

# **Hillbrooke Design Standards**

## *Building a Better Neighborhood*

August 2004

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### INTRODUCTION

The purpose of these standards is to clarify the intent of \_technical location of ACC in covenants \_ Covenants or Hillbrooke provides for a design review process through which all property improvements must be approved by an Architectural Control Committee (ACC).

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This provision applies to any exterior modification of planned on homes and properties in Hillbrooke. These Design Standards were created for the sole purpose of achieving harmony, balance and a high standard of quality within the Community.

As an administrative arm of the Board of Directors (Board), the role of the ACC is to preserve, protect and enhance the value of the properties in Hillbrooke by enforcing the provisions set forth within the Declaration of Protective Covenants. The ACC is chartered to ensure uniform and equitable compliance with these covenants.

The following *Design Standards* are provided to amplify and supplement our Community's covenants. Homeowners are encouraged to study these guidelines as well as the covenants and bylaws. Note that in the event of a conflict, the Declaration of Protective Covenants will prevail.

As a final introductory comment, please remember –

**REQUEST APPROVAL BEFORE BEGINNING ANY IMPROVEMENTS OR MODIFICATION(S) to your property!**

Each request for project approval is unique to the property to which it pertains. Each request will be evaluated on the individual and unique elements of the project.

*Unauthorized actions by a homeowner and/or prior ACC action on requests of a similar nature will not serve as a precedent for any subsequent request for project approval. The contents of these guidelines, and any actions of the Board, the ACC or its agents, are not intended to be, and should not be construed to be an approval of the adequacy, reasonableness, safety, structural integrity, or fitness for intended use of submitted plans, materials, or construction, nor ensuring compliance with building codes, zoning regulations or other governmental requirements. Neither the Association, the Board, the ACC nor members thereof shall be held liable for injury, damages or loss arising out of any approval or disapproval, construction or through such modification to a lot.*

### APPLICATION INFORMATION

An Application for Modification, hereinafter called "Form," is provided for use in requesting review/approval of an exterior modification. The Form should be submitted to the ACC at least fourteen (14) days prior to the planned start date for the work. Modification requests must be approved, in writing, before any work begins.

There are, however, modifications that may be completed without ACC approval. The following exterior modifications, *and only these modifications*, do not require a Form to be submitted as long as certain conditions as described in the following Guidelines are met:

1. Patios (reference Guideline #)

2. Exterior Lighting (reference Guideline #)
3. Flag Poles (reference Guideline #)
4. Garden Plots (reference Guideline #)
5. Ornamental Trees and Shrubbery (reference Guideline #)
6. Children's Wading Pools (reference Guideline #)

A completed Form must be submitted through the ACC for all other types of improvements or modifications. Any verbal approval is not sufficient. All modification approvals must be in writing.

## **GUIDELINE #1: Special Provisions**

Changes to homes approved by the ACC and installed prior to the implementation of these Design Standards are acceptable until replacement is needed. When replacement is needed, the new change must conform to current standards. Proof of approval will be required if requested by ACC.

## **GUIDELINE #2: Exterior Building Alterations**

### **A. General Guidelines**

A Form must be submitted for all exterior building alterations. The following, without limitation, will be reviewed:

- location,
- size,
- conformity with design of the house,
- relationship to neighboring dwellings, and
- proposed use.

Building alterations include, but are not limited to, storm doors and windows, awnings, construction of driveways, garages, porches and room additions to the home. The original architectural character or theme of any home must be consistent for all exterior components of the home and neighborhood.

*Homeowners are advised that a County building permit will be required for certain exterior building alterations. These permits should not be construed as approval from the Hillbrooke ACC.*

### **Structural Modifications/Home Additions**

A Form must be submitted for all structural modifications and home additions. Colors or finish must be compatible with the home's primary and trim colors. Materials used must be consistent with the original home and with the community. The following information must be provided:

1. Picture or drawing of the modification including front and side views.
2. Color Samples (Color board is acceptable)
3. List of materials to be used

### **Elevations**

Exposed elevations using siding materials will be required to be similar to the original structure. Exposed foundations must be painted the same color as the house. Under certain conditions, other materials may be approved for foundation coverage.

**Roof and Roofing Materials on home additions**

Roof pitches for the main body of the roof shall not be altered from the original pitch. Roof pitch for the new structure should be similar to the original structure. Roofing materials must be similar to the original roof on the new areas.

### **B. Painting**

A Form **must** be submitted for all repainting. No assumption should be made that an existing paint color is approved by the ACC. All exterior (house and trim) paint colors must be neutral tones. Door and shutter colors may vary while remaining compatible and harmonious with exterior house color. Highly reflective, bright colors must be avoided. The colors of adjacent homes must differ.

Paint color changes require the following information:

1. Paint samples for all colors (e.g., siding, trim, shutters, and doors);
2. A description of areas of the home to be repainted.

### **Roofs**

A Form must be submitted for all roof replacements. Shingles must be textured and in shades of black or gray to be approved by the ACC. Roofs must be kept in good repair.

### **Awnings**

A Form **must** be submitted for all awnings. Awnings or coverings must be either canvas or a structural extension of the home's existing roof. Colors or finish must be compatible with the home's primary and trim colors. Awnings must be kept in good repair. The addition of awnings or coverings requires the following information:

1. A picture or drawing of all windows/doors on which awnings will be installed and their location (back or side);
2. A picture depicting style of awning to be installed; and
4. Color samples and a materials list.

### **Garage Doors**

A Form must be submitted for all garage door replacements. Garage doors must be consistent with other homes in Hillbrooke. Doors can be steel or wood and must be white in color. They may have windows or be solid. Hardware must blend with the overall look of the door (black and other colored hardware are not permitted).

### **Storm Windows and Doors**

A Form must be submitted for all storm windows and door installation or replacement. Storm windows and doors must be made of anodized bronze or anodized aluminum with baked enamel finish compatible with primary and trim colors. Bright finished or bright plated metal exterior doors, windows, screens, and louvers will not be permitted. The use of reflective tinting or mirror finishes on windows are prohibited.

