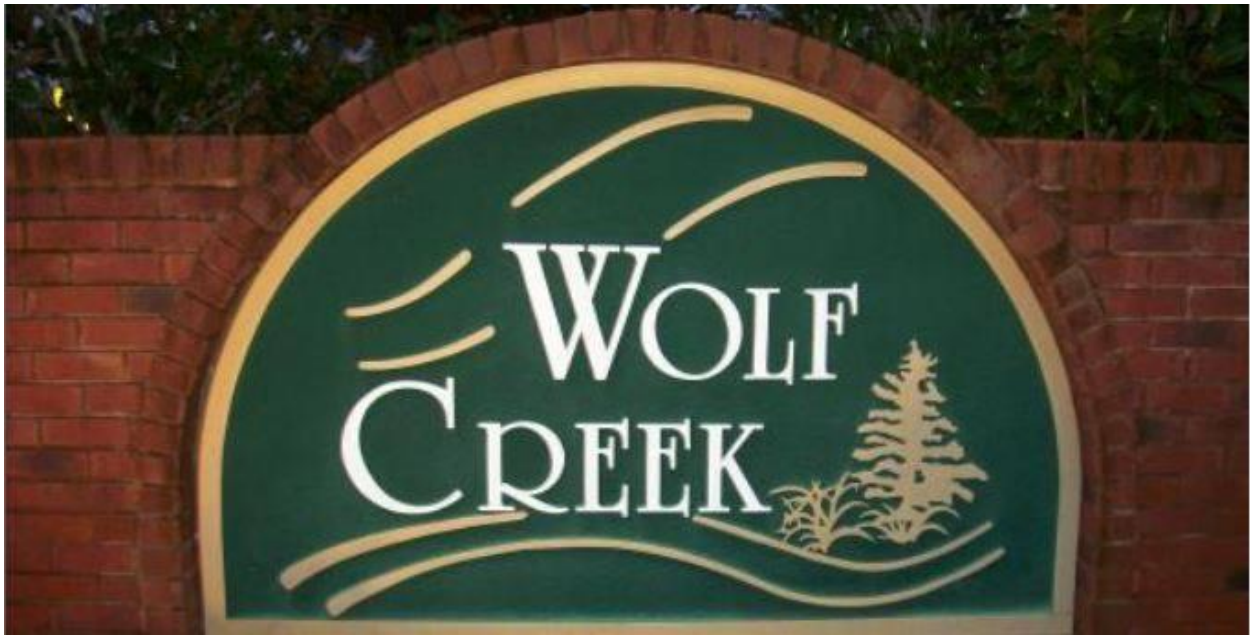


WOLF CREEK

COMMUNITY DESIGN GUIDELINES AND STANDARDS



UPDATED 2023

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(Otherwise known as the ‘ACC Form”)	

INTRODUCTION

The Declaration of Protective Covenants for Wolf Creek provides for a design review process through which property improvements must be approved by an Architectural Control Committee (ACC). This provision applies to both new construction as well as any exterior modification of existing homes/properties, and was 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, the ACC's role is to *preserve, protect, and enhance* the value of the properties in Wolf Creek by enforcing the Declaration of Protective Covenants. The ACC is chartered with ensuring uniform and equitable compliance within these covenants.

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

As a final introductory comment, please remember - **REQUEST APPROVAL BEFORE BEGINNING ANY IMPROVEMENTS OR MODIFICATIONS!** – The vast majority of problems occur when a homeowner begins a project without written approval from the ACC.

The contents of these guidelines, and any actions of 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 member 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

A Form for Request for Modification Review, herein "Form," is provided for use in requesting review/approval of an exterior modification. This form should be submitted to Wolf Creek Architectural Committee, at least thirty (30) days prior to the anticipated time that you intend to begin 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 if certain conditions as described in the following guidelines are met:

- Patios (reference Guideline #3)
- Exterior Lighting (reference Guideline #4)
- Flag Poles (reference Guideline #4)
- Garden Plots (reference Guideline #5)
- Ornamental Trees and Shrubbery (reference Guideline #5)
- Basketball Goals (reference Guideline #6)
- Children's Wading Pools (reference Guideline #7)

A completed Form must be submitted through the ACC for all other types of improvements or modifications. **The verbal approval of any sales agent, developer, builder, contractor, or association representative is not sufficient.** All modification approvals must be in writing.

