



# ARCHITECTURAL REVIEW COMMITTEE (ARC) GUIDELINES

Martins Landing Foundation

Version 2.5

Updated: 03/23/2021  
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V2.5

**Architectural Review Committee Guidelines**

**Martin’s Landing Foundation**

*(Updated: 03/23/2021)*

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**1. PURPOSE & INTENT**

- a. These Guidelines shall govern the Architectural Review Committee (hereinafter “ARC”) in accordance with the “Declaration of Covenants and Conditions and Restrictions for Martin’s Landing Foundation, Inc.” (hereinafter “Covenants & By-Laws”).
- b. The Guidelines shall facilitate the fulfillment of the purposes as stated in the Covenants & By-Laws.
- c. The ARC shall assure that all installation, construction, modification, or alteration of exterior items, structure, or significant landscape item is in conformity and harmony with the neighborhood-wide standard.
- d. It is not the intent of the Guidelines to inhibit or restrict creativity, but rather to provide general parameters to create an architecturally harmonious community.
- e. The intent of the Guidelines is to insure quiet enjoyment for the residents, minimize problems and expenses for the HOA, provide for the architectural integrity of the neighborhood, and protect and enhance property values.
- f. These Guidelines shall incorporate by reference the Lakeview Architectural Guidelines. Lakeview is a single family zero lot line homes community, with additional guidelines referenced herein and noted in Subsection 20: Lakeview Residents Only – in conjunction with the Lakeview Guidelines as provided by Martin’s Landing Foundation, Inc. online ([www.martinslanding.org](http://www.martinslanding.org)).

**2. MEMBERSHIP**

- a. See Article VI, Section 6.1 of Exhibit B of the Covenants & By-Laws.

**3. DUTIES**

- a. The ARC shall adopt standards which shall be approved by the Martin’s Landing Foundation (“MLF”) Board and be published to the members before they are enforced.

**4. EFFECT OF THE GUIDELINES**

- a. The Guidelines shall be read in conjunction with the Covenants & By-Laws. If any conflict arises herein, the Covenants & By-Laws shall take priority.
- b. The Guidelines in conjunction with the Covenants & By-Laws are a part of the deed to each homeowner’s property and are legally enforceable.
- c. Each homeowner shall comply with the Guidelines herein.

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- d. Failure to comply with the Guidelines shall subject the homeowner to the provisions of Subsection 8: Non-Compliance, herein.
- e. The Guidelines do not grant or confer approval from Federal, State or Local agencies and authorities. It is the homeowner's responsibility to be aware of and to comply with all applicable building codes, standards, laws and regulations including, but not limited to federal, state and local agencies and authorities.

#### **5. WHEN APPROVAL IS REQUIRED**

- a. A homeowner shall seek ARC approval for all installation, construction, modification, or alteration of exterior items, structure, or significant landscape items.
- b. ARC approval is required for the following installations, constructions, modifications, or alterations of exterior items, structures and/or significant landscape items, which shall include but are not limited to:
  - i. Driveway Installation or Replacement;
  - ii. Exterior Additions or Modifications;
  - iii. Exterior House Painting;
  - iv. Exterior Stone or Brick Painting
  - v. Fence Installation;
  - vi. Fencing or Shrubbery Obscuring Boats, Trailers, Campers, Motor Homes, And Unlicensed Vehicles;
  - vii. Garage Door Painting or Modification;
  - viii. Grading;
  - ix. Installation of Decorative Appurtenances Visible From Any Street;
  - x. Landscaping Modification (exceeding 25% of the existing landscape);
  - xi. Mailbox Installation;
  - xii. Outdoor Building Installation;
  - xiii. Permanent Basketball Goal Installation;
  - xiv. Portable Storage Structure Installation;
  - xv. Retaining Wall Installation;
  - xvi. Roofing;
  - xvii. Siding Installation;
  - xviii. Sod Installation;
  - xix. Solar System and Other Renewable Energy System Installation;
  - xx. Swimming Pool Installation or Modification;
  - xxi. Tree Removal;
  - xxii. Vegetable Gardens in The Front Yard;

Note: If your proposed addition or modification is not listed above in section 5(b), it is prudent to submit a request for the ARC to review

- c. A homeowner does not need to seek ARC approval for the following activities as it relates to their property:
  - i. General Modification or Repairs That Do Not Exceed 25% Of The Item(s) Being Modified or Repaired;

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- ii. Planting Of Vegetation;
  - iii. Pruning Of Vegetation;
  - iv. Removal of trees less than four (4) inches in diameter as measured at chest height of its trunk or stem;
- d. The ARC reserves the right to defer new exterior additions and/or modifications to the New Build Committee, because of the size and/or complexity of the modifications.
- e. River Corridor and Lakeview homeowners are subject to additional regulations and requirements. These homeowners shall obtain additional approval in conjunction with ARC approval. These additional regulations and requirements can be found at [www.roswellgov.com](http://www.roswellgov.com).