### **Detached Buildings**

A Form **must** be submitted for all detached buildings. Detached buildings are discouraged but will be considered subject to the following guidelines:

- A. The building size shall be limited to 300 square feet;
- B. The building should generally be located in the rear of the primary home and inside the extended sidelines of the primary home to minimize the visual impact on adjacent properties or from the street;

- C. The building may not be used for any purpose that may be deemed by the ACC to cause disorderly, unsightly, or unkempt conditions; and
- D. Detached building exterior materials must match the exterior materials and colors used on the original home.
- E. The building must be no more than one story.
- F. The roof pitch must be similar to the main dwelling.
- G. Exterior buildings must be screened in any areas where the building is visible from the street or from a neighboring yard.

### **Dog Houses**

A Form must be submitted for all doghouses visible from the street. All doghouses must be located where they will have minimum visual impact on adjacent properties or from the street. Screening is required. Construction type, size, and exterior colors/materials will be specific criteria governing approval. Chain link dog-runs and wire pens are prohibited. "Tethered" line dog runs are permitted when not visible from the street or adjacent properties. No pets shall be tethered in the front of a house for more than a period of 6 hours. All tethers should be removed and stored out of sight when not in use.

## **GUIDELINE #2: Decks and Retaining Walls**

### **Review and Approval**

A Form must be submitted for all decks and retaining walls. All decks and retaining walls will be considered in a case-by-case basis. The following, without limitation, will be reviewed:

- a. site plan denoting location,
- b. dimensions
- c. materials
- d. color
- e. conformity with design of the house,
- f. relationship to neighboring dwellings, and
- g. proposed use.

### **Decks**

The following guidelines have been adopted for decks in the Community:

1. In most cases, the deck may not extend past the sides of the home;
2. Deck materials must be cedar, cypress, or No. 2 grade or better pressure treated pine;
3. Other materials will be considered with submitted samples;
4. The color must be natural or finished to coordinate with the exterior color of home; and
5. Vertical support for wood decks must meet minimum county standards for wood post or painted (black) metal poles must be boxed-in as to appear to be wood posts – brick or stucco columns matching the home are also acceptable.
6. Decks must be properly maintained.

*Homeowners are advised that a building permit may be required for a deck.*

### **Retaining Walls**

The following guidelines have been adopted for retaining walls in the Community:

1. All exposed concrete block or poured concrete foundations and/or retaining walls must be veneered with natural stone, brick, stucco, landscape timbers or cross-ties (as permitted per section two below) to compliment the existing structure; and
  2. Retaining walls constructed of landscape timbers or cross ties, if visible from the street, must be shielded or softened by an approved vegetative landscape method.
- H. Retaining walls and timbers must be properly maintained.

### **GUIDELINE #3: Patios/Walkways/Driveways**

#### **Patios/Walkways**

A Form must be submitted for patios, walkways, patio covers, trellises, permanent seating, railing and other items unless all the following criteria are met:

1. The patio/walkway is located in the rear yard; and
2. The patio/walkway does not extend beyond the sidelines of the house (ie, visible from the street); and
3. The patio/walkway does not extend to within 10 feet of rear property lines; and
4. The patio/walkway's elevation above ground level at any point does not exceed 6 inches for patios and 4 inches for walkways.

The following information will be required:

1. site plan denoting location
2. dimensions
3. materials
4. proposed use
5. color

The following guidelines must apply:

- Any patio or walkway should conform to the original design of the house and must be approved by the ACC prior to construction.
- Walkways can be surfaced with concrete, brick, or other permanent concrete/brick combinations.
- Cracks with a gap greater than or equal to one-half inch in walkways, or driveways must be repaired and maintained without pitted or sunken areas, discolorations or large stains.

#### **Driveways**

A Form must be submitted for all changes to existing driveways. The following guidelines must apply:

- Asphalt driveways are not permitted.
- Driveways must be surfaced in concrete.
- All driveway alterations must be approved by the ACC prior to construction.
- Decorative resurfacing or coloring of driveway is prohibited.
- Parking pads that are not part of the original construction are prohibited.

### **GUIDELINE #4: Exterior Decorative Objects**

#### **General Guidelines**

A Form must be submitted for all exterior decorative objects, both natural and manmade. Exterior decorative objects include items such as birdbaths, bird feeders, sculptures, statuary, benches and porch swings, garden flags, and items attached to approved structures. The

following objects are prohibited: bridges, wagon wheels, fountains, pools, and freestanding flagpoles.

Objects will be evaluated on criteria such as sitting, proportion, color and appropriateness to surrounding environment and will be approved on a case-by-case basis. A Form must be submitted for all statuary located in back yards that may be visible from adjacent properties. The Form must include the placement, dimensions and materials of said statuary. Materials used must match or be harmonious with existing materials of the home and landscaping. Statuary placed in the backyard should not be visible from the street.

Door wreaths less than 30 inches in diameter do not require ACC approval. All objects must be kept in good condition and well maintained.

### **Exterior Landscape & Security Lighting**

Except as provided below, a Form must be submitted for all exterior lights or lighting fixtures not included as a part of the original structure. A Form is **not** required if the lights meet the following criteria:

1. Individual lighting units do not exceed 12 inches in height;
2. The number of lights does not exceed 10; and
3. Individual lights must not exceed 100 watts, are white or clear, non-glare type and located and aimed to cause minimal visual impact on adjacent properties and streets.
4. Seasonal lighting can be installed 30 days before the holiday and must be removed within 30 days of the said holiday.

### **Flag Poles**

A Form is **not** required for installing a single flagpole attached to the front portion of a house. The size of any flag displayed may not be greater than 3x5 feet. Flags must be in good condition, free from rips, tears or significant fading. Freestanding poles are prohibited.

### **Plants and Flower Pots**

Front doors and entry area decorations must be tasteful and in keeping with the style and colors of the house and community. Plants and flowerpots must always be neat and healthy. Neatly maintained front porch flowerpots (maximum of four) that coordinate with exterior home colors and containing evergreens/flowers do not require submission of a Form.

### **Water Features**

Water features are not allowed in the front yard. All water features in the back yard should be maintained in the condition as originally installed.

### **Artificial Vegetation**

No artificial vegetation shall be permitted on the exterior of any property except in use with door wreaths.

## **GUIDELINE #5: Exterior Landscaping & Maintenance**

### **Landscaping Projects**

A Form must be submitted for all landscaping projects when the activity will result in major changes to the existing landscaping or when grading or contour modifications are required. Landscaping should relate to the existing terrain and natural features of the lot. The

homeowner must ensure that improvements/projects do not halt or materially impede the drainage flowing off of a neighboring tract and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring lot.