GUIDELINE #1: Exterior Building Alterations

General Guidelines

A Form **must be submitted for all** exterior-building alterations. Building alterations include, but are not limited to, storm doors and windows, construction of driveways, garages, carports, porches, **new roof installations** 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. Once the character is established, whether it is traditional, contemporary, etc., no change may alter that character.

If Gwinnett County authorities make changes to the plans as approved by the ACC, the owner must submit such changes for approval prior to commencing construction.

Homeowners are advised that a Gwinnett County building permit will be required for certain exterior building alterations. Please reference the Gwinnett County Building Permit Office for further information.

Painting

Repainting (even if it's the same color) requires prior written approval. A paint color change requires the following information:

- A paint sample, this can either be in an inconspicuous location on the home or the homeowner can submit a 12 square inch swatch to the ACC. The sample must be on the same material that is to be painted.*
- Swatch samples of what color the garage, trim, shutters, gutters, and front door will be in the new color scheme.

*Painting a paint sample in an inconspicuous location of the home is the homeowner's choice. The ACC/HOA will not be responsible for any paint repair in the event the requested color is denied.

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. Addition of awnings or coverings requires the following information:

- Picture or drawing of all windows/doors on which awnings will be installed and their location (back or side – generally, awnings are not allowed on the front of the home);
- Picture depicting style of awning to be installed; and
- Color samples and materials list.

New Roof Installation

A Modification Request Form must be submitted for any roof installation/replacement. The current aesthetics of Wolf Creek has set a standard that all shingles should be either black or gray.

Storm Windows & Doors

A Form **must be submitted** for all storm windows and doors. Storm windows and doors must be made of anodized bronze or anodized aluminum with backed enamel finish completable with the home's primary and trim colors. Addition of storm windows or doors requires the following information:

- Picture or drawing of all windows/doors on which storm windows/doors will be installed;
- Picture depicting style of storm window/door to be installed; and
- Color.

Detached Buildings

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

- Size shall be limited to 600 square feet and 12 feet in total height;
- Building must be located in the rear of the primary home within the extended sidelines of the home;
- Building may not be used for any purpose that may be deemed by the ACC to cause disorderly, unsightly, or unkept conditions; and
- Detached building exterior material must match the exterior materials and colors used on the original home.

Detached buildings being used as a primary garage are an exception to the above general guidelines. In either case though, approval from the ACC is required.

Dog Houses

A Form **must be submitted** for all doghouses. All doghouses must be located where they will have minimum visual impact on adjacent properties or from the street. Construction type, size, and exterior colors/materials will be specific criteria governing approval.

Chain link dog-runs and pens, and wire/string dog-runs and pens are prohibited.

Solar Panels

A Form **must be submitted** for all solar panels. All solar panels must be located where they will have no visual impact on adjacent properties or from the street. Solar panels must be installed on the roof of the home and on the back planes only. Solar panels that are located on the ground **are not permitted**.

GUIDELINE #2: Decks

A Form **must be submitted for all** decks. The following, without limitation, will be reviewed: location, size, conformity with design of the house, relationship to neighboring dwellings, and proposed use. The following information is required:

- A site plan denoting location, dimensions, materials and color;

The following guidelines have been adopted for decks in this community:

- In most cases, the deck may not extend past the sides of the home;
- Materials must be cedar, cypress, or No. 2 grade or better pressure treated pine;
- Color must be natural, white, or finished to coordinate with the exterior color of the home; and
- Vertical support for wood decks must be a minimum of 4x6 inch wood post or painted black metal poles, preferably boxed in as to appear to be wood posts – brick or stucco columns matching the home are also acceptable.

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

GUIDELINE #3: Patios/Walkways/Driveways

Patios/Walkways

A Form **must be submitted** for patio covers, trellises, permanent seating, railing, and other items. Submission of a Form for a patio/walkway is not required if the following guidelines are met:

- The patio/walkway is located in the rear yard;
- The patio/walkway does not extend beyond the sidelines of the house;
- The patio/walkway does not extend to within 10 feet of side or rear property lines; and
- The patio/walkway's elevation above ground level at any point does not exceed 6 inches for patios and 4 inches for walkways.