## 6. APPROVAL PROCESS

- a. Prior written approval shall be obtained before any actions, in accordance with subsection 5.b, herein, are undertaken. Failure to obtain prior written approval shall subject the homeowner to the provisions of Subsection 8: Non-Compliance, herein.
- b. The homeowner shall submit a written application prior to the ARC's monthly meeting, in order to be considered for the month in question. The ARC meets on the fourth (4<sup>th</sup>) Monday of the month – excluding holidays.
- c. The submission deadline is at noon on the Friday prior to the ARC's monthly meeting.
- d. Complete applications shall be submitted by either:
- i. Hand delivery to the MLF Office, or
  - ii. Using the MLF webpage [www.martinslanding.org](http://www.martinslanding.org).
- e. Homeowners are encouraged to submit as much information and documentation as possible. The ARC prefers to have “too-much” information and documentation for its consideration as opposed to “not-enough” information and documentation. Additionally, several before and after photographs are suggested for each submission.
- f. The ARC reserves the right to visit your lot and inspect the improvement(s). This will be done for two specific reasons:
- i. To ensure that the application details were followed; and/or
  - ii. To note any problems that were encountered and to learn any pointers that may help other homeowners more easily complete similar projects.
- g. The ARC will act on complete and timely submitted applications within forty-five (45) days of the date of receipt.
- h. The ARC's decision will be noted on the application. The homeowner will then be notified of the decision. The application will show one of the following decisions:
- i. APPROVED: The application is approved as submitted;
  - ii. DENIED PENDING LOCAL REPRESENTATIVE APPROVAL (Under Review): The overall application is accepted but must be signed off by your

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local representative who will contact the homeowner directly to schedule an on-site inspection, pose questions or obtain verification.

- iii. **DENIED**: The application is denied. The owner can appeal pursuant to the provision outlined in subsection 9: Appeals, herein.

#### **7. EMERGENCY APPROVALS**

- a. Emergency situations will arise that are out of the homeowners control, but still require ARC approval before they can be remedied
- b. Emergency situations will meet the following criteria
  - i. Immediate/imminent danger to life or property
  - ii. Cannot wait until the next ARC meeting to be reviewed/approved
- c. Emergency Approval Process
  - i. Homeowner will
    - 1. Notify the MLF Office and ARC by
      - a. MLF office phone and/or
      - b. Email at [MLF@martinslanding.org](mailto:MLF@martinslanding.org) and [ARC@martinslanding.org](mailto:ARC@martinslanding.org)
    - 2. Fill out appropriate ARC request documentation at the MLF office or online at [www.martinslanding.org](http://www.martinslanding.org)
  - ii. Homeowner will provide as much detail as possible:
    - 1. Detailed description of the situation
    - 2. Supporting pictures

\*\*\*\*Note: Providing as much information as possible will ensure that a decision is made in a timely manner
  - iii. Once the ARC has been informed of the situation, they will
    - 1. Review the information provided
    - 2. If more detail is required, they will assign an ARC representative to gather more information for the committee to make a decision.
    - 3. Provide the homeowner with a decision within 48 hours of having all information necessary

#### **8. EFFECT OF APPROVAL**

- a. Upon approval, the homeowner has six (6) months to complete the project, as submitted and approved.
- b. Failure to complete an approved project within six (6) months shall result in revocation of the ARC's prior approval. The homeowner shall resubmit an application to the ARC for approval if the original approval was granted more than 6 months earlier.
- c. Any additional work completed, not in the original scope of work, shall subject the homeowner to the provisions of Subsection 8: Non-Compliance, herein.
  - i. Example: removal of additional trees, outside the scope of the approved submission.
- d. Any deviation from the ARC's prior approval requires a resubmission to the ARC.