Forms must include:

- Drawing of the overall plan including proximity to property lines and adjacent properties; and
- Detailed description of the types and sizes of trees and shrubs to be planted; and
- Firm completion date.

### **Continued Maintenance**

Each homeowner is responsible for the general upkeep of the property so that the yard presents a manicured appearance. This standard includes, but is not limited to:

1. Repairing, painting and other appropriate external care of all structures (including pressure washing or cleaning to remove mold or mildew from fences, decks, sidewalks, siding, roofs and driveways);
2. Over seeding and restoring lawn grasses;
3. Watering, fertilizing, mowing and edging lawn grasses;
4. Edging of curbs, islands, flowerbeds, driveways, sidewalks (these areas should be free of creeping grasses over these areas);
5. Pruning and trimming trees and shrubbery, hedges and other vegetation so that the visibility of motorists and pedestrians *Right of Way* is not obstructed and windows and porches are not obstructed from view;
6. Removal of all "volunteer" or "wild???" growth of weeds or non-landscape quality vegetation from lawns, islands, and flowerbeds;
7. Prompt repair of any barren lawn areas to reduce erosion potential; and
8. Pinestraw and other approved mulch used in islands or naturalized areas are required at least annually. All barren ground must be covered with mulch, pinestraw or grass.
9. Backyard maintenance should be consistent with the front and side yards.
10. Shared landscaping beds will need to be maintained with the cooperation of the homeowners which share the property. There should only be one type of mulch and one form of edging around the entire bed.

### **Edging/Mulching Materials**

Edging/Mulching materials for flowerbeds and islands should be limited to natural materials, be natural or earth tone in color, and be consistent with the style of the neighborhood. Edging should not exceed 6" above the natural grade and should be even. White or brightly colored rocks may not be used as edging or ground cover. Consistent mulching material should be used for all beds in the front and side yards.

### **Irrigation Systems**

A Form is not required for permanent underground irrigations systems, but it is the Homeowner's responsibility to make sure the system does not encroach upon any neighboring property.

Visible temporary sprinklers must not be left in the same position for more than 48 hours. Visible hoses for watering must not be unwound or laying on the property for more than 48 hours.



### **Trees and Shrubbery**

A Form is not required for planting ornamental trees and shrubbery that do not otherwise conflict with other Design Standards. Ornamental means non-row/non-clustered plantings not intended or designed for screening purposes. Ornamental trees and shrubs are generally planted for shade and/or seasonal color.

A Form must be submitted for screen planting (row or cluster style) and property line plantings. Screen plantings are shrubs or trees planted in a row(s) or cluster(s) designed to create a privacy screen between properties or from the street. Forms must include:

- a description of the sizes and types of trees or shrubs to be planted and
- a site plan showing the relationship of plantings to the house and adjacent dwellings.

A Form must be submitted for tree removal except for:

1. trees that are located within ten (10) feet of a drainage area, sidewalk, residence, or a driveway; and
2. Diseased or dead trees.
3. Trees damaged by a storm.

If trees are removed, visible stumps must be removed or mulched below ground level and the area must be mulched or landscaped. Homeowners must notify the ACC in the event that trees and/or shrubs were removed as a result of disease or storm damage.

All shrubs in screen plantings in the front and side yards must be trimmed and maintained to a height of 8 feet or less.

When removing trees in front, side or back yards, consideration should be given to the impact on adjacent properties (ie, loss of shade or privacy).

### **Vegetable Garden Plots**

No vegetable garden plots are permitted in the front of the house. A Form is not required for garden plots if all the following guidelines are met:

1. the plot is located behind the rear line of the house so as to minimize the visual impact on adjacent properties or from the street; and
2. The size of the plot is limited to 150 square feet.

All garden plots must be cleared at the completion of the growing season.

### **Firewood**

The following guidelines apply to the storage of firewood:

1. Firewood piles shall be kept in a garage or screened by adequate planting or approved fencing so as to be concealed from view by neighboring residences and from the street;
2. Firewood piles are to be maintained in good order and must generally be located within the sidelines of the house and in the rear yard; and
3. Firewood pile coverings are allowed only if the cover is an earth tone color and the woodpile is screened from the view of the street. For example, a tarp-covered woodpile may be located under a deck with shrubs planted around it.

Tools, Debris, Miscellaneous

Outdoor storage of garden tools, hoses, etc. must be screened from view of adjacent properties and streets. They must be kept in the rear yard or screened so as to conceal view from the street. Any tools or items stored under a back deck or porch must also be screened from view.

Each homeowner is responsible to prevent the development of any unclean, unhealthy, unsightly conditions upon any portion of their property. Debris of any type shall be regularly removed and not allowed to accumulate.

## **GUIDELINE #6: Play Equipment**

### **General Guidelines**

A Form must be submitted for all play equipment. The following guidelines apply:

1. The play equipment shall be located in the rear yard and within the extended sidelines of the house (i.e., not visible from the street when possible); and
2. The play equipment shall be located within a screened fence area of the rear of the house, if yard is fenced. Screening should be natural foliage such as shrubs and trees that are consistent with neighborhood standards and the general landscaping plan adopted for the property; and
3. The play equipment shall be sized, colored, designed, and located such that it will have minimal visual impact on adjacent properties or when possible from the street; and
4. Trampolines shall be screened by adequate planting or approved fencing so as to be concealed from view by neighboring residences and from the street. In most cases trampolines will require approved fencing to adequately shield them from view.

The ACC strongly recommends that play equipment (except basketball goals – see below) be of wood construction and be environmentally and aesthetically compatible. Metal or plastic play equipment will generally require more fencing and landscaping to shield the equipment from view and will generally be required to be painted to blend into the surrounding environment (earth tones).

Portable play equipment may be left in front or side yards or visible from the street for a period not to exceed 48 hours or on a regular basis.

Skateboard ramps, soccer goals, hockey goals, and other similar play equipment may not be permanently affixed to the ground and must be stored where not visible from the street or adjacent properties.