Driveways

Additional driveways or extensions to the existing driveways are prohibited and reviewed on a case-by-case basis. A Form **must be submitted** for any request for an addition or extension to the existing driveway.

GUIDELINE #4: Exterior Decorative Objects

The Declaration of Covenants required ACC approval before any object or thing is erected or placed upon a lot. The ACC thus has the authority to regulate the objects within this Guideline.

General Guidelines

If any decorative objects are placed in the front or side yards, a Form **must be submitted** for **all** exterior decorative objects, both natural and manmade. Exterior

decorative objects include, but are not limited to, bird baths, bird feeders, bridges, wagon wheels, sculptures, fountains, pools, antennas, benches, porch swings, flowerpots, free standing poles of all types, flag poles (see below), and items attached to approved structures. Objects will be evaluated on criteria such as sitting, proportion, color, and appropriateness to surrounding environment.

Exterior 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 structures. A Form **is not** required if the lights meet the following criteria:

- Lighting does not exceed 12 inches in height;
- The number of lights does not exceed 10; and
- Individual lights must not exceed 100 watts, are white or clear, non-glare type, and located to cause minimal visual impact on adjacent properties and streets.

Flag Poles

A Form **is not** required to be submitted for a single flagpole staff attached to the front portion of a house. The size of any flag displayed may not be greater than 3x5 feet. Freestanding poles require ACC approval.

Plants and Flowerpots

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

GUIDELINE #5: Exterior Landscaping and Maintenance

The Declaration of Covenants authorize the ACC to approve landscaping and authorizes the Board of Directors to determine in its sole discretion whether an owner is properly maintaining the owner's lot.

General Guidelines

Landscaping should relate to the existing terrain and natural features of the lot, utilizing plant materials native to the Southeastern United States. The amount and character of the landscaping must conform to the precedent set in the Wolf Creek Community. The following maintenance guidelines apply:

- Each homeowner is responsible for removal of debris, clippings, etc. from the property line to the center of the street. All planting areas should be properly maintained at all times, and, after the first frost, all affected material should be removed. At the end of the growing season, all dead plants should be removed.
- Each homeowner should keep the lot and all improvements thereon in good order and repair including, but not limited to, seeding, watering, mowing, pruning, and

cutting of all trees and shrubbery and the painting or other appropriate care of all buildings and improvements. This should be done in a manner and which such frequency as is consistent with good property management and the precedent set in the surrounding Wolf Creek Community.

- Mulching. All landscape beds must be covered with suitable mulch such as pine straw, shopped pine bark mulch, wood mulch, etc. A Form **must be submitted** for rock, stone, or pebbles.
- Edging. The preferred landscape bed edging is a neat cut trench. Other edging, if used, must be flush with the ground and be of a uniform type.
- Tool Storage. Outdoor storage of garden tools and hoses must be screened from view. Any tools or items stored under a back deck or porch should also be screened from view in accordance with Article 6.5 of the Declaration of Covenants.
- Garbage/Trash Bins. Outdoor storage of garbage cans and trash bins must be screened from view in accordance with Article 6.5 of the Declaration of Covenants.

Trees and Shrubby

A Form **is not** required to be submitted for ornamental trees and shrubbery. However, a Form **must be submitted** for screen planting (row or cluster style) and property line plantings. 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.

Removal of living native trees is discouraged and must be pre-approved.

Vegetable Garden Plots

A Form **is not** required for garden plots if **all** the following guidelines are met:

- The plot is located behind the rear line and within the side lines of the house and screened so as to minimize the visual impact on adjacent properties or from the street;
- The size of the plot is limited to 150 square feet; and
- The maximum height of plants, at full growth, is less than four (4) feet.

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

Firewood

The following guidelines apply to the storage of firewood:

- Firewood piles are to be maintained in a good order and must generally be located within the sidelines of the house and in the rear yard.
- Woodpile coverings are allowed only if the cover is an earthtone 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.

