

Orchard Lake Community Architectural Review Committee Guidelines



Revision: 4, Dated 11/16/2023 – Addition of PMI under Authority, p. 4; changed Step 3 to include PMI review, p. 7, changed Step 4 reply within “twenty (20) days...” and make a decision “within twenty (20) days”, p. 8; deletion of Follow-up by the Board, p. 9; addition of Definitions in Section 1. Decks, p. 12; addition of Requirements in Section 2. Building Addition..., p. 13; Addition of Definitions in Section 3. Fences, p. 14; addition of Definitions and Location in Section 4. Walkways..., p. 15; Section 6. Landscaping..., moved “The CC&Rs require...” paragraph from Location to Requirements, added mulch replenishment sentence in same section, p. 19; addition of Definitions, Location, Appearance..., and Requirements paragraphs to Section 7. Satellite Dishes..., p. 20; moved Size & Height paragraph to Requirements, in Appearance paragraph, deleted “The intent of the ARC...” and following paragraph in Section 8. Exterior Freestanding..., p. 21, addition of “These structures must be...”, p. 21; addition of Definition and Location paragraphs, added paint suggestion to Requirements in Section 9. Exterior Painting, p. 23; addition of Definition paragraph, addition of “Appearance” to Materials heading in Section 10. Exterior Lighting..., p. 24; addition in Location paragraph “However, advertising signs...”, p. 24; addition of Definition in Section 11. Retaining Walls, p. 26; addition of Definition in Section 12. Hot Tubs/ Pools, p. 28; addition of Definition and Location paragraphs, “& Materials” to Appearance heading in Section 13. Property Maintenance, p. 29; deleted modification sample form, old p. 27.

Revision: 3, Dated 01/13/2022 – Modification ~~Change~~ Request Form, p. 6; Guidelines Added for Solar Panels, p. 12; Fences, p. 13; Sheds, p. 20; Paint Colors, p. 22; Modification Request Form, p. 27.

Revision: 2, Dated 01/28/2020 – Mulch Guidelines Added

Introduction

Whether you recently purchased a home in Orchard Lake or are one of our original homeowners, we are glad you are a part of our community. Orchard Lake is an exciting, vibrant community, and the members of our Homeowners Association wish to make it an even better place to call home through their continuing efforts to protect, maintain and enhance our property values.

As you may know, Orchard Lake was specifically planned and designed as a residential community, intended to provide a high quality of life in a natural setting. It was approved as a residential restricted community with its own set of covenants, conditions, and restrictions (e.g., “the CC&Rs”), a copy of which you should have received when you purchased your property. These covenants, conditions and restrictions exist so the overall aesthetics, congruity, appearance, and safety of the neighborhood would be maintained in such a way the homeowners can live in harmony. Each homeowner is assured, to some degree, basic guidelines are in place to support the quiet enjoyment of their home and property, and to protect the value of their investment. The ultimate intent of the CC&Rs is not to create a rigid set of controls that limit personal freedom or property rights, but rather to create and maintain a self-governing community where members of the Homeowners Association tend and protect their investment through active participation in committees and other activities that support the life and growth of our neighborhood.

A well-maintained and respectful community makes for a supportive and nurturing place to live. To that end, under the CC&Rs, all exterior and landscaping changes must be preapproved by the Architectural Review Committee (ARC). This document further describes how the ARC operates and identifies the responsibilities of all concerned in maintaining the standards established CC&Rs for Orchard Lake. Please read it and familiarize yourself with the guidelines that have been established to support and maintain the peaceful and pleasant environment of our community.

The Architectural Review Committee

The Architectural Review Committee (ARC)

Organization

The Declaration of Covenants, Conditions and Restrictions (CC&Rs) requires the Board of Directors appoint an Architectural Review Committee to review and act on proposals and plans submitted by Orchard Lake property owners to further the intent and purpose of the CC&Rs as they relate to all exterior and landscaping maintenance and/or improvement projects.

The ARC is composed of no less than one and no more than five members and the chairperson is appointed by the Board of Directors. ARC membership is voluntary, and representation is encouraged from among the residents of all Orchard Lake owners, however the ARC shall include one member of the Board, the ARC chairperson. Selection of members will be made by the ARC chairperson and approved by the board.

Purpose

The ARC exists to promote qualities in the neighborhood that bring value to the community by promoting the attractiveness and functional utility of Orchard Lake as a place to live. To achieve its objectives, the committee is responsible for:

- ❖ Developing draft architectural rules and guidelines for submission to the ARC for approval
- ❖ Reviewing applications for exterior architectural and landscaping changes from individual homeowners.
- ❖ Investigating complaints from homeowners related to exterior and/or landscaping changes that are inconsistent with the CC&Rs and providing input to the Board for follow-up.
- ❖ Recommending requests approval or non-approval to Orchard Lake HOA Board of Directors by a majority vote (unless the authority to approve or deny has been delegated to a part of the committee or an individual by a majority vote).