*NOTE: A (permanent) baseball backstop or similar item is not play equipment and must comply with the fence guidelines.*

### **Play Houses/Tree Houses**

A Form must be submitted for all play houses and tree houses. The following guidelines apply:

1. Playhouses and tree houses must be located where they will have minimal visual impact on adjacent properties and when possible from the street; and
2. Materials used must match or coordinate with the existing materials of the home; and
3. Playhouses or tree houses may not be larger than 100 square feet or 12 feet in total height.

*Note: Playhouses and tree houses, once approved must be maintained to preserve the approved decor.*

### **Basketball Goals**

A Form is required for all basketball goal installations. General guidelines are as follows and should be considered in your application:

1. The goal should be located with the least possible view from the street and adjacent properties (the goal should be perpendicular to the street whenever possible);
2. The backboard should be white, beige, clear or light gray. Other colors will be considered if muted;
3. The post should be painted black;
4. The basketball goal may not be attached to the house. Free standing or portable units should be stored when not in use.

*Note: Negative impact related to time of use, lighting and noise on adjacent properties should be avoided. As with all improvements, once installed, basketball goals must be maintained to the condition as originally installed.*

## **GUIDELINE #7: Private Pools**

### **In-Ground Pools**

A Form must be submitted for all in-ground pools. Building permits must be obtained and county regulations must be followed. The following information is required:

1. Appearance, size, design, materials, height, and detailing of all retaining walls must be consistent with the architectural character of the house – some terracing may be acceptable;
2. Privacy fencing must meet fence guidelines;
3. Maximum pool area is 1,000 square feet;
4. A description of lighting must be included. Glaring light sources which can be seen from neighboring lots may not be used; and
5. Landscaping enhancement of the pool area and screening with landscaping is required.
6. All pump and filter equipment must be screened from view and located in a place where it will not cause a nuisance to adjacent properties.

### **Hot Tubs**

A Form must be submitted for exterior hot tubs. Hot tubs and all pump and filter equipment must be screened from adjacent properties and streets.

### **Children's Portable Wading Pools**

A Form is not required for children's portable wading pools (those that can be emptied at night) as long as they do not exceed 18 inches in depth and whose surface area does not exceed 36 square feet. Portable wading pools must be stored out of sight from the street when not in use and may not be kept in view from the street for more than 48 hours.

### **Above-Ground Pools**

Aboveground pools are prohibited.

## **GUIDELINE #8: Private Tennis Courts**

Private tennis courts are not permitted.

## **GUIDELINE #9: Fences**

### **General**

A Form must be submitted to the ACC for any fencing. A request for fencing must include the following information:

- Picture or drawing of the fence type listing all materials to be used;
- Dimensions including height, span between posts, post size and crossbeam size;
- A site plan denoting the location of the fence with information as to existing fences erected on adjacent properties (a copy of your plat is suggested);
- Acknowledgment of adjacent property Owners approval or disapproval;
- The stain of seal that will be used, if any.

### **Minimum Standards**

The following guidelines have been adopted for fences in the Community:

1. Fences must be made of wood;
2. The height of the fence should be a minimum of 6 feet at the posts;
3. The recommended span between posts is 8 feet. The maximum is 10 feet;
4. Two examples of fencing are included in these guidelines. Others can be submitted for approval;
5. Three basic styles for fence tops will be approved: saddle, straight and arched.
6. No gaps between pickets are allowed unless a shadow box style is used. One-half inch spacing is acceptable.
7. The finished sides of privacy fences must be turned to the outside.
8. All fences must fit harmoniously with the current styles in the community.
9. Fences shall not be located closer to the street than the rear edge of the home.
10. On corner lots, fences will be evaluated on a case-by-case basis due to lot configuration/size, safety issues, view from the street, window placement and house location.
11. Fence approval on corner lots will require more landscaping and set back distance of six feet or more from the adjacent sidewalk to avoid a "stockade" appearance.
12. All fences must be maintained.
13. No chain link or barbed wire fencing is to be used.

Other items to be considered include:

- The ability of homeowners to maintain property between fences;
- Landscaping required to soften the view from the street;
- Drainage – is there space between the fence and the ground in areas where water needs to pass underneath?
- Utilities – has consideration been given to provide access to electric and gas meters, and has consideration been given to utility easements (i.e. sewer)?

A Form must be submitted for all staining or sealing of fences except when clear sealants are used, this includes re-staining or re-sealing.

Existing fences as of the date of these Design Standards are considered acceptable until the fence needs to be replaced. When replacement is needed, all current guidelines must be followed.

## **GUIDELINE #10: Vehicles & Parking**

### **General**

For the safety of the community, vehicles should not be parked on the street. The following guidelines apply:

1. No towed vehicle, boat, trailer, camper, recreational vehicle, motor home, mobile home, bus, truck with camper top, commercial vehicle, truck over one ton capacity, motorcycle, mini-bike, scooter, go-cart, or similar type is permitted on any lot, except if kept in an enclosed garage for longer than 48 hours.
2. No commercial vehicle or any vehicle displaying signage may be parked or stored in open view in the Community for longer than a 48-hour period;
3. All vehicles parked in open view and not in a garage must be licensed, operable, and may not be unsightly;
4. No vehicle may be parked on any yard, sidewalk, or right-of-way; and
5. Parking of vehicles on the street is prohibited. Temporary parking (four hours or less) is allowed if not a nuisance to neighbors or an impediment to traffic flow. Homeowners are responsible for guest parking and must ensure that guests park in a safe manner and do not impede access to other driveways or the flow of traffic.

*Note: The temporary removal of vehicles noted in items one and two of this guideline is not sufficient to establish compliance with the 48-hour parking limitation.*

## **GUIDELINE #11: Pets**

### **General**

This guideline applies to all types of animals or pets that an Owner may consider bringing into the subdivision.

1. No animals, livestock, or poultry of any kind may be raised, bred, kept or permitted on any Lot, except cats, dogs, and other usual and common household pets.
2. No pet may be kept, bred, or maintained for any commercial purpose.
3. No pet shall be allowed to endanger the health of the Community, make objectionable noise, or constitute a nuisance or inconvenience to the Owners or Occupants of other Lots or the Owner of any property adjacent to the Community.
4. All dogs shall be kept on a leash while they are outside the Owner's property.
5. Dogs that are kept outside must be kept in a fenced yard (ACC approved).
6. Dogs can be kept outside on a tether in the front yard for a period of no more than 6 hours. The tether must be removed and stored out of sight when not in use.
7. Cats should be kept within the boundaries of the Owner's property.
8. Pet owners should clean up pet waste when outside their property.