GUIDELINE #6: Play Equipment

General Guidelines

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

- The play equipment shall be located in the rear yard and within the extended sidelines of the house;
- The play equipment shall be located in the rear yard and within the extended sidelines of the house;
- The play equipment shall be located within a screened fence area of the rear of the house, if yard is fenced in; and
- The play equipment shall be sized and located such that it will have minimal visual impact on adjacent properties.

Metal play equipment, exclusive of wearing surfaces (slide poles, climbing rungs, swing seats, etc.) will generally be required to be painted to blend into the surrounding environment (earthtone colors comparable to dark green or brown).

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

Playhouses/Tree Houses

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

- Playhouses and tree houses must be located where they will have minimal visual impact on adjacent properties;
- In most cases, materials used must match existing materials of the home;
- Playhouses or tree houses may not be larger than 100 square feet or 12 feet total in height.

NOTE: Playhouses and tree houses, once approved, must be maintained to preserve the approved color.

Basketball Goals

A Form **is not** required to be submitted if **all** the following guidelines are met:

- Goal backboard is placed at the side edge of the driveway;
- No goal may be attached to the exterior of the house, deck, etc.,
- Backboard is white, beige, clear, or light gray;
- Post is painted black;
- If freestanding or portable, one rectangular guideline surrounding the hoop is permissible; and
- Goals are not permitted in the streets, sidewalks, or driveway entry.

GUIDELINE #7: Private Pools

Children's Portable Wading Pools

A Form **is not** required to be submitted 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 when not in use.

Above Ground Pools

Above ground pools are prohibited.

In-Ground Pools

A Form **must be submitted** for all in-ground pools. The following information is required:

- Appearance, height, and detailing of all retaining walls must be consistent with the architectural character of the house – some terracing may be acceptable;
- Privacy fencing must meet fence guidelines;
- Maximum pool area is 1,000 square feet;
- Glaring light sources which can be seen from neighboring lots may not be used; and
- Landscaping enhancement of the pool area and screening with landscaping is required.

Hot Tubs

A Form **must be submitted** for exterior hot tubs. Hot tubs must be screened from adjacent properties and streets.

GUIDELINE #8: Private Tennis Courts

A Form **must be submitted** for all tennis courts. Lot size and shape will be specific criteria governing approval. Tree removal will have a negative impact on the request. Lighted courts (other than community courts) are prohibited.

GUIDELINE #9: Fences

The original design concept of Wolf Creek Community promotes a feeling of open space; therefore, fencing is not generally encouraged. However, should an owner desire to erect a fence, a Form **must be submitted** to the ACC for approval. A request for fencing must include **all** the following information:

- Picture or drawing of fence type listing all materials being used;
- Dimensions including height, span between posts, post size, crossbeam size, and number of rails;
- Color;

- A site plan denoting the location of the fence together with information as to existing fences erected on adjacent properties.

The following guidelines have been adopted for fences in Wolf Creek:

- No chain link or wire fencing is to be used;
- The maximum height must not exceed 6 feet;
- The maximum span between posts shall be 10 feet;
- The minimum post size shall be 4x4 inches and the maximum shall not exceed 5x5 inches.
- The crossbeam structure (rails) shall not be visible from any street (e.g. finished sides of the fence must be turned to the outside);
- The rails must consist of two 2x6 inch or three 2x4 inch per section;
- The fence must be left natural or finished to coordinate with the house exterior trim colors;
- Fences shall not be located closer to any street than the rear edge of the home (on corner lots, the fence shall not be closer to any side street than the building lot line); and the fence should join the home at the rear corners on both sides.

Other items to be considered include:

- The initial finish and maintenance aspects of the fence in relation to weathering and deterioration over time;
- The ability to maintain property between fences; “alleyways” between fences are discouraged;
- The minimum height requirement for a private fence is 4 feet; the maximum is 6 feet;
- Compatibility (style and finish) of proposed fence to any existing fence on adjacent properties is highly suggested;
- The chosen fence style should be proportionate to the home and lot;
- 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 (e.g sewer)?