Authority

The authority of the ARC is delegated by the Board of Directors, based on the Declaration of Covenants, Conditions and Restrictions for Orchard Lake. HOA members receive a copy of the CC&Rs when they purchase their property. The CC&Rs also are found on Orchard Lake website, <https://pmi.cincwebaxis.com/orchardlake/home/>. The CC&Rs provide a framework for any written guidelines and recommendations adopted by the ARC and serve as the “final authority” in issues of exterior architectural and landscape control in our community.

Our PMI account manager is the initial reviewer of applications. They make sure all documentation is included in the request. If additional documentation or clarification is needed, the application is returned to the homeowner. After completion, PMI forwards the requests to the ARC which may withhold approval for any reason, including aesthetic considerations, and it shall be entitled to stop any construction, or require restoration, of any project in violation of approved plans or this Declaration.

Standards and Guidelines

According to the CC&Rs, the ARC may develop, adopt, and amend written rules or guidelines, as needed, to be applied in its review of plans and specifications submitted for approval by Orchard Lake homeowners. The ARC has developed such rules and guidelines to help property owners understand and utilize:

- ❖ The community specific standards for architectural and landscaping changes that must be reviewed and approved through the ARC;
- ❖ The application process for requesting changes to exterior architectural or landscaping modifications;
- ❖ The review procedures utilized by the ARC; and,
- ❖ The complaint resolution process.

The guidelines developed by the ARC may include examples of recommended design practices that are accepted methods for approaching particular design problems or potential “controversies” frequently encountered in the community. These guidelines are intended to support the ARC and the Homeowners in the ongoing process of community design and neighborhood development.

Compliance with Community Standards, Guidelines and Procedures

Follow-up of compliance issues related to the ARC rules and guidelines is the responsibility of the HOA Board of Directors, as described in Declaration of Covenants, Conditions and Restrictions for Orchard Lake.

Architectural Review Committee Procedures

- ❖ When is ARC Approval Required?
- ❖ Submitting an Application to the ARC
- ❖ Once a Decision is Reached
- ❖ Reporting Concerns or Complaints to the ARC
- ❖ Investigation by the Board
- ❖ Other

When is ARC Approval Required?

The CC&Rs stipulate the ARC must approve the plans and specifications for a variety of home improvement/maintenance projects before any project work begins or contractors are employed. To promote the timely approval of plans and specifications related to such a project, and to avoid costly delays, homeowners are strongly encouraged to familiarize themselves with the contents of the CC&Rs as well as any current, written ARC guidelines when planning a project involving any type of exterior architectural or landscaping work. Homeowners also are encouraged to discuss such plans and specifications with any immediate or adjacent neighbors who may be affected by the proposed change, as a gesture of courtesy. Careful planning and communication on the front end can often prevent unintended consequences on the back end of a project!

Plans requiring approval by the ARC includes, but are not limited to, the following:

- ❖ Construction or erection of any building (including outbuildings), enclosure, sign*, fence, deck, patio, wall, or other structure, including the installation, erection, or construction of any type of solar collection device
- ❖ Includes address signs or any type of sign other than an authorized real estate sale notice. Signs advertising businesses, occupations or professions are not permitted by the CC&Rs under any circumstances
- ❖ Remodeling, reconstruction, or alteration – including painting – of any building or structure
- ❖ Planting of any tree which may grow to a height in excess of 25 feet
- ❖ Changes to exterior finishes and materials (all buildings, roofing, trim, fences, walls, screening materials, enclosures, doors, railings, decks, eaves, gutters, and driveways)
- ❖ Changes to original landscape designs (including removal or replacement of grass, hedges, retaining walls, or the use of alternative landscaping materials such as rock, gravel, sand, brick, or other natural or manufactured products)
- ❖ Exterior lighting

- ❖ Projects affecting or exposing radio, television, and other electronic transmission devices, including external aerials, antennas, and microwave/satellite dish receivers.

Submitting an Application to the ARC

Step 1: Prior to any alteration, addition or improvement, the property owner (not their contractors or other parties) should read through this entire document (Orchard Lake Architectural Review Committee Guidelines).

Step 2: Prior to any alteration, addition or improvement, the property owner should complete and submit the ARC Request Form on the PMI website. This includes any supporting documentation that may be required (if necessary, as an attachment to the form). To ensure timely review and action on requests, the plans and specifications must include, at a minimum:

- ❖ The size and dimension of the improvements
- ❖ The exterior design and materials (including all surfaces and the roof, if applicable)
- ❖ The exterior color charts
- ❖ The exact location of the improvement on the property
- ❖ The location of driveways and parking areas
- ❖ The scheme for drainage and grading
- ❖ Proposed landscaping, including the area between the curb and the sidewalk on the road frontage side of the property
- ❖ Proposed outdoor lighting

The homeowner should include additional supporting documentation that may be helpful in reviewing the application, including photographs, diagrams, or other reference materials. The more detail provided, the easier it will be for the committee to complete its review and provide a timely decision for the applicant. Incomplete applications will be returned.