## **GUIDELINE #12: Antennas, Satellite Dishes**

### **General Considerations**

This guideline applies to installation, attachment and maintenance of direct broadcast satellite ("DBS") dishes or antennas and multi-channel multi-point distribution services ("MMDS") dishes or antennas (herein collectively called "Satellite Dishes", which definition shall include the supporting mast, cabling and all other components or accessories thereof) at the Hillbrooke subdivision.

**SATELLITE DISHES MAY BE INSTALLED FOR RECEPTION, BUT NOT TRANSMISSION, IN ACCORDANCE WITH THESE GUIDELINES. NO OTHER ANTENNAS OR SIMILAR DEVICES**

**MAY BE INSTALLED WITHOUT APPROVAL OF THE  
ASSOCIATION'S ACC.**

Before installation or attachment of any Satellite Dish is permitted, the Owner must notify the ACC in writing using the attached Satellite Dish Notification Form. If the Satellite Dish is installed in an approved location and in accordance with these guidelines, then no further action is required of the Owner other than providing the notification form to the ACC. Ground mounted satellite dishes require ACC application.

**General Guidelines**

1. **Satellite Dish Size Limits.** Satellite dishes shall be no larger than one meter in total size. Satellite Dishes or antennas mounted on masts are prohibited except where necessary for reception of an acceptable quality signal and within the total size limit provided. Concealed cabling shall not count toward this total size guideline.

2. **Location.** With submission of a notification form as provided above, and without further approval of the Board or ACC, Satellite Dishes may be installed, in order of priority, in the following locations:

- Satellite dishes must be mounted in or on the rear of the home within the sidelines of the home so as not to be visible from the street.
- Rooftop mounting of satellite dishes is allowed only on the rear of the home.
- The Satellite Dish must be placed in the location that is least visible to public view.

If it is determined that the Satellite Dish cannot receive an acceptable quality DBS or MMDS signal in any of the pre-approved locations designated above, the following procedure should be used. Prior to installing the Satellite Dish in an alternate location, the Owner must submit to the ACC a written request to install the Satellite Dish in an alternate location. This request must include specific, written documentation describing why the pre-approved locations are not acceptable.

7. **Installation.** Wiring or cabling shall be installed so as to be minimally visible and blend into the material to which it is attached. No cabling shall be allowed on the roof surface, or on the surface of the exterior siding or brick of any home.

*The Owner or Occupant shall be responsible for the maintenance and repair of the Satellite Dish including, but not limited to, (i) reattachment of Satellite Dish, and any components thereof, within forty-eight (48) hours of dislodging, for any reason, from its original point of installation; (ii) repainting or replacement, if for any reason the exterior surface of the Satellite Dish becomes worn, disfigured or deteriorated.*

**GUIDELINE #13: Miscellaneous Exterior Installations**

**Miscellaneous Items**

1. **Mailboxes:** The mailbox standard is model # MB500P – available through \_\_\_\_\_. Current mailboxes are acceptable until replacement is required or until August 31<sup>st</sup>, 2005, whichever occurs first. All mailboxes must be maintained as originally designed for the community. In the event that a mailbox must be replaced, the Homeowner must replace the mailbox with one that is the same design and color as the standard Hillbrooke mailbox. Mailboxes will only be changed when a neighborhood-wide change is required for the entire community.

## 2. Signs:

No sign of any kind shall be erected by an Owner or Occupant within the community without prior written consent of the ACC except as follows:

- "For Sale" or "For Rent" sign consistent with the community wide standard and having a maximum area of four square feet and a maximum height of four feet above ground level.
- Security signs consistent with the Community-wide standard.
- Any signs required by legal proceedings.
- Temporary signs: birth announcements, political endorsements and contractor signs

### Other guidelines:

- There may only be one sign per yard and may be displayed for up to fourteen (14) days. Only one sign may be placed on a property in a 30-day period.
- No signs are permitted for personal business.
- Signs must be in good condition.
- Signs must not be mounted on trees, traffic signs, or other existing structures.
- Signs must be on private property with the owner's consent.
- Real estate signs can be placed at the front of the subdivision beginning on Friday at 1:00 PM and must be removed by midnight Sunday.

## 3. Clotheslines are not permitted;

4. Storage: All lawn and garden equipment, portable recreation equipment, canoes, garbage cans, and wood piles shall be kept in a garage or screened by adequate planting or approved fencing so as to be concealed from view by neighboring residences and from the street.

5. Garbage Pickup: Trashcans and any landscape trash are to be placed at the curb no earlier than 6 PM on the day prior to collection. Garbage cans are to be removed from the curb no later than 9 PM on collection day.

6. Trash Container Storage: All garbage cans shall be covered and not located on the front area of the property. Depending on the contour of the property, trash containers shall be stored at the rear or side of the house so as not to be visible from the street.

11. Trash: Trash, garbage, debris, or other waste matter of any kind may not be burned within the Community.

12. Window air conditioners and fans are prohibited.

13. Window treatments visible from the street may not be non-standard, ie, blankets, sheets, paper and anything that deviates from a color of white.

14. Grills and propane tanks: Grills and propane tanks must be stored within the backyard but may be moved to the side yard or driveway for temporary use (ie, for use with a party), but must be removed within twenty-four (24) hours.

14. Energy Conservation Equipment: No solar energy collector panels or attendant hardware or other energy conservation equipment may be constructed or installed unless they are an integral and harmonious part of the architectural design of a structure. The ACC must approve all installations of energy conservation equipment.

16. Rental Use: Any tenant shall abide by and be subject to all provisions of the Covenants, Bylaws, and Design Standards of Hillbrooke. Occupancy in the rented house shall be limited to one family or no more than two unrelated adults.