#### **9. NON-COMPLIANCE**

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- a. Any problems, concerns, questions, complaints or reports of non-compliance must be submitted to the ARC for appropriate action, through your Association ARC representative or the MLF Foundation Office. Problems or concerns with MLF Foundation property (i.e., Martin's Lake, North Pond Pavilion area, Lake Pavilion area, the River Club, greenbelts, etc.) should be submitted directly to the Foundation Office.
- b. The ARC will notify the Foundation Board, affected Association and the homeowner of any violation observed and specific actions required to remedy the condition.
- c. If a homeowner fails to obtain prior written approval from the ARC before undertaking a project subject to the Guidelines, the homeowner shall be subject to the following:
  - i. \$100.00 to \$300.00 fine per modification without prior written approval, subject to the ARC's discretion.
- d. If the homeowner does not take measurable steps to correct the violation within 30 days, the homeowner shall be subject to the following:
  - i. Continuing Daily Fines: fines regarding continuous violations of the Guidelines.
    1. Examples include but are not limited to the following: unapproved signage, cars parked on the grass, trailers, boats, RVs and commercial vehicles parked in a conspicuous location, any exterior modification that does not meet ARC standards and Guidelines.
    2. Daily Fines shall be \$25.00 per day, per violation.
  - ii. Single Occurrence Violations: fines regarding single occurrence violations of the Guidelines
    1. Examples include but are not limited to the following: trash cans left at the street beyond the allowable time, unapproved AC window units, improperly stored firewood.
    2. Single Occurrence Fines shall range from \$25.00 to \$100.00 per incident, subject to the following terms:
      - a. First Occurrence: \$25.00 per incident;
      - b. Second Occurrence of Same Violation: \$50.00 per incident;
      - c. Third Occurrence of Same Violation: \$75.00 per incident; and
      - d. Fourth Occurrence of Same Violation: \$100.00 per incident;
    3. Single Occurrence Violations may be imposed in combination with Continuing Daily Violations.
  - iii. Severe Violations: fines for actions taken by a homeowner that the ARC deems as "severe."
    1. Examples include but are not limited to the following: neglect of home maintenance, installation of a chain link fence; installation of a storage structure visible from the street, tree removal without ARC approval, each tree comprising a separate violation.
    2. Severe Violation Fines shall range from \$500.00 to \$1000.00 per violation.

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3. The Martin's Landing Board may impose additional fining amounts at their discretion.
  4. Severe Violation Fines may be imposed in combination with Single Occurrence Violations and/or Continuing Daily Violations.
- iv. Habitual Violations: fines for habitual violations, willful violations, any unapproved significant exterior modification, any significant structural modification, or any significant landscape modification, as determined by the ARC.
1. Examples include but are not limited to the following: removal of mature hardwood trees.
  2. Habitual Violations Fines are not limited by the Guidelines.
- e. The Guidelines regarding fine schedules shall not bind the MLF Board. The MLF Board may deviate from the fine schedules proposed by the ARC.
- f. All fines shall be imposed pursuant to Article XII, Section 12.4 of Exhibit B of the Covenants & By-Laws.

## **10. APPEALS**

- a. See Article VIII, Section 8.6 of Exhibit B of the Covenants & By-Laws.
- b. Tier One Appeals
  - i. An appeal shall follow the ARC's denial of a homeowner's submission and/or the imposition of a fine.
  - ii. An appeal shall be delivered to the MLF President via certified mail or electronic mail within thirty (30) days of the ARC's decision and/or recommendation of a fine.
  - iii. An appeal shall be heard and ruled upon in writing by the Appeal Board within forty-five (45) days of receipt of the written appeal.
  - iv. The Appeal Board shall deliver its decision in writing to the homeowner within ten (10) days of its decision.
  - v. The Appeal Board shall be comprised of the following individuals:
    1. 5 members of the MLF Board;
    2. 1 member of the MLF Landscaping Committee; and
    3. The President of the Neighborhood Sub-Association where the request originated (i.e. North Pond President, as opposed to MLF Board President).
- c. Tier Two Appeals
  - i. A Tier Two appeal shall follow the Appeal Board's denial in whole or in part of a homeowner's Tier One appeal.
  - ii. A Tier Two appeal shall be delivered to the MLF President via certified mail or electronic mail within thirty (30) days of the Appeal Board's decision.
  - iii. A Tier Two appeal shall be heard and ruled upon in writing by the MLF Board within forty-five (45) days of receipt of the written appeal.