Note: Any calculation of time related to the processing of an application will not start until the application is received by the ARC complete with all required attachments.

Step 3: The Orchard Lake PMI representative will review the application online and make sure the application is complete. If it is complete, they will notify the Orchard Lake HOA/ARC committee. If additional information is needed, PMI will contact the homeowner for the additional information.

- ❖ The ARC meetings are not scheduled. Meetings are called as may be required by the chairperson.
- ❖ Expedited requests will only be considered on a case-by-case basis by the ARC. If circumstances are such the homeowner cannot wait, email the application to the ARC, explaining the situation and why the request is urgent.

Step 4: Committee members will review all new, complete applications, and will respond to the homeowner within twenty (20) business days, unless the situation requires an emergency or expedited approval process (for example, urgent home repairs due to structural damage).

The ARC may:

- ❖ Determine an application is incomplete and request additional information from the homeowner;
- ❖ Unconditionally approve the application as submitted;
- ❖ Conditionally approve the application, stating the condition(s) in writing;
- ❖ Deny approval of the application, stating the reasons for denial in writing.

In accordance with stipulations set forth in the CC&Rs, the ARC will make a decision within twenty (20) business days from the date the completed plans and specifications are submitted for approval. If the ARC fails to render a decision within that period, the application is deemed “Approved.”

Note: The 20-day period applies when the application has been completed and submitted to the ARC with all required attachments and supporting documentation. Incomplete applications will not be processed, and will be returned to the homeowner, with instructions for resubmission. It may be prudent to send the ARC an email if no approval has been received within this 20-day time period.

Step 5: Once the ARC has made its decision, the owner will be notified, and the application is approved on the PMI website and communicated to the applicant. If an application is returned with a request for additional information or supporting documentation, the information needed will be listed on the response form attached to the application.

Note: Any calculation of time for the purpose of processing of an application will begin when the application is determined “complete” by the ARC and a copy is returned to the applicant marked “in process.”

Once a Decision is Reached

The ARC is responsible for determining whether projects have been completed according to the plans as submitted and approved, within sixty (60) days of completion of the work. By submitting an application for approval, you agree to allow an ARC member, as appropriate and when convenient to both parties, to determine if the project is being conducted as submitted.

If the application is approved without conditions, the homeowner may begin the project as soon as they are notified of the approval.

- ❖ If the application is approved with conditions, the conditions will be listed, and the homeowner may begin the project immediately, if the stated conditions are met.
- ❖ If the application is not approved, the reasons and/or requirements will be noted on the response form provided to the homeowner.
- ❖ Any property owner not satisfied with the Committee’s decision on an application may resubmit it

or appeal the Committee's decision to the Board of Directors by notifying the HOA, in writing, within thirty (30) days.

If the ARC determines the project does not comply with plans, specifications, or other conditions as submitted and approved, the homeowner will be notified within the 60-day period. According to the CC&Rs, the homeowner will then be responsible for either removing or altering the improvement, or taking other steps recommended by the ARC to remedy the situation, within a period of not less than thirty (30) nor more than sixty (60) days.

Reporting Concerns or Complaints to the ARC

Property owners concerned about potential violations of the architectural guidelines and standards, as developed by the ARC or otherwise set forth in the CC&Rs, are encouraged to request a review of the issue by the Board of Directors by filing a Violation Report Form with the HOA (via mail or e-mail).

An example of the form is at the end of this document.

Investigation by the Board

The Board will investigate all complaints forwarded by Orchard Lake HOA members. If necessary, members of the Board will contact the homeowner for additional information that may be helpful in investigating or responding to the complaint.

Upon investigation, the Board will decide of its findings, as follows:

- ❖ The homeowner is in compliance with current guidelines and standards; no further action is indicated,
- ❖ Major/minor architectural or landscaping changes have taken place without ARC approval,
- ❖ Architectural or landscaping changes have taken place and are not consistent with conditions established for approval of the project.
- ❖ Architectural or landscaping changes have begun or were completed after application to the ARC, but prior to actual approval.
- ❖ Architectural or landscaping changes have begun or were completed following denial by the ARC.

If the Board finds the homeowner is in compliance with established guidelines, the Board will notify the complainant of their findings.

If the Board finds the homeowner is not in compliance with current ARC procedures and/or rules and guidelines the Board will follow up with the affected homeowner(s).