Fences traditionally are the most frequent request received by the ACC of any homeowner’s association. At the same time, fences tend to generate the most controversy between the ACC, the homeowner, and owners of adjacent property. For this reason a fence request **must have** the approval and signatures of the adjacent property owners.

Wolf Creek’s fence guideline is intended to establish a standard that is appropriate to the aesthetics and values of the community.

GUIDELINE #10: Vehicles and Parking

The following covenants are set forth within Article 6.15 and 6.16 of the Declaration of Covenants:

- No boat, trailer, camper, recreational, or any other type of vehicle may be parked or stored in open view on residential property for longer than 24 hours.
- No commercial vehicle displaying signage may be parked or stored in open view on residential property.
- All vehicles parked in open view and not in a garage must be operable and may not be unsightly.
- Vehicle covers for vehicles stored in driveways are prohibited.
- No vehicle may be parked on any yard.
- Parking of vehicles on the street is not allowed and carry a \$50.00 fine per occurrence. Temporary parking (of four (4) hours or less) is allowed if not a nuisance to neighbors or impediment to traffic flow. Homeowners are responsible for guest parking and must ensure that guest park in a safe manner and do not impede access to other driveways and traffic.

GUIDELINE #11: Business Use

General Guidelines

In accordance with Article 6.3 of the Declaration of Covenants, each lot shall be used for residential purposes only, and no trade or business of any kind may be conducted in or from a lot or any part of the property, including business uses ancillary to a 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 existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from the exterior of the dwelling;
- 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 USPS delivery or by other customary parcel delivery services;
- The business activity conforms to all zoning requirements for the property;
- The business activity does not increase traffic into the community;
- The business activity is consistent with the residential character of the property and does not constitute a nuisance, hazardous, or offensive use, or threaten the security or safety of other residents of the community, 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. Notwithstanding the above, the use of a lot by an on-site management company operating on behalf of the Association shall not be considered a trade or business within the meaning of this subparagraph.

COVENANT ENFORCEMENT PROCEDURES

The enforcement power of the Association is set forth within the Declaration of Covenants. The Board will follow the following procedures regarding enforcement.

Apparent covenant violations – as reported by any source – may be submitted to the ACC, to any Board member, or to the current property management company. The first action will be confirmation that a violation exists. If substantiated, the homeowner in violation will be contacted, the violation explained, and be requested to provide corrective action in a reasonable time period according to the following policy:

1. Upon recognition of a violation, a letter and/or email will be forwarded from the HOA or the designated management company advising the homeowner of the violation, stating the steps necessary to remedy the violation and a time period in which to either respond (in writing via letter or email) and/or remedy the violation. This initial notification **MAY** be accompanied with a fine (\$100.00), failure to address the violation will result in additional fines and/or penalties.
2. If the violation is not addressed within the allotted time period stated in the first notification, a second notification will be sent to the homeowner with additional fines/penalties. This second notification will contain the same information as the initial notification and will give further penalties if the violation is not addressed or corrected. This second notification will also be accompanied by a second \$100.00 fine.
3. If the violation is still not addressed within the allotted time period stated in the second notification, a third notification will be sent to the homeowner. This third notification will contain the same information as the previous notifications and will give further fines and/or penalties if the violation is not addressed or corrected. This third notification will also indicate a new time frame in order to address the violation and will also be accompanied by a \$200.00 fine which will be added to the previous fines.
4. If the violation is still not addressed within the allotted time period stated in the third notification, a fourth notification will be sent to the homeowner. This fourth notification will contain the same information as the previous notifications and

will give further fines and/or penalties if the violation is not addressed or corrected. This fourth notification will also indicate a new time frame in order to address the violation and will also be accompanied by a \$250.00 fine which will be added to the previous fines.

5. Failure to comply will result in the HOA pursuing a civil action in order to collect the dues and/or correct the violation which started the fine process. All cost accrued in this process will be done at the expense of the homeowner that is in violation.
6. Failure to comply could result in any or all of the following sanctions:
 - Suspension of the right to vote in Association matters;
 - Suspension of the right to use the recreational facilities and/or common areas;
 - Recordation of notice of covenant violation with the Superior Court;
 - Imposition of a fine on a per violation;
 - Correction of the violation by the association with all costs charged to the homeowner; and/or
 - The filing of a lien for all fines and costs, including but not limited to legal fees, to correct the violation.