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#### 11. EXTERIOR ADDITIONS, MODIFICATION & LOT GUIDELINES

- a. Prior to occupation, all homes shall:
  - i. Be “completely finished” on the exterior. The ARC defines “completely finished” as Permitted for Occupancy by Law;
  - ii. Have grass planted in all areas visible from the street or suitable ground cover; and
  - iii. Have a paved driveway.
- b. All lots, whether vacant or occupied, together with the exterior of all improvements shall be maintained in a neat attractive condition, which includes but is not limited to the following: painting, staining, repairing, replacing, and caring for roofs, gutters, downspouts, building surfaces, trees, shrubs, grass, walks, and other exterior improvements; provided, however, that any such painting or staining shall be compatible in appearance and quality within the range of colors and materials existing on other residences in the neighborhood.
- c. The following are not permitted on any lot at any time:
  - i. Vinyl Siding;
  - ii. House trailers;
  - iii. Carports;
  - iv. Garage conversions to living space;
  - v. Structures for office or business purposes, except that private offices may be maintained and used if such use is incidental to the primary residential use of such house and is compliant with the City of Roswell Code.
  - vi. *Lakeview Residents*
    1. Incidental private offices shall not be apparent or visible from the exterior of the lot, shall not involve persons coming onto the property who are not residents, and does not constitute a hazard, nuisance, offense or threat to the safety and security of the residents.
- d. Garages shall be enclosed and have a garage door.
- e. Building materials or mechanical devices shall not be stored on any lot for longer than the reasonable time necessary for use and construction, as determined by the ARC in its sole discretion.
- f. All roof stacks, vents, and roof-mounted equipment shall be located on the rear slopes of roofs.

#### 12. EXTERIOR PAINTING/STAINING

- a. Exterior Painting/Staining requires the approval of the ARC prior to commencing work.
- b. Lakeview Homeowners must follow Lakeview rules and guidelines for exterior painting but still will submit a request to the ARC
- c. Touch up or painting/staining due to a minor repair (less than 25%) does not need to be approved by the ARC, as long as the overall look and color is unchanged.

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- d. The Martins Landing office has sample paint color book that can be used as a guideline for selecting paint colors.
  - i. Lakeview Homeowners should refer to Lakeview Color Samples
- e. When submitting requests for exterior paintings/staining, be sure to include manufacturers paint numbers as well as sample swatches. Be sure to state which colors will be used for each part of the house, siding, trim, doors, etc.
- f. Include a current picture of your home and neighboring homes.
- g. It is recommended to test the painting/staining of a small area to confirm that the result will be the same as was submitted.
- h. All roof stacks, vents, flashings, and chimney caps shall be painted to approximate the color of the roof.
- i. Painting/staining of any brick, stone, or otherwise natural material (except siding) shall require **explicit and separate** approval of the ARC. Failure to receive **explicit** and separate approval for the painting/staining of brick, stone or otherwise natural material will result in heavy fining and may require the homeowner to restore the material back to original condition to include replacing the material with new.

### 13. LANDSCAPING

- a. Generally
  - i. Landscaping shall consist of vegetation native to the Southeast and shall relate to the existing terrain and natural features of the lot.
  - ii. Trees, shrubs, bushes, and other vegetation may be planted on any lot without approval provided that such planting is harmonious in appearance and general quality with existing standards of the neighborhood and well located in relation to surrounding structures, vegetation, and topography.
  - iii. Large scale landscaping or hardscaping projects will require ARC approval. A large-scale project would be a modification to 25% or more of the landscape.
  - iv. The following are not permitted on any lot at any time:
    - 1. Decorative appurtenances visible from any street.
      - a. Examples include but are not limited to the following: sculptures, birdbaths, gazing balls, fountains, or other embellishments unless the ARC has approved such items.
    - 2. Vegetable gardens in the front yard, except as approved by the ARC.
    - 3. Yard Debris
      - a. Examples include but are not limited to the following: leaves, fallen limbs, pine straw etc.
      - b. The exception to this rule is when yard debris is placed in bags and placed on the street for pick-up and is present for no more than seven (7) days.
  - v. Leaving or placing yard clippings, yard debris, leaves, or pine straw in the culverts, street gutters, common areas, or greenspace is prohibited.

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- b. Trees
  - i. Tree removal companies or arborists are not authorized to grant permission or act on a homeowner's behalf in contacting the ARC.
  - ii. Homeowners are responsible for obtaining a separate permit from the City of Roswell, prior to any tree removal (i.e., specimen trees or trees in the river corridor). Please visit [www.roswellgov.com](http://www.roswellgov.com)
  - iii. No trees, having a diameter of four (4) inches or more as measured at chest height of its trunk or stem shall be cut, destroyed or mutilated except by permission of the ARC.
  - iv. Photo documentation is required for all tree removal applications.
  - v. Emergency Situations:
    - 1. The following trees may be emergencies: storm damages trees, leaning trees, falling trees, dead trees, diseased trees, or dangerous trees.
    - 2. A tree falling into this category shall be cut and removed promptly prior to ARC approval provided the following conditions are satisfied:
      - a. A description and proof of the tree's current condition is sent to the ARC ([arc@martinslanding.org](mailto:arc@martinslanding.org)) and/or MLF Office ([mlf@martinslanding.org](mailto:mlf@martinslanding.org)).
    - 3. The Homeowner is still responsible for submitting a Tree Removal Request, in accordance with subsection 6: Approval Process, herein.
    - 4. If the ARC reviews the request and determines that the removal was not an emergency, the homeowner may be subject to fines as outlined in subsection 8: Non-compliance, herein.
  - vi. No trees should be planted on any property in a location where their growth would interfere with the effectiveness of solar devices on an adjacent property.