## **GUIDELINE #14: Business Use**

### **General Guidelines**

Each house shall be used for residential purposes exclusively. No business or business activity may be conducted in or from any Lot or any part of the Property at any time except with the written approval of the Board. This includes business uses ancillary to primary residential use, except that the Owner or Occupant residing in a dwelling on a Lot may conduct such ancillary business activities within the dwelling so long as the following conditions apply:

1. The existence or operation of the business activity is not apparent or detectable by sight, sound or smell from the exterior of the dwelling;
2. The business activity does not involve visitation of the Lot by employees, clients, customers, suppliers or other business invitees; provided, however, this provision shall not preclude delivery of materials or items by United States Postal delivery or by other customary parcel delivery services (U.P.S., Federal Express, etc.);
3. The business activity conforms to all zoning requirements for the Property;
4. The business activity does not increase traffic flow or parking congestion on the Property;
5. The business activity does not increase the insurance premium paid by the Association or otherwise negatively affect the ability of the Association to obtain insurance coverage; and
6. The business activity is consistent with the residential character of the Property and does not constitute a nuisance or a hazardous or offensive use, or threaten the security or safety of other residents of the Property, as may be determined in the Board's sole discretion. The terms "business" and "trade", as used in this provision, shall be construed to have their ordinary, generally accepted meanings, and shall include, without limitation, any occupation, work, or activity undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider's family and for which the provider receives a fee, compensation, or other form of consideration, regardless of whether: (i) such activity is engaged in full or part-time; (ii) such activity is intended to or does generate a profit; or (iii) a license is required thereof.

## **DESIGN STANDARD ENFORCEMENT PROCEDURES**

### **A. General**

Design Standard violations – as reported by any source – may be submitted to the Property Management Company or ACC for appropriate action.

1. The first action will be confirmation that a violation exists. Confirmation will be determined by site visit.
2. If substantiated, the homeowner in violation will be contacted by mail and provided the following information:
  - Description of the violation
  - steps necessary to remedy the violation and
  - a time period in which to either respond (in writing) and/or remedy the violation.
3. If the matter is not resolved, a second letter will be sent via the Mgmt Co. advising the new time frame for correction.

Notes: Failure to comply could result in any or all of the following sanctions:

- a. Suspension of the Owner's right to vote in Association matters;
- b. Suspension of the Owner's right to use the recreational facilities and/or common areas;
- c. Imposition of a fine on a per violation and/or per day basis;



- e. Correction of the violation by the association with all costs charged to the homeowner, including towing and impounding vehicles; and/or,
- f. Filing of a lien for all fines and costs, including but not limited to legal fees, to correct the violation.
- g. The filing of a lawsuit in order to enforce the covenants.

*Note: These actions may be taken in any order and do not represent in any way a limitation to the actions available under the Declaration of Protective Covenants or the laws of the state of Georgia*

4. When a determination has been established that a property is in violation of the Guidelines, and the property Owner has been properly advised, that violation will remain active until it is resolved. Transfer of ownership of a property WILL NOT erase an outstanding violation since a violation follows the property, not the property Owner.

#### **B. Penalties**

Penalties for non-compliance may include fines and other legal remedies prescribed in the Declaration of Covenants, Conditions and Restrictions as deemed necessary by the Board. Non-compliance includes but is not limited to the following:

- 1. Failure to apply for ACC approval of a project
- 2. Second notice of the same violation
- 3. Third notice of the same violation
- 4. Failure to pay assessed penalty and/or costs attributed to Right of Abatement.

**These Architectural Guidelines and Procedures Supersede Any Previous Standards**

## NOTIFICATION FORM FOR THE INSTALLATION OF DBS OR MMDS SATELLITE DISH OR ANTENNA

Note: This form must be completed and returned prior to installation. Installation in a location other than one of the pre-approved locations requires ACC approval. Incomplete Forms will be returned. Documentation submitted or review becomes the property of Hillbrooke Homeowners Association.

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Address: \_\_\_\_\_ Home Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Cell/Office Phone: \_\_\_\_\_  
Other: \_\_\_\_\_

1. Type of satellite dish or antenna to be installed:

- ☐ DBS satellite dish 1 meter or smaller (e.g. PrimeStar, Dish network, Direct TV)
- ☐ MMDS antenna (wireless cable) 1 meter or smaller (e.g. WANTV)

2. Installation will include a mast?

☐ NO ☐ YES, total height of system: \_\_\_\_\_ inches.

3. Installation of the satellite dish or antenna will be done by:

4. Does the location of the satellite dish or antenna comply with the Association's guidelines?

☐ YES ☐ NO, I am requesting approval for an alternate location.

Please describe the exact location of the satellite dish or antenna and provide a diagram or drawing of the location. **If the satellite dish or antenna is not to be installed in one of the pre-approved locations, you must provide specific, written documentation as to why the pre-approved location is not acceptable and obtain ACC approval of the proposed alternate location.**

Description of Installation Location (use other side if necessary):

Estimated Start Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_

I acknowledge that I have read, understand and have complied or will comply at all times with the Association's current guidelines with respect to the installation of satellite dishes or antennas.

Homeowner's Signature \_\_\_\_\_ Date \_\_\_\_\_

Homeowner's Signature \_\_\_\_\_ Date \_\_\_\_\_

(All owners must sign)

FOR ACC USE ONLY:

Date Received \_\_\_\_\_

☐ Meets Guidelines ☐ Deviation Approved ☐ Deviation Denied

By (ACC Chair/Date) \_\_\_\_\_

## APPLICATION FOR MODIFICATION

Requesting Homeowner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Address adjacent to Left \_\_\_\_\_

Address adjacent to Right \_\_\_\_\_

Address adjacent to Rear \_\_\_\_\_

Address in Front, across Street \_\_\_\_\_

Please allow a maximum of 14 days for a modification review. If modification is started prior to approval, fines will be assessed.

This approval is valid until \_\_\_\_\_. If the project has not been completed by then, then the homeowner must resubmit the request.