UNAUTHORIZED ACTIVITY

The ACC is not authorized to accept nor approve/deny a Modification Request Form (MRF) whereas the request (work to be done) on the MRF has already been completed. Section 5.12 of the Wolf Creek Covenants specifically address this situation and provides guidance to the Homeowners Association with a step by step process in order to correct these circumstances. In part, in the event a homeowner has failed to submit an MRF when an MRF was required **and** the request has already been fulfilled, the homeowner is deemed to be in violation and the rules of the covenant should be enforced. A fine amount will be assessed to the homeowner to be determined by the HOA Board by a majority vote.

SUMMARY

It is hoped that these guidelines serve their intended purpose of providing help in understanding out community standards. If you are unsure of the need to submit a Form for a project not specifically referenced by these guidelines, please contact any member of the ACC for assistance.

Also, please remember that these are GUIDELINES. If you feel you have a unique situation that bears consideration, submit a request, and make arrangements to meet with the ACC. The ACC will make every attempt to approve the request. Any request that is denied shall be noted in writing on the MRF or via email. Current and up to date information can be found at Wolkcreekhomes.net

In the event you receive a warning letter please establish communication with the management company if you feel like the letter was sent in error. **Please do not ignore the letter.**

MOTIFICATION/IMPROVEMENT REQUEST FORM (MRF)

Return this form to the ACC or to the current property management company

Note: *this form must be complete and returned to the homeowner with an approval prior to commencing any work.* Incomplete Forms will be returned to the homeowner. Documentation submitted for review becomes property of The Wolf Creek Homeowner's Association.

Name:		Date:	
Address:		Home/Cell Phone:	
City/State/Zip:		Office Phone:	
Email:		Lot/Block:	

Please provide the ACC with all the information necessary to evaluate your request thoroughly and quickly. Requests must include, without limitation, the following information: site plan (including ALL dimensions), color chips/samples, detailed description of the request, list of materials, pictures, brochures, and any other information as specifically required by the Community Design Guidelines and Standards for Wolf Creek.

Description of Improvement or Modification Request (attach separate sheets if needed):			
Estimated Start Date:		Completion Date:	

Acknowledgement of Adjacent Homeowners (all homeowners sharing a common boundary line): This acknowledgement will be considered by the ACC, but will not be binding upon the ACC.

Name	Signature	Lot/Block	Approve	Disapprove

I understand and agree that no work on this request shall commence until written approval of the Wolf Creek ACC has been received by me. I represent and warrant that the request improvements and/or modifications strictly conform to the *Community Design Guidelines and Standards* and that these changes shall be made in strict conformance to those guidelines. I understand that I am responsible with all city, county, and state regulations.

Neither Wolf Creek Homeowners Association, the Association Board of Directors, the ACC nor their respective members, officers, successors, assigns, agents, representatives, or employees shall be liable for damages or otherwise to anyone requesting approval of an architectural alteration by reason of mistake in judgement, negligence or non-feasance, arising out of any action with respect to any submission. The architectural review is directed toward review and approval of the site planning, appearance, and aesthetics. None of the foregoing assumes any responsibility regarding design or construction, including, without limitation, the structural integrity, mechanical or electrical design, methods of construction, or technical suitability of materials. I hereby release and covenant not to sue all of the foregoing from/for any claims or damages regarding this request or the approval or denial thereof.

Homeowner's Signature: _____ Date: _____

Homeowner's Signature: _____ Date: _____
(all homeowners must sign)

FOR ACC USE ONLY:

Date Received: _____

Approved Denied By (ACC Member/Date): _____

<p>Conditions: This approval is valid until _____. If the project has not been completed by then, the homeowner must resubmit the request.</p>

<p>Comments:</p>

Final Inspection Date: _____
 Approved Rejected* By (ACC Member/Date): _____

*If rejected, please attach a separate sheet explaining reason, corrective action required, and completion date. Homeowner must acknowledge by signature.