Other

Do not forget to check with Forsyth County to see if any permits are required for your project.

Detailed information is available on the county's website.

Typical projects requiring a county permit include, but are not limited to, the following:

- ❖ Residential additions (including garages, decks, patio covers, etc.);
- ❖ Structural roof repair;
- ❖ Fire repair to the original configuration of the building;
- ❖ Replacement of mechanical equipment;
- ❖ Ductwork changes (with or without penetration of rated walls, ceilings, and floors).
- ❖ Installation of sheds.

Note: It is the homeowners' responsibility to check with Forsyth County to determine what permits may be required for the project under consideration.

To ensure important utility services are not interrupted when the project begins, always notify the appropriate authorities to mark existing underground utility lines before construction begins.

Check to make sure the project does not encroach upon any designated "buffer zones" adjacent to the property. Clearing within these areas is restricted by Forsyth County. These zones are marked on the final plat map of the property. But if you have any questions, contact the appropriate Forsyth County office.

Orchard Lake HOA ARC Community Standards and Guidelines

Table of Contents

Section 1. Decks.....	12
Section 2. Building Addition or Exterior Modifications.....	13
Section 3. Fences.....	14
Section 4. Walkways and Patios.....	15
Section 5. Playground and Recreational Equipment.....	16
Section 6. Landscaping and Trees.....	18
Section 7. Satellite Dishes and Antennas.....	20
Section 8. Exterior Freestanding Detached Structures.....	21
Section 9. Exterior Painting.....	23
Section 10. Exterior Lighting and Signs.....	24
Section 11. Retaining Walls.....	26
Section 12. Hot Tubs/Pools.....	28
Section 13. Property Maintenance.....	29
Architectural Review Committee Violation Form.....	30

Section 1. Decks

Definitions

- ❖ A structure of raised horizontal platform constructed of wood or other materials without enclosing walls or roof.
- ❖ Usually physically attached to the main structure of the home.

Location

In general, decking is restricted to the back of the home, if permitted by the building setback. All decks must be within the minimum setback requirements of Forsyth County.

Appearance and Materials

Natural wood decks may remain natural in finish color, but it is recommended a semitransparent stain be applied to reduce future maintenance and preserve the appearance of the wood. If a semitransparent stain is desired, a color sample must be submitted to the ARC for approval before it may be applied. Painting is not permitted.

Synthetic decking and railing materials will be approved by the ARC on a case-by-case basis. Because of the number and types of synthetics available, it is helpful to submit samples of product literature and color selections with the ARC application for approval.

Requirements

A building permit must be obtained from the Forsyth County, where required, and all required inspections successfully completed. All decks must meet the building requirements in addition to any of the above community specific standards. Proper drainage must be maintained around the deck, away from the foundation and adjacent homes.

Section 2. Building Addition or Exterior Modifications

Definitions

- ❖ Examples of additions include screened porches, new living space, sunrooms, or storage areas physically attached to the main structure of the home.
- ❖ Examples of exterior modifications include non-retractable awnings, solar panels, and other (usually “removable”) features that change the appearance of the home.
- ❖ Roofing materials also are included in this section of the ARC guidelines.

NOTE: For detached structures, see Section 8. Exterior Freestanding Detached Structures.

Location

The location of building additions will be established consistent with the maximum building area as defined by Forsyth County, with respect to the minimum setback requirements from the property line(s). There may be situations in which the project may meet Forsyth County setback requirements but may be inconsistent with the objectives of the community and may not be approved as originally submitted. An example is if the proposed addition or modification unreasonably impacts “view” considerations from adjacent homes or common areas.

With respect to solar panels specifically, the panels must not be visible from the street.

Appearance and Materials

In general, the ARC will review materials, colors, location, scale, and other details of the proposed addition or exterior modification to determine coherence with the architectural intent of the existing home and the relationship of the proposed addition or modification to surrounding areas.

In approving materials and color selections, the objective of the ARC is to maintain the quality of materials and workmanship as intended in the original structure. Requests to use materials other than those used in original construction will be reviewed and approved on a case-by-case basis.

Requirements

A building permit must be obtained from the Forsyth County, where required, and all required inspections successfully completed. All decks must meet the building requirements in addition to any of the above community specific standards. Proper drainage must be maintained around the deck, away from the foundation and adjacent homes.

Section 3. Fences

Definitions

- ❖ A barrier of wood enclosing an area.

Location

The Orchard Lake CC&Rs state “Fences shall not be allowed under any circumstances which extend beyond the rear corners of any dwelling constructed upon a Lot, or which are constructed of chain link, wire mesh, barbed wire, razor wire, other like materials.” Furthermore, fences must be placed so they adhere to easement restrictions and permissions as described in the CC&Rs.

Fences shall follow the natural topography of the property. Alleyways between parallel fences are not to be created.

