stone

Siding

ARC approval is required to paint siding with a new color. Applications may require: paint color (brand, name, number).

Guidelines:

- Siding must be painted lighter than shutters, and darker than trim.
- Aluminum and vinyl siding is prohibited.

ARC approval is not required to replace/repair siding as original (cement board) or to paint with same color (brand, name, number) as existing.

Standards: The Owner is required to maintain siding in good condition. Siding must be pressure-washed when dirty or mildewed.

Brick and Stone

ARC approval is required to install, remove, or modify brick or stone, on a house or wall. Applications may require: site plan (*see section 2.3*) and list of construction materials. Painting brick or stone is prohibited.

Standards: The Owner is required to maintain brick and stone in good condition. Brick and stone must be patched or replaced when needed. Cracks must be caulked and mortar joints tuckpointed when necessary.

3.36 Signs

ARC approval is not required to install the following signs on a Unit (as allowed by the Declaration Exhibit "C" 10.4b):

- For sale signs that are 4 feet square or less and conservative in color and style;
- Permits required by legal proceedings or a governmental entity;
- Small home security notices posted near front door;
- Estate, yard, and/or garage sale signs in compliance with city ordinances; and
- Contractor signs that are 4 feet square or less and conservative in color and style, posted ***only while work is in progress*** and removed upon completion, are allowed.

Note: Rent, lease, and political signs are prohibited.

Standard: The Owner is required to maintain signs in good condition.

3.37 Statues and Yard Art

ARC approval is required to install statues or yard ornaments over 2 feet high and visible from the street. Application may require: an image of proposed statue/art.

Guidelines:

- Statues and/or yard ornaments must be located within landscaping beds.
- Statues and/or yard ornaments must be in harmony with existing structures and landscaping.

ARC approval is not required to install decorative yard ornaments (for outdoor use only) under 2 feet high within landscaping beds or if they are not visible from street.

Standard: The Owner is required to maintain statues and yard art in good condition.

3.38 Temporary Structures: Canopies, Inflatable Playhouses, and Camping Tents

ARC approval is required to install temporary structures for more than 72 hours and/or that are more than 10 feet square or 9 feet high. Application may require: a site plan (*see section 2.3*) and an image of temporary structure.

Guidelines:

- Placement must adhere to all Setbacks, Easements, and Buffer Zones and provide the least impact to neighbors.
- Temporary structures like shacks are prohibited.

ARC approval is not required to install a temporary structure for less than 72 hours if following guidelines are met.

Guidelines:

- Structure must be no more than 10 feet square and less than 9 feet in height.
- Placement must adhere to all Setbacks, Easements, and Buffer Zones and provide the least impact to neighbors.

3.39 Trash, Recycling, and Yard Waste Enclosures

ARC approval is required to construct or install an enclosure for trash, recycling and yard waste containers. Applications may require: a site plan (*see section 2.3*) and list of construction materials.

Guidelines:

- Placement must adhere to Setbacks, Easements, and Buffer Zones and be at least 15 feet back from corners of house facing a street.
- Enclosures must keep containers Screened from neighbor's view and not visible from the street.
- Enclosures must be at least 4 feet high and made of cedar or pressure-treated wood stained in an approved color (*See Attachment A*).

Standards:

- Containers and enclosures must be maintained in good condition.
- Containers must not be visible from the street and must be Screened from neighbor's view except on pickup days.
- Containers, other than those approved by the City of Marietta, are prohibited.
- Trash bags must be placed in containers with tight-fitting lids, and only when containers are *full* may trash bags be placed at the street.
- Containers must not be placed at the street until after 7 p.m. the day before scheduled pickup, and empty containers must be removed by 7 p.m. on the pickup day.
- Containers must *not* be placed on sidewalks.
- Trash, recycling, or yard waste not collected for whatever reason must remain in containers and not visible from the street until the next pickup.

3.40 Trim

ARC approval is required to install a new style of trim or to paint trim with new color. Trim must be painted lighter than siding and brick. Exception: sidelights and/or transoms, (*see section 3.10*). Applications may require: paint color (brand, name, number), and an image/sample if proposing a new style of trim.

ARC approval is not required to replace and/or paint trim if same as existing in color (brand, name, number), style, and size. Material can be wood or composite.

Note: Trim includes gutters, downspouts, corbels, corner trim, columns, louvers, fascia, soffits, porch ceilings, bargeboards, mullions, window sills, window frame, door sidelight windows, transoms, band boards, and generally any architectural elements other than siding and shutters.

Standard: The Owner is required to maintain trim in good condition.

3.41 Windows, Screens, and Solar Film

ARC approval is required to install or modify windows if different in color, style, size, or material from existing. Applications may require: paint color (brand, name, number) and an image of proposed window.

Guidelines:

- If Permits are applicable, they are required for ARC approval and are the responsibility of the Owner to obtain.
- Standard includes double-pane windows.
- Full-view storm windows may be installed. The frame must be painted trim color
- Trim on new windows must be painted existing trim color. Exception: sidelights and/or transoms, *(see section 3.10)*
- Composites that cannot be painted will not be approved nor will unpainted aluminum or other metal frames.
- Colored glass, decals, colored film, and paper window treatments on windows visible from the street are prohibited.
- Window treatments/blinds visible from street must appear either white or off-white.

ARC approval is not required to replace, repair, or modify windows, or window trim due to material deterioration (including breakage) or to upgrade for energy efficiency if the following guidelines are met.

Guidelines:

- Replacement windows must be same as existing in color, style, size, and material.
- Replacement trim must be same as existing in color, style, size. Material can be wood or composite.
- Solar film that blocks ultraviolet rays (with light transmission of not more than 20 percent) may be applied to windows. All front windows must be treated uniformly. Palladian, sidelights, and transoms can be treated individually.
- Mullions (grids) and/or screens on windows, can be removed or installed, but must be done uniformly on similar windows situated side-by-side.
- Palladian windows must have mullions.