## Hillbrooke Suggested Color Palette List

<u>Palette #</u>	<u>Color Names and Numbers</u>
1	Colonial Revival Stone – SW2827 (Body) Whitetail – SW7103 (Trim) Tricorn Black – SW6258 (Accent)
2	Sawdust – SW 6158 (Body) Favorite Tan – SW6157 (Trim) Status Bronze – SW7034 (Accent)
3	Downing Earth – SW 2820 (Body) Reliable White – SW6091 (Trim) Black of Night – SW 6993 (Accent)
4	Weathered Shingle – SW2841 (Body) Classical White – SW2829 (Trim) Fairfax Brown – SW2856 (Accent)
5	Weathered Shingle – SW2841 (Body) Kilim Beige – SW6106 (Trim) Otter – SW6041 (Accent)
6	Portabello – SW6102 (Body) Eggwhite – SW6364 (Trim) Roycroft Bronze Green – SW2846 (Accent)
7	Thatch Brown – SW6145 (Body) Basket Beige – SW6143 (Trim) Van Dyke Brown – SW7041 (Accent)
8	Weathered Shingle – SW2841 (Body) Biscuit – SW6112 (Trim) Rookwood Medium Brown – SW2807 (Accent)
9	Superior Bronze – SW6152 (Body) Roycroft Suede – SW2842 (Trim) Protégé Bronze – SW6153 (Accent)
10	Whole Wheat – SW6121 (Body) Navajo White – SW 6126 (Trim) High Tea – SW 6159 (Accent)

- 11           Brainstorm Bronze – SW 7033 (Body)  
              Roycroft Suede – SW 2842 (Trim)  
              Rookwood Dark Brown – SW2808 (Accent)
- 12           Weathered Shingle – SW2841 (Body)  
              Downing Sand – SW 2822 (Trim)  
              Rookwood Red – SW2802 (Accent)
- 13           Mega Greige – SW7031 (Body)  
              Aesthetic White – SW7035 (Trim)  
              Black Fox – SW7020 (Accent)
- 14           Sage Green Light – SW2851 (Body)  
              Shoji White – SW7042 (Trim)  
              Aurora Brown – SW2837 (Accent)
- 15           Bunglehouse Gray – SW2845 (Body)  
              Futon – SW7101 (Trim)  
              Garden Gate – SW6167 (Accent)
- 16           Macadamia – SW6142 (Body)  
              Moderate White – SW6140 (Trim)  
              Sable – SW6083 (Accent)
- 17           Quiver Tan – SW6151 (Body)  
              Worldly Gray – SW7043 (Trim)  
              Library Pewter – SW0038 (Accent)
- 18           Basket Beige – SW6143 (Body)  
              Muslin – SW6133 (Trim)  
              French Roast – SW6069 (Accent)
- 19           Roycroft Suede – SW2842 (Body)  
              Cotton White – SW7104 (Trim)  
              Black Bean – SW6006 (Accent)
- 20           Westchester Gray – SW2849 (Body)  
              White Flour – SW7102 (Trim)  
              Tricorn Black – SW6258 (Accent)
- 21           Thatch Brown – SW6145 (Body)  
              Basket Beige – SW6143 (Trim)  
              Best Bronze – SW6160 (Accent)

- 22                   Intellectual Gray – SW7045 (Body)  
                      Heron Plume – SW6070 (Trim)  
                      Iron Ore – SW7069 (Accent)
- 23                   Cocoon – SW6173 (Body)  
                      Paperwhite – SW7105 (Trim)  
                      Andiron – SW6174 (Accent)  
                      Polished Mahogany – SW2838 (Front Door)
- 24                   Dapper Tan – SW6144 (Body)  
                      Incredible White – SW7028 (Trim)  
                      Coconut Husk – SW6111 (Accent)  
                      Terra Brun – SW6048 (Front Door)
- 25                   Superior Bronze – SW6152 (Body)  
                      Quiver Tan – SW6151 (Trim)  
                      Enduring Bronze – SW7055 (Accent)  
                      Rookwood Red – SW2802 (Front Door)

**ADDENDUM A – APPLICATION FOR MODIFICATION  
Hillbrooke Homeowners Association "A Design Standard Community"**

Date	
Name	
Address	
Phone	
Email	

*Please refer to your copy of the Hillbrooke Covenants and Design Standards before completing*

\_\_\_\_\_ **A. Fences (Refer to Standard #9)** Please include all of the following supporting documentation: 1- A survey showing property lines. 2- A photo of the fence style that you wish to install. 3- A drawing showing where the fence will be built in relation to the house. This should include height of fence, length and gate placement, as well as identification of fencing materials to be used. 4- A plan to stain or paint the fence including manufacturer name, color number and color swatch.

\_\_\_\_\_ **B. Landscaping (Refer to Standard #5)** Please include photos and or drawings of the landscape area. Please provide plant/ bush type if you are installing new materials. If you are placing statuary, fountains or other decorative items in existing landscape beds photos must accompany each landscape item showing placement

\_\_\_\_\_ **C. Pools and Spas (Refer to Standard #7)** Please provide all of the following supporting documentation: 1- A photo of manufacturer style and number of pool/spa. 2- A detailed drawing (artist rendering) showing placement of pool/spa in relation to the house. 3- Detailed landscaping plan showing plant matter and placement. 4- Survey of lot showing property lines. If you are installing fencing a separate fence application must be submitted. 5- If you are installing decking please provide an artist rendering and be sure to include the dimensions of deck, material type and stain color, and number. 6- If you are installing railing you must provide a photo of the railing, and include a detailed drawing with the dimensions.

\_\_\_\_\_ **D. Recreational Equipment (Refer to Standard #6)** Please include all of the following supporting documentation: 1- A photo of the equipment. 2- Provide specific manufacturer name, number and type of the equipment. 3- A drawing or photo showing where the equipment will be placed in relation to the home.

\_\_\_\_\_ **E. Repainting (Refer to Standard #1)** Please include paint manufacturer, type and color along with color paint samples marked with where the color will be placed. (Ex: body, trim, shutters, front door, siding, garage doors, gutters, etc.).

\_\_\_\_\_ **F. Roof (Refer to Standard #1)** Please include the manufacturer type and color of the roofing material. Please supply a photo of the shingle color you wish to use. (Please do not remit actual roofing shingles. Email color scans of shingle or links to manufacturer's website will suffice).

\_\_\_\_\_ **G. Screening and Lattice (Specify material, style, color, location, and elevation):**  
Please include material, style, color, location & elevation along with a drawing of where this will be placed in relation to the home.

\_\_\_\_\_ **H. Structure Addition or Removal (Refer to Standard #1)** Please include the following supporting documentation: 1- Survey showing property lines. 2- Detailed drawing/plans showing the dimensions and final look of the project. 3- City/County building permits 4- Detailed information on material used, paint manufacturer, color number and paint chip samples 5- Information on roofing shingles manufacturer, number and sample. (Please do not remit actual roofing shingles. Email color scans of shingle or links to manufacturer's website will suffice).