Appearance and Materials

Natural, pressure treated wood is strongly preferred; however, on a case-by-case basis, other materials may be used with the approval of the ARC. Chain link or similar metallic fences will not be approved. Fences may not be painted; they may be stained with ARC approval of the transparent stain color to be applied.

Requirements

Wood fencing slats are to be installed vertically with spacing not to exceed four (4) inches between slats. Fences can be 4' to 6' but cannot exceed six feet in height.

Any attachments to the fence, including hanging planters or devices used to deter pets or wildlife, shall not be visible above the fence line. All fencing should be maintained in an aesthetic and safe condition.

Any other types of fencing, such as that installed to contain garden areas (e.g., herb or vegetable gardens) or pets (e.g., dog runs or outdoor caged areas) must not be visible from the street and should be appropriately screened if visible from adjacent properties or common areas.

Horizontal style wood fencing is not permitted, an example is the type of fencing used on farms or pastures.

Setbacks and/or buffers must comply with all applicable building codes for Forsyth County.

Section 4. Walkways and Patios

Definitions

- ❖ Walkway: a path for walking along.
- ❖ Patio: paved outdoor area adjoining a house.

Location

Generally, walkways are added to either side of the house. Some homes have patios at the front or patios may be added to the back of the house.

Appearance and Materials

Patios and walkways should be designed in scale with the home and surrounding property.

In general, brick, concrete, pavers, flagstone, and slate are considered acceptable materials. Materials and color chosen shall complement the existing structures and be consistent with the design and materials used. All patios and walkways will be reviewed on an individual basis for material, color, and location.

In general, the majority of available “front yard” landscaping space shall be maintained as grass, unless otherwise approved by the ARC.

Requirements

Walkways, patios, and parking pads slopes should be designed to preserve the original runoff flow pattern and should not cause excessive water accumulation or diversion to the foundation of adjacent properties. If a walkway or patio is planned, homeowners are required to include a plan with their ARC application that details drainage patterns and runoff.

Setbacks and/or buffers must comply with all applicable building codes for Forsyth County.

Section 5. Playground and Recreational Equipment

Definitions

- ❖ **Playground or Play Equipment:** Swing sets, sliding boards, sandboxes, and similar items “installed” on the property are classified as playground or play equipment for the purpose of this guideline. This guideline does not apply to moveable, temporary items such as bikes, wagons, or similar equipment.
- ❖ **Recreational Equipment:** Basketball goals, trampolines, horseshoe pits, permanent volleyball courts, ramps for bicycles and/or skateboards, and similar items are classified as recreational equipment for the purpose of this guideline. The guideline does not cover temporary volleyball or badminton nets, or other types of equipment intermittently used and routinely removed and stored or otherwise not maintained in a “permanent” location on the property.

Location

All playground equipment will be in the backyard. The location of play areas surrounding recreational equipment must consider the visual impact on adjacent properties, noise issues, safety issues, and the overall aesthetics of the equipment as it affects neighbors or public areas in the community.

Recreational equipment should be placed in the backyard area where appropriate. Potentially dangerous equipment such as trampolines should be located within fenced areas to maintain secure access and prevent use by unsupervised children or unintended users.

Equipment such as basketball goals may be placed in the front (e.g., driveway area) if a hard surface is desired and is not available elsewhere on the property. These items must be placed to avoid balls or other objects striking vehicles, landscaping, or other items on neighboring property. Homeowners also are encouraged to be mindful of safety concerns if the street is intended as the primary play area, particularly on through streets or corners where visibility may be a problem.

The use of basketball goals is restricted to use from sunup to sundown. Additional weights of any kind are not allowed to be placed on the basketball goal. Basketball goals may not be placed in the street or near the curb nor may they be placed in such a manner to allow the street to be used as the basketball court.

Appearance and Materials

To the extent possible, playground and recreational equipment should blend in with the natural surroundings and complement the surrounding property.

Landscaping or fencing should be planned to screen playground and recreational equipment such that it is not “visibly offensive” to adjacent properties, and to maintain a safe environment for children.

For the purpose of this guideline, the concept of “visually offensive” will be determined by the ARC using a standard of objectivity and reason and will not be judged solely on the basis of the complaints or subjective views of other homeowners.

Playground equipment constructed of pressure treated natural wood is encouraged. All playground equipment should be constructed of proper materials to ensure safe use, be aesthetically pleasing for their intended use, must be properly anchored, and properly maintained.

Requirements

Detailed drawings and pictures of the equipment, including location on the property, must be submitted to the ARC for approval prior to installation. All playground and recreational equipment must be maintained in safe and aesthetically appropriate condition.

NOTE: Trampolines must be anchored to the ground to prevent fly-away in high winds.