## 14. SWIMMING POOLS

- a. Swimming pool designs shall be submitted to the ARC for approval before any clearing, grading, installation, fencing, or landscaping is done.
- b. The following are not permitted on any lot at any time:
  - i. Above-ground pools.
- c. Swimming pool submissions shall comply with all State and Local requirements.
- d. Subdued colors are recommended for any such structure, and adequate landscaping will be required to screen the structure from neighboring properties.

## 15. FENCES, RETAINING WALLS, AND SIGNS

- a. Fences
  - i. The ARC must approve all fencing.

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- ii. The following are not permitted on any lot at any time:
    - 1. Metal fencing posts;
    - 2. Fabric fencing, typically used for erosion control, for permanent usage;
    - 3. Chain-link fencing;
    - 4. Vinyl fencing and posts;
    - 5. White fences and posts;
    - 6. Privacy fencing;
    - 7. Fencing exceeding 6 feet in height; and
    - 8. Fencing in front yards.
  - iii. Fences shall not be further than 1/3 forward from the back of house leaving 2/3 back from the front.
  - iv. Corner lot fence proposals are evaluated on a case-by-case basis.
  - v. The finished side of all fences should face out.
  - vi. Split rail fences with wire, are to have black square wire on the inside of the fence.
- b. Retaining Walls
- i. The ARC must approve any retaining wall more than twelve (12) inches in height above the ground.
  - ii. Retaining walls should be constructed of natural looking material and be in harmony with the neighborhood.
  - iii. The following are not permitted on any lot at any time:
    - 1. Railroad tie retaining walls.
  - iv. All retaining walls must be compliant with local city and state regulations, especially regarding the height of the wall.
- c. Signs
- i. All signs must be approved by the ARC with the following exceptions:
    - 1. Traditional real estate signs;
      - a. Shall no exceed the approved size (18"x24").
    - 2. All campaign signs relating to public vote;
      - a. 1 per lot per seat;
      - b. Shall be removed within 24 hours of the election.
    - 3. Congratulatory signs;
      - a. Shall not exceed the approved size (18"x24");
      - b. Shall be removed within two (2) weeks.
    - 4. Contractor signs;
      - a. May be installed one (1) week before the start of the project;
      - b. Shall be removed within two (2) weeks of the end of the project;

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5. Private property or no trespassing signs;
  - a. Shall not exceed the approved size (18"x24");
  - ii. All signs shall be attached to a standard metal or wooden stake;
  - iii. No more than two signs will be permitted on any lot at a time;
  - iv. Signs are not permitted within the right of way, on private property without permission, or on utility poles, traffic signposts or trees;
  - v. Signage shall comply with State and Local requirements.
  - vi. *Lakeview Residents*
    1. Lakeview residents are permitted to place one professionally lettered real estate sign on each lot being offered for sale or rent. Such signage shall not exceed 18" x 24" in size. Such signage shall not be attached to the house. All other signage is expressly prohibited unless written consent of the Lakeview Board is obtained..

## 16. OUTDOOR BUILDINGS AND STORAGE UNITS

- a. The following are not permitted on any lot at any time:
  - i. Freestanding storage structures or temporary structures that are visible from the street;
  - ii. Stables;
  - iii. Poultry Houses;
  - iv. Similar "animal" structures; and
  - v. Exposed above ground tanks – storing fuel, water or other substances.
- b. No outbuilding or other appurtenant structure shall be used for residential purposes.
- c. Rain barrels are allowed as long as they are in harmony with the neighborhood.
- d. "Portable Storage Structure" is any container, storage unit, shed-like container or other portable structure, other than an accessory building or shed complying with all building codes and land use requirements, that can or is being used for the storage of personal property of any kind and which is located for such purposes outside an enclosed building.
  - i. There shall be no more than one (1) portable storage structure per property.
  - ii. The portable storage structure shall be no larger than ten (10) feet wide, twenty (20) feet long, and ten (10) feet high.
  - iii. A portable storage structure shall not remain at a property in any zoning district in excess of sixty (60) consecutive days and shall not be placed at any one property in a zoning district in excess of sixty (60) days in any calendar year.
  - iv. The portable storage structure shall be placed on a concrete surface or a plan to repair damaged area shall be submitted to the ARC prior to placement of the portable storage structure.