Standards:

- Windows must be maintained in good condition.
- When windows or the material around them deteriorates, they must be repaired or replaced with new material and color consistent with the specifications in the G&S.
- If the mullions (grids) break on similar windows situated side-by-side they must all be replaced, or all removed. If they break on a Palladian window they must be replaced.
- Windows with solar film must remain clear. If film deteriorates or changes in color or tint, the film must be replaced.

IV. GLOSSARY

Association: East Park Community Association, Inc., a Georgia non-profit corporation, its successors or assigns.

Board: The body responsible for administration of the Association, selected as provided in the By-Laws and generally serving the same role as the board of directors under Georgia corporate law.

Buffer Zone: Tree Buffer Zones include the perimeter of East Park and designated areas within the community. East Park has both undisturbed natural tree buffers and tree protection buffers that vary in depth according to Unit. Stream buffers are protective natural areas of vegetation adjacent to the stream channel. The stream buffers extend 50 feet from the stream bank and have an additional 25 foot Setback.

By-Laws: The By-Laws of East Park Community Association, Inc.

Certified Arborist: An individual trained in the art and science of planting, caring for, and maintaining individual trees. Arborist must hold current International Association of Arboriculture certification and be trained and knowledgeable in all aspects of arboriculture.

Common Area: All real and personal property, including Easements, which the Association owns, leases, or otherwise holds possessory or use rights in for the common use and enjoyment of the Owners.

Cultivar: The last three classifiers of botanical taxonomy are genus, species and cultivar. The cultivar name is always in single quotations, e.g., purple coneflower or *Echinacea purpurea* 'Magnus,' Magnus is the cultivar name.

Declaration: Declaration of Covenants, Conditions, and Restrictions for East Park recorded in Deed Book 12472, Page 141, et seq. (as amended).

Easement: The right to use someone else's land for a specified purpose (utilities).

Noncompliant: Failing to comply with the Design Guidelines and Community-Wide Standards or the Declaration.

Non-Gated Villages of East Park: All portions of the East Park Community (as such is defined in the Declaration) excepting Alexandria at East Park.

Owner: One or more persons who hold the recorded title to any Unit.

Permit: An official document giving authorization and consent from governmental bodies.

Screened: Minimized visibility.

Setback: The distance a building or part of a building is set back from the property line. In East Park these vary according to Village and can be found on plat maps.

Specific Assessment: The Association has the power to levy Specific Assessments against a Unit to cover costs associated with achieving compliance.

Unit: Each numbered lot shown on the Villages of East Park subdivision plat, filed in the Public Records with respect to any portion of the Community, together with the structures constructed thereon (does not include Common Areas or property dedicated to the public).

V. CHANGES AND AMENDMENTS

The 2018 Design Guidelines and Community-Wide Standards may be amended upon the affirmative vote of two-thirds (2/3) of the members of the ARC and the consent of the Board.

Such amendment will be published and/or promptly posted on the East Park website and a copy of the amended document will be provided to all Owners.

All amendments will become effective upon adoption by the ARC and the Board. Such amendments shall not be retroactively applied to previously approved work or approved work-in-progress.

In no way will any amendment to the Design Guidelines and Community-Wide Standards change, alter, or modify a provision of the Declaration or any Supplemental Declaration unless the amendment is identified as a change in Use, Restrictions, and Rules and adopted by the Board as provided in Article X of the Declaration. The current amendment does not include such a change.

VI. APPROVAL

This edition of the Design Guidelines and Community-Wide Standards has been prepared and approved by the East Park Community Association Architectural Review Committee, has been approved by the East Park Community Association Board of Directors, and is hereby adopted on this 29th day of May 2018. This edition supersedes all previous versions of Design Guidelines and Community-Wide Standards for the Non-Gated Villages at East Park.

East Park Architectural Review Committee

Signed: John J. Fittipaldi
John J. Fittipaldi, Chairperson

Date: May 29, 2018

East Park Board of Directors

Signed: Ronald A. Bohlander
Ronald A. Bohlander, President

Date: May 29, 2018

VII. ATTACHMENTS

Attachment A

Villages of East Park Fence Stain Standard

These are examples of acceptable fence stains:

TWP 205 “California Cedar” transparent stain

Behr DP 351 “California Rustic” transparent stain

Sherwin Williams 3511 Cedar Bark

Sherwin Williams 3512 Cider Mill

Suggested Source:

Sherwin Williams, Home Depot

Attachment B

Governments that have ordinances and regulations over East Park's buffer zones

City of Marietta Planning and Zoning

Phone: 770-794-5669

[City of Marietta Tree Protection and Landscape Ordinance](#)

[City of Marietta Buffer Zone Ordinance](#)

Cobb County Soil & Water Conservation District

Phone: 770-792-0594

[Cobb County Stream Buffer Revegetation Guidelines](#)

[Cobb County Stream Protection Guidelines](#)

Attachment C

Villages of East Park Mailbox Standard

If repairing, use original parts from Addresses of Distinction. Let them know you live in East Park and what parts you need. If the entire mailbox system needs to be replaced, the “Charleston” model is acceptable, **but must have hanging number plate four.**

East Park Standard
Charleston Model
IMPORTANT:
Ask for hanging number plate 4



Suggested Source:

Address of Distinction
2115 Hills Avenue Northwest
Atlanta, GA 30318
Online: addressofdistinction.com
Phone: 770-436-6198
Email: supportdesk@aodmailboxes.com



Mailbox Dimensions:
21” long, 11” high and 8 1/4” wide