Section 6. Landscaping and Trees

Definitions

- ❖ Natural Area/Landscaping Bed: Any area of the property with ground cover other than grass.
- ❖ Flower Bed: Any grouping of flowers or plants not contained in a natural area or preexisting landscape bed.
- ❖ Garden: For the purpose of this guideline, the term “garden” is used to designate an area used to grow vegetables or herbs.
- ❖ Water Gardens/Water Features: Natural or prefabricated body of water used for decorative purposes (e.g., ponds, waterfalls, and fountains).
- ❖ Tree caliper: The thickness of the trunk of a tree.

Location

Vegetables, herbs, and water gardens will be placed in the backyard, out of view from public streets and common areas. Requests for water gardens or water features to be installed in the front or side yard, or other areas visible from the streets or common areas, will be denied.

Appearance and Materials

Landscaping on each lot shall make use of significant grass sod or seeded areas visible from the street in front of the property. The majority of the available “front yard” landscaping space shall be maintained as lawn area unless otherwise approved by the ARC.

All landscaped areas, plantings and bushes shall be maintained to prevent overgrowth of individual plants or weeds. Trees shall be maintained and pruned to remove debris and damaged limbs due to wind, decay, disease, or ice damage. Landscape edging, if used, should be consistent with the existing style and aesthetics of the community.

Vegetable, herb, and water gardens shall be maintained regularly to prevent excessive weed growth and maintain a neat appearance, and not be visually offensive to neighbors. Vegetable and herb gardens no longer used must be removed and landscaped to blend in with the rest of the surroundings.

For the purpose of this guideline, the concept of “visually offensive” will be determined by the ARC using a standard of objectivity and reason and will not be judged solely on the basis of the complaints or subjective views of other homeowners.

The style, materials and color scheme used in water gardens and water features should complement the existing architectural design and color scheme of the home and surrounding area.

Preferred materials to be used for ground cover should be pine straw, black mulch, or brown mulch. The use of any other materials should be submitted to ARC for approval prior to installation. It is recommended by area gardeners, mulch/pine straw should be replaced every 12 months.

Requirements

All landscaping must be designed to maintain proper drainage on the site. If changes are planned to the original landscape design on the property, homeowners are required to provide a plan detailing drainage patterns and runoff. Plans may require modification to meet these requirements before the project is approved by the ARC.

The timeline for completion of landscaping projects must be consistent with the standards set forth in Orchard Lake CC&Rs.

In addition, within 180 days after final inspection of the building, all other side and backyard landscaping must be completed on the remaining property, unless otherwise approved by the ARC. The CC&Rs require homeowners obtain ARC approval prior to planting any tree expected to grow to a height greater than 25 feet. The application should include detailed information about the proposed tree(s) and a diagram showing where the tree(s) will be planted. Placement should consider potential impact on the homeowner's and neighboring property due to root growth or potential storm damage, as well as safety and view concerns that may affect adjacent properties. Trees with a caliper of less than 2 inches are not to be planted if they are visible from the street.

Section 7. Satellite Dishes and Antennas

Definitions

- ❖ Satellite Dish: A bowl-shaped antenna with which signal is received from a satellite.
- ❖ Antenna: Broadcasts sent from a master tower on earth directly to a home.

Location

Installation of satellite dishes may be installed on the property upon approval from the ARC to determine the safety impact of your proposed installation location.

Appearance and Materials

N/A

Requirements

The equipment should not be placed on the front of the home where it is readily visible from the street.

If acceptable quality signals may be received by placing antennas inside a dwelling without unreasonable cost or delay, the homeowner is encouraged to consider this as an alternative.

The Federal Communication Commission (FCC) has ultimate governing authority over matters related to the licensing and approved uses of satellite dishes, radio and television antennas, and other electronic communication devices.

Section 8. Exterior Freestanding Detached Structures

Definition

- ❖ Exterior freestanding detached structures include, but are not limited to storage sheds, gazebos, greenhouses, and pet enclosures.

Note: Prior approval of an application does not guarantee subsequent approvals on the same property.

Location

All exterior freestanding detached structures will be confined to the back yard. The location for these structures will typically be governed by the maximum building area defined by Forsyth County with respect to the property setback requirements from the property line.

The placement of pet enclosures and surrounding areas used by pets must take into consideration safety, noise, and sanitary concerns, should minimize the possibility of offensive odors, and should not be visually offensive to neighbors and common areas.

Appearance and Materials

Materials used on any detached structure shall meet or exceed the materials used in construction of the original home and comply with all applicable building codes for Forsyth County.

Color selection, including exterior stain or paint colors, shall be consistent with the dwelling and surrounding area.

Metal or plastic storage structures will not be approved.

Requirements

Exterior freestanding detached structures (sheds) must be no larger than a 12'x12' footprint and may not exceed 15 ft. in height.