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- v. Portable storage structures associated with construction at a site where a building permit has been issued are permitted for the duration of construction but shall be removed from the site no later than fourteen (14) days after the end of construction.
- e. *Lakeview Residents*
  - i. Lakeview residents are not permitted to place or construct any outbuilding, tent, shack, barn, carport, trailer, shed, or structure of a temporary character on any portion of the properties or lot without prior written consent of the Lakeview Board.

## **17. AUTOMOBILES, BOATS, CAMPERS, TRAILERS AND COMMERCIAL VEHICLES**

- a. No large commercial vehicle (i.e., bus, tractor trailer) may be stored in a conspicuous location on any property.
- b. Boats, trailers, campers, motor homes, and unlicensed vehicles shall be parked so that they are not visible from any street or adjoining property. Wooden fencing or shrubbery of an ARC approved design shall be used to screen any such vehicles.
- c. The parking or storage of passenger automobiles only may be permitted on the driveway leading to the garage or ARC approved parking pad.
- d. If any garage is used for purposes other than the parking and storage of passenger automobiles, the door or doors of such garage shall remain closed at all times when not in actual use for the purpose of ingress and egress.
- e. Cars parked on the street shall not remain for more than 24 hours at a time, unless there is a safety issue resulting from the location of the parked car, i.e., parked too close to an intersection, parked in a curve or at the top of a hill, which are prohibited.
- f. Vehicles are expressly prohibited from being parked such that their location results in obstructing access to a mailbox or a fire hydrant.
- g. *Lakeview Residents*
  - i. The following are prohibited from being parked or stored on the properties:
    1. Boats,
    2. Campers,
    3. Disabled or Stored Vehicles;
    4. Motor Homes;
    5. Trailers,
    6. Trucks in Excess of  $\frac{3}{4}$  ton;
    7. Vehicles Having More Than Four Wheels;
    8. Vehicles in Excess of Twenty Feet in Length;
    9. Vehicles Used for Storage of Machinery, Equipment, Tools or Similar Materials.
  - ii. Pick-up trucks and vehicles with lettering be parked in an enclosed garage.

## **18. SOLAR ENERGY SYSTEMS AND OTHER RENEWABLE ENERGY SYSTEMS**

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- a. Solar Energy Systems will include any device/system that uses the sun's energy to generate power or heat for a property. This includes solar panels, solar water heaters, etc.
- b. The location and design of all Solar Systems or similar devices that uses the sun's energy shall be approved by the ARC.
- c. Solar Energy Systems shall not be visible from the street.
- d. The Solar Energy System shall be professionally installed by a licensed and bonded contractor in accordance with all federal, state and local regulations and codes.
- e. If any trees need to be removed for the installation of the Solar Energy System, their removal must be approved, as a separate request, by the ARC prior to the installation of the system.
- f. Other renewable energy systems must be approved by the ARC.
- g. *Lakeview Residents*
  - i. Solar energy systems or similar manmade devices designed for collection of or heating by solar energy or similar means are prohibited without the prior written consent of the Lakeview Board.

## 19. MISCELLANEOUS ITEMS

- a. The following are not permitted on any lot at any time:
  - i. Clotheslines;
  - ii. Outside facilities for drying or airing clothes;
  - iii. The pursuit of hobbies or other activities, including specifically, without limiting the generality of the foregoing, the assembly and disassembly of motor vehicles and other mechanical devices in any front yard, driveway, garage or other place visible from any street or adjoining property;
  - iv. Window A/C units which are visible from any street;
    1. *Lakeview Residents*
      - a. Window A/C units are prohibited in Lakeview.
  - v. Animals or birds, except of a kind which is customarily kept in a house or on a lot shall be allowed – this includes but is not limited to the prohibition of poultry and livestock. Livestock used for special purposes (ie. – goats for trimming ivy) may be allowed with prior ARC approval, but may not remain permanently;
  - vi. Four or more domestic dogs, kept by the home owner;
  - vii. Unleashed animals;
  - viii. *Lakeview Residents*
    1. No animals, livestock or poultry shall be raised, bred or kept on any part of the property.
    2. There will be no more than three dogs and/or cats kept on any lot.
    3. All dogs and cats shall be registered and vaccinated as required by law.
    4. Pet enclosures or tethered pets are not permitted on any lot.