\_\_\_\_\_ **I. Tree Removal (Refer to Standard #5)** Please include either a photo or sketch showing where the trees are currently located. If you are planning to replace the trees please note on the application the type of tree/plant matter that will be replacing the removed trees and the timeframe of the new installation.

\_\_\_\_\_ **J. Other** \_\_\_\_\_ Please contact the Architectural Process at extension 155 to discuss supporting documentation to be submitted.

**Please allow a maximum of 30 days for a modification review. If modification is started prior to approval, fines will be assessed.**

Homeowner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*This request must be signed or it will not be processed.

<b>Please send to:</b> Homeside Properties 2555 Westside Parkway Ste 600 Alpharetta, GA 30004 678-297-9566 Office 678-297-9491 Fax Email: acc@homesideproperties.com	<b>To be completed by ACC:</b> Date received: _____ Date Reviewed: _____ Action: _____ ( ) Approved ( ) Conditionally Approved ( ) Disapproved Date Homeowner Notified _____ Signed: _____ Approval Valid Until: _____
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## HILLBROOKE HOMEOWNERS ASSOCIATION

### Rules Enforcement Policy

WHEREAS Article VII, Section 7.10, of the Bylaws and Reference 4.12 of the Declaration of Covenants, Restrictions, and Easements for Hillbrooke grants the Board of Directors with the power to conduct Association business and to impose fines and/or sanctions to the Lot, to protect the community's harmony by providing guidelines and implementing fining procedure to that Lot to address conditions that disrupt that harmony,

LET IT BE RESOLVED THAT the following rules enforcement policy regarding Fining Procedures will be followed and adopted into the Hillbrooke Design Standards, Design Standard Enforcement Procedures (pp.18-19 of 22):

The Board of Directors of the Hillbrooke Homeowners Association ("HOA"), or its agent (currently Homeside Properties, Inc.) as may be appointed by the HOA from time to time ("Agent"), is authorized to enforce the Rules outlined in the Rules and Regulations of the Hillbrooke Homeowners Association.

#### A. General Guidelines

Design Standard violations – as reported by any source – may be submitted to the HOA/Agent for appropriate action. The following process will ensue:

1. Confirmation that a violation exists by site visit.
2. If substantiated, the homeowner and/or tenant will receive a letter from the HOA/Agent describing the violation(s) ("Violation Letter") and including the following:
  - a) Request for homeowner and/or tenant to remedy violation(s);
  - b) Steps/actions necessary to remedy the violation(s);
  - c) Establishment of 10 day grace period for:
    - 1) Homeowner and/or tenant to remedy violation(s); and/or
    - 2) Homeowner and/or tenant to respond to the HOA/Agent in writing if homeowner and/or tenant believes that they are not in violation or that it is not reasonably practicable to remedy violation(s) within 10 days. Such correspondence should explain (as applicable):
      - i. How/why homeowner and/or tenant is not in violation
      - ii. How/why violation(s) can not be remedied within 10 days
      - iii. Action steps required to remedy violation(s)
      - iv. Expected date of remedy
    - 3) Homeowner and/or tenant to work with HOA/Agent in good faith to arrive at mutually agreeable solution. So long as homeowner and/or tenant contacts HOA/Agent within initial 10-day grace period, acts in good faith, and honors all commitments in a timely manner, homeowner and/or tenant will not be assessed monetary fines nor will any other sanctions be imposed.
3. If the violation(s) has not been remedied or otherwise satisfactorily addressed within 10 days, a second written notice, along with a copy of the Violation Letter, will be sent to the homeowner and/or tenant indicating a fine of \$25.00 per violation per day will be assessed to the homeowner's account if the violation(s) is not remedied or otherwise addressed within 10 days.
4. If the violation(s) has not been remedied or otherwise satisfactorily addressed within 30 days from the date of the initial Violation Letter, a third written notice, along with a copy of the Violation Letter, will be sent to the homeowner and/or tenant indicating the following:

- a) Fine of \$25.00 per violation per day has been assessed to the homeowner's account from the date of the initial Violation Letter and that fines will continue to accrue at the rate of \$25.00 per day until the violation(s) is remedied.
- b) HOA's/Agent's intent to file a lien against the property.
- c) A hearing with the Board of Directors may be requested by the homeowner and/or tenant in writing within 10 days from the date of the notice. Failure to request a hearing within 10 days of the notice will be considered a waiver of the homeowner's right to appeal the fines and/or other sanctions that may result from the collections of the said violations.

This policy can be executed in counterparts, each of which shall be deemed an original, and all such counterparts together shall constitute one and the same instrument.

Recorded in the Book of Minutes: Dated: 7/10/05

[Signature] 7/10/05  
President Date

[Signature] 7-10-05  
Secretary Date

# HILLBROOKE HOMEOWNERS ASSOCIATION

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2. If substantiated, the homeowner and/or tenant will receive a **letter** from the HOA/Agent describing the violation(s) ("Violation Letter") and including the following:
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      - i. How/why homeowner and/or tenant is not in violation
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      - iii. Action steps required to remedy violation(s)
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    - 3) Homeowner and/or tenant to work with HOA/Agent in good faith to arrive at mutually agreeable solution. So long as homeowner and/or tenant contacts HOA/Agent within initial 10-day grace period, acts in good faith, and honors all commitments in a timely manner, homeowner and/or tenant will not be assessed monetary fines nor will any other sanctions be imposed.
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- a) Fine of \$25.00 per violation per day has been assessed to the homeowner's account from the date of the Violation Letter and that fines will continue to accrue at the rate of \$25.00 per day until the violation(s) is remedied.
- b) HOA's/Agent's intent to file a lien against the property.
- c) A hearing with the Board of Directors may be requested by the homeowner and/or tenant in writing within 10 days from the date of the notice. Failure to request a hearing within 10 days of the notice will be considered a waiver of the homeowner's right to appeal the fines and/or other sanctions that may result from the collections of the said violations.

This policy can be executed in counterparts, each of which shall be deemed an original, and all such counterparts together shall constitute one and the same instrument.

Recorded in the Book of Minutes: Dated: \_\_\_\_\_

\_\_\_\_\_  
President Date

\_\_\_\_\_  
Secretary Date