All exterior freestanding structures must maintain proper drainage on the site. If a structure is planned, homeowners must provide a plan detailing any drainage patterns and runoff as a result of the new structure, where applicable.

The application must include details of the structure's foundation or anchors for things such as trampolines, gazebos, and/or pergolas. These structures must be anchored to the ground to prevent being lifted up and tossed around during high winds.

If electrical service is to be provided to the detached structure, the application must include details of how that service will be run and must comply with all applicable electrical codes and regulations. Overhead electrical service is not permitted in Orchard Lake.

Section 9. Exterior Painting

Definitions

- ❖ Exterior of house and any additions (Section 2) or free-standing structures (Section 8).

Location

N/A

Appearance and Materials

All exterior paint colors shall be consistent with standards set forth in Orchard Lake CC&Rs. Siding paint shall have a finish, in subtle, natural, and “neutral” earth tones. Trim and accent paints may be satin or semi-gloss and should complement the primary exterior color.

The exterior of all construction on any property shall be designed, built, and maintained in such a manner as to blend in with the natural surroundings, existing structures, and landscaping. Paint or stain colors on additions and exterior detached structures shall be consistent with the dwelling and surrounding area.

The original paint colors and schemes used by Almont Homes in finishing your home are Sherwin-Williams brand.

Requirements

Any repainting in the home’s original colors must be done in a manner that produces a seamless appearance to any original or previously painted adjacent surfaces and does not look spotty when dry. The quality and appearance of the completed exterior paint, regardless of color scheme, shall be consistent with the standards of the original appearance of the home and surrounding area.

Repainting the home’s exterior other than the home’s original color, must have ARC approval. Any proposed change in the exterior paint colors requires sample “chips” (complete with color code numbers) to be submitted to the ARC for prior approval. These should be included with the ARC Request Form. Suggestions are in Sherwin Williams Neutral Exterior Paint tab on the Sherwin Williams website.

Section 10. Exterior Lighting and Signs

Definitions

- ❖ Flood Lights
- ❖ Spotlights
- ❖ Signs: address signs or any type of sign other than an authorized real estate sale notice.

Location

Generally, low voltage lighting confined to planting beds or along walkways or deck areas is acceptable. Other lighting devices, such as floodlights and spotlights should be limited to rear and side yards.

Specific approval is required for spotlights or floodlights. The use of motion activated devices is encouraged when such lights are installed for security purposes and must be approved by the ARC.

Other lighting fixtures, such as decorative post lighting that was not part of the original landscape/ home design, will be reviewed and approved on a case-by-case basis.

This guideline is not intended to be interpreted as discouraging security lighting systems, but only to control the source and spread of the light beam that may be intrusive to adjacent property owners. The application should include a diagram showing the proposed location of new lights and the area to be illuminated.

“Temporary” festive or holiday lighting and decorative displays do not require approval from the ARC. However, such “temporary” lighting, and any associated wiring, must be removed within 30 days after the associated holiday or event.

Signs advertising businesses, occupations or professions are not permitted by the CC&Rs under any circumstances. However, advertising signs for business(es) doing repairs, renovations, etc., may be posted on the property but must be removed by 30 days after work is completed.

Approval is not required for replacement of original light fixtures, house numbers or address signs with those of a similar type and style.

Appearance & Materials

Materials should be consistent with the design, quality and workmanship of the original structure and its surroundings. A list of materials and, if possible, a picture or drawing of the proposed light fixture(s) or sign(s) should be included with the application.

“Permanent” address signs should be designed to complement the home’s architectural style and color scheme and should be limited to a reasonable size.

Requirements

Lighting: Beam spread from all light sources should be confined to the homeowner’s lot. On corner lots and locations where the lighting may affect drivers, care must be taken to ensure any spotlights or floodlights do not pose a safety hazard by blinding oncoming traffic.

All electrical installations must be in accordance with all applicable electrical codes and regulations.

Section 11. Retaining Walls

Definitions

- ❖ Wall to hold landscape from shifting or assist in drainage.

Location

Location for retaining walls must be clearly specified on the plot plan submitted with the ARC application. Applications for retaining walls will be reviewed on an individual, case-by-case basis. Consideration will be given to changes in the natural topography and existing draining patterns.

Appearance and Materials

The ARC will review materials, colors, location, scale, and massing of the proposed wall to determine compatibility with the architectural intent of the existing home and relationship to the surrounding site.

“Natural” building materials such as stone, slate, brick, and pressure treated wood timbers are generally acceptable. The ARC will review materials, colors, location, scale, and size of the proposed wall to determine compatibility with the architectural intent of the existing home and surrounding area(s). Materials and colors should complement the existing structure(s) and landscaping plan.