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5. All pets shall be kept on a leash and under the complete control of its owner when not on the owner's lot.
- b. All central A/C compressors shall be ground mounted.
- c. Approved fencing or plants of density and height to effectively hide the unit shall screen units visible from the street.
- d. All playground equipment shall be placed in the rear of the property. Excessively elaborate or unsightly and aesthetically offensive structures are discouraged, unless thoroughly screened from adjoining properties and roads. The ARC must approve permanent basketball goals. Portable basketball goals are discouraged in streets or cul de sacs.
  - i. *Lakeview Residents*
    1. Playground equipment is prohibited on any lot.
- e. Television, radio antenna or satellite dish locations should be chosen that make the device as inconspicuous as possible.
  - i. *Lakeview Residents*
    1. Exterior television or radio antennae, satellite dishes, or similar communication equipment are prohibited without prior written approval of the Lakeview Board.
- f. Mailboxes of a type consistent with the character of the neighborhood shall be selected and maintained by the owners to compliment the residences and the neighborhood. It is highly encouraged to have your house number visible on the mailbox and/or curb.
- g. Firewood is to be stored in a neat manner in the rear of the house or in a location not visible from the street.
- h. All trash cans, recycle bins and refuse bins are to be stored in an area not readily visible from the street and should be removed from the curbside in a timely manner.
- i. Appropriate holiday decorations and lights are allowed to be displayed one (1) month in advance of the holiday and shall be removed no later than two (2) weeks following the holiday.

## 20. CITY OF ROSWELL, FULTON COUNTY REQUIREMENTS

- a. All garbage, recycle material, and yard debris shall be placed in containers approved by the City of Roswell. Containers may be placed at the curb after 6 pm the day before collection and must be removed by the end of collection day. City personnel will not handle any building materials or refuse from remodeling, repair or landscape work. The contractor or property owner must remove all such waste. Yard debris should be placed at the curb, not in the street, after 6 pm the day before the scheduled collection day. There is a per home weekly limit of 12 bags of yard waste that Roswell will pick up. Please adhere to this limit such that debris does not stay at the curb from one week to the next.



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- b. On a corner lot, no plant, structure, fence, wall, sign or other obstruction to vision shall be placed or maintained within the triangular area formed by the intersection of street right-of way lines and a straight line connecting points on said street lines, each of which is twenty-five (25) feet distant from the point of intersection.
- c. Residents shall refrain from any act or use of the property that could reasonably cause embarrassment, discomfort, or annoyance to owners and residents of other properties. Noxious or offensive activities shall not be carried on upon any property.
- d. The Foundation, Board of Directors, ARC, and members thereof, are not responsible for ensuring, and shall not be held liable for any injury, damage or loss arising out of: (1) the quality, structural integrity or soundness of any modification on a lot; or (2) any modification's compliance with building codes, zoning regulations or other governmental requirements. All owners and residents are responsible for ensuring his or her compliance with all municipal and county ordinances to include permitting.
- e. The ARC, with Board approval, reserves the right to add, delete, or revise the Architectural Guidelines at its discretion as authorized by the bylaws of Martin's Landing Foundation, Inc. The judgment of conformity rests solely with the ARC in its role to maintain the overall aesthetics of Martin's Landing. Each architectural request will be reviewed on its own merits due to the inherent characteristics of each home and its location within Martin's Landing. The ARC reserves the right to approve or disapprove any submission based on these unique circumstances.

## **21. VARIANCES**

- a. Variances to any ARC Guidelines must be submitted to and approved by the ARC.

## **22. LAKE VIEW RESIDENTS ONLY**

- a. LAKEVIEW HOMES ASSOCIATION ARCHITECTURAL CONTROLS
  - i. The following architectural controls are established by the Board of Directors under Article VI, Section 16 of the Declaration of Covenants. They represent policies of the current board and therefore, are subordinate to the rules and regulations set up under authority of Article VI, Sections 1 - 25.
  - ii. No exterior construction, alteration, addition or erection of any nature is permitted without prior written Board approval unless they meet the following Community Standards that have currently been adopted by the Board of Directors. Before beginning exterior alterations, it is the homeowner's responsibility to submit an application describing these changes to the Architectural Control Committee who must certify that these changes are within the prescribed Community Standards.
  - iii. Changes requiring Architectural Control Committee approval shall be acted on within seven days of receipt of application for changes. Changes requiring Board approval shall be acted on by the next regularly scheduled board meeting (not to exceed 30 days).