Requirements

No owner shall grade, fill, or otherwise alter the slope or contour of any Lot, construct or alter the drainage patterns initially installed and constructed, or as established by the grading and natural course of surface and subsurface water run-off without first obtaining:

1. Recommendations from a soil engineer or civil engineer, as appropriate, duly licensed by the State of Georgia,
2. Any and all necessary governmental approvals and permits and,
3. Written approval of the ARC, if any.

No Owner shall perform any such work except in conformance with the recommendations, plans and specifications of such engineer.

All retaining walls must maintain proper drainage on the site. If a wall is planned, the homeowner must submit a plan that details drainage patterns and runoff as a result of the new or “replacement” structure.

All retaining walls must be secured to prevent collapse and must meet all codes and requirements for Forsyth County, if applicable. The application and plan must include specifications on anchoring the wall.

There is no height limit, not excepting the Forsyth County, but compatibility with the surrounding area and home will be considered in the approval process.

Section 12. Hot Tubs/ Pools

Definitions

- ❖ Hot tub
- ❖ Above or in-ground pool

Location

All hot tubs and pools will be restricted to the backyard. On lots where a back yard adjoins or is visible from a public right-of-way, or is readily visible to neighboring homeowners, appropriate screening shall be installed to minimize the visual impact and blend with the natural surroundings. Homeowners are reminded to consider the potential impact of noise on surrounding neighbors and minimize it to the extent possible.

Appearance and Materials

All hot tubs and pools will be reviewed on an individual, case-by-case basis. The ARC recognizes styles and sizes are limited and will place emphasis on screening systems to minimize the visual impact from public streets, common areas, or adjoining properties.

All pools and hot tubs will be reviewed individually for materials and color.

Requirements

Installation must meet or exceed all applicable codes, regulations, ordinances, permit requirements, and inspection requirements of Forsyth County.

All hot tubs and pools must maintain proper drainage on the site. If a pool or hot tub is planned, homeowners must submit a plan that details the drainage patterns and runoff resulting from the installation.

Pools and hot tubs may require additional fencing or security measures to prevent access by unsupervised individuals or unintended users.

Pumps and other machinery related to the pool or hot tub shall be concealed in a manner to minimize noise production and be aesthetically acceptable to adjacent properties and common areas.

Section 13. Property Maintenance

Location

Each homeowner’s property and front county easement as stated on the homeowner’s plat filed with Forsyth County.

Appearance & Materials

Each homeowner is responsible to maintain their property so it contributes value to and enhances the beauty and harmony of the community. Each homeowner is encouraged to take this responsibility seriously, as failure to maintain your property can negatively impact the value of your home as well as the homes and properties of your neighbors and the community as a whole.

There are multiple areas in and around the home which should be regularly inspected by the homeowner to ensure the property is well maintained and in good repair. These include, but are not limited to, the following:

- | | |
|---|---------------------------------|
| Lawn care | Trimming of trees and shrubbery |
| Landscaping (including mulch and/or pine straw) | Decks |
| Fences | Driveways and sidewalks |
| Playground and recreational equipment | Roofing |
| Paint | Garbage receptacle storage |
| Exterior lighting and fixtures | Debris and trash removal |

Deterioration

If at any time Orchard Lake Board of Directors is made aware of a property that has deteriorated to the point it is affecting the aesthetics of the community, the ARC, a member of the Board or a combination of the above will be requested to assess the site for compliance with applicable CC&Rs and ARC guidelines. A recommendation will be made to the Board of Directors for action.

Based on the severity of the deterioration, the homeowner will be given a specified time in which to make the necessary repairs. If, after that time, the repairs have not been completed to the satisfaction of the Board, the Board has the obligation of enforcement as described in the Declaration of Covenants, Conditions and Restrictions for Orchard Lake and any other applicable regulations and policies governing the quality of life in our community.

Note: The ARC and the Board will give due consideration to extenuating circumstances, including, but not limited to, illness or temporary disability, accidents, vandalism, or other incidents, and/or storm damage. The homeowner should advise the Board or ARC when these or other conditions exist that may affect the timeliness of property improvement(s) and provide an estimated completion date of any necessary repairs to the property.

Architectural Review Committee Violation Form

Reported by

Name _____ Date: __/__/____ Time _____
Address _____ Phone _____
Lot # _____ Alt Phone _____

Note: Any personal information submitted with this Violation will be kept confidential by the board and ARC members.

Violation Information

Date _____ Subject(s) Involved _____
 Ongoing
 Specific Date
____/____/____ to ____/____/____
____/____/____ Time _____

Location of Violation

Address _____
 Common Area _____
 Street _____
 Other _____

Specific Violation

Investigation (for HOA use only)

Name _____ HOA Position _____ Date __/__/____

Findings _____

Unfounded at this time
 Valid findings to proceed with HOA board

Signature _____ Date __/__/____