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- iv. Paint - Color meets standard in Color Selection Guide Book adopted by Board Feb 20, 1991 and updated in April 2013.
- v. Roofing - Style and color meet standard in Color Selection Guide Book adopted by Board Feb 20, 1991 and updated in April 2013.
- vi. Landscape - In general, landscaping should consist of vegetation native to the Southeast, and should relate to the existing terrain and natural features of the lot and adjacent property. Trees, shrubs, bushes and flowers shall be harmonious in appearance and general quality with existing standards of the neighborhood.
- vii. Trees - Trees and shrubbery under four inches in diameter may be removed from any Lots by their Owner without written Board approval. Board approval is required for removal of trees, bushes, shrubs etc. in excess of four inches in diameter.
- viii. Removal of any trees, bushes, shrubs, etc. from the Common Areas is prohibited. Written Board approval is required before any such action can be taken.
- ix. Fences - Replacement of existing fences as constructed by the original builder of the home is allowed provided the materials, color and dimensions are the same.
- x. Decks - Replacement of decks in their exact dimensions and similar materials as their original construction.
- xi. Doors - Sliding glass doors must be bronze or silver. White or vinyl clad or jalousie doors not allowed.
- xii. Windows - If metal, must be bronze or silver. If wood, must be painted same color as the house. No white or vinyl clad allowed.

#### **b. RULES AND REGULATIONS**

- i. Changes that do not fall strictly within the preceding standards must be submitted in writing to the Board to be acted on at the next scheduled meeting, not to exceed 30 days after submission of plans. Such plans shall contain the specifications showing the nature, kind, shape, height, materials, and location of the proposed modification.

#### **c. OWNERS REPAIR AND MAINTENANCE RESPONSIBILITIES**

- i. The Owner is responsible to maintain his/her property in a manner that is consistent with the Community-Wide Standards as established by the members of Lakeview and maintained by the Board of Directors of the Association.

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- d. Current Community-Wide Standards prohibit the following conditions:
  - i. Roofs - Missing, warped, twisted, split, loose shingles; loose flashing; missing ridge caps; general disrepair.
  - ii. Gutters - Missing, rusted, rotted, clogged, or unattached downspouts.
  - iii. Exterior Painting - Peeling, blistering, fading; exposed wood; inappropriate color.
  - iv. Garage Doors - Warped or broken sections.
  - v. Fences/Decks/Porches - Missing planks; rotted, leaning posts and sections, etc,
  - vi. Yard Maintenance - overgrown; excessive weeds; bare spots; dead shrubs.
  
- e. TIMEFRAME FOR CURING ARCHITECTURAL CONTROL VIOLATIONS
  - i. Roof general repair – 60 days;
  - ii. Roof replacement – 6 months;
  - iii. Gutters – replace within 60 days. Can be done within 6 months if done in conjunction with roof replacement;
  - iv. Exterior painting of trim/other is 60 days;
  - v. Exterior painting of entire house is 6 months;
  - vi. Garage door repair - 60 days;
  - vii. Fences/decks/porches repair – 30 days;
  - viii. Fences/decks/porches replacement – 60 days;
  - ix. Yard maintenance – 10 days;
  - x. Removal of unauthorized structures – 10 days.
  
- f. PROPERTY WALKS
  - i. The Architectural Control Committee will make semi-annual walks of the property to review the individual lot and homes. If any violations are found, the respective association member will be notified in writing and given a specific time frame in which to make the necessary corrections. Members who disagree with the finding of the Architectural Control Committee may appeal their findings to the respective committee and/or Board of Directors as provided for in the Association By-Laws.
  - ii. In the event that the Board of Directors of the Association determines that any Owner has failed or refused to discharge properly his obligations with regard to the maintenance, repair, or replacement of items for which he is responsible hereunder, the Association shall issue fines and, at its discretion, perform such maintenance at the Owners expense. The amount and procedure for this is outlined in the section “Fines and Other Sanctions” of the “Lakeview Rules and Regulations rev 2013”.

**Architectural Review Committee Guidelines**  
**Martin's Landing Foundation**  
*(Updated: 03/23/2021)*

Revisions:

Revision	Section	Date	Reason
Signage Statement	14 Signage – 14.c.iii mover to 14.c.i	Mar 2021	No change
Violation Amounts	9 Fining - 9.d.iii.3&4	Mar 2021	Increase violation amounts
Painting	12 Exterior Painting	Mar 2021	-Added new section -Added Painting of stone/brick