

DESIGN STANDARDS

COOPER'S POND

1. **AUTHORITY.** This DESIGN STANDARDS document is promulgated pursuant to authority granted to the Architectural Control Committee (hereinafter referred to as the "ACC") of the Cooper's Pond Development (hereinafter referred to as the "Development") under Section 5.05 of the Cooper's Pond Declaration of Covenants, Restrictions and Easements, recorded in Deed Book 2949, Page 314, Gwinnett County, Georgia records (hereinafter referred to as the "Declaration"). The requirements of these Design Standards shall be in addition to and not in lieu of the requirements and provisions of the Declaration.

2. **PURPOSE.** Plans and specifications must be submitted to and approved by the ACC pursuant to the Declaration and these Design Standards for the sole and exclusive purpose of assuring that all Structures within the Development are in conformity and harmony of external design and general quality and in conformity and harmony with existing standards of the neighborhood.

3. **DEFINITIONS.** The word "Structure", "Owner", and "Lot", as used herein shall have the same meaning as such words have in the Declaration.

4. **SUBMISSION OF PLANS AND SPECIFICATIONS.**

A. Plans and specifications for the construction or placement of any structure on any Lot shall be submitted to and reviewed by the ACC in accordance with the requirements of Section 5.06 through Section 5.08 of the Declaration. Each Owner shall submit to the ACC two (2) complete sets of such plans and specifications clearly designating which Lot is covered by such plans and specifications.

B. All plans and specifications required to be submitted to the ACC shall be delivered to the following addresses, unless otherwise notified:

Chatham Communities, Inc.

6075 Roswell Road, N.E.

Suite 410

Atlanta, Georgia 30328

5. **CONSTRUCTION**

A. After approval by the ACC of plans and specifications for any Structure and prior to the commencement of any construction or grading on the Lot for which such plans and specifications were approved, the location of such Structure shall be clearly marked on such Lot. After such marking, the representative of the ACC inspect the proposed location of the Structure as marked on the Lot to determine whether such location is consistent with the guidelines for location of buildings contained in Section 7A of these Design Standards. After receipt of such written request, the ACC shall have five (5) working days in which to: 1) inspect the proposed location of the Structure as marked on the Lot, and 2) notify the Owner in writing of its approval or disapproval of the proposed location of the Structure. In any case in which the ACC shall disapprove the proposed location, or shall approve the same only as modified or upon specified conditions, such disapproval or qualified approval shall be accompanied by a statement of the grounds upon which such action was based. In any such case the ACC shall, if requested, make reasonable efforts to assist and advise the applicant in order that an acceptable location may be marked and submitted for approval. In no event shall the Owner allow any grading or cutting of trees on the Lot prior to approval of the proposed location by the ACC.

B. During approved construction, all vehicles in any way connected with such construction shall enter the Lot or Lots under construction only by the driveway as approved in the plans and specifications by the ACC. All vehicles shall be parked at the Lot to avoid damage to trees, paving, curbs, gutters, and any other improvements on the Lot.

C. All stumps and brush are to be removed from the surface of the lots prior to foundation construction. Construction debris shall be removed as often as necessary to keep the Lot and any Structure thereon attractive. Construction debris shall not be dumped in any area of the Development unless approved in writing by the ACC.

D. Lots shall be graded in such a manner so as not to block any natural or manmade swales, ditches or drainage structures. Earth berms, hay bales, silt fence, mulch, boards, grassing, gravel blankets and any other approved siltation and erosion control measures shall be installed prior to grading of all Lots to prevent mud and silt from running off the Lot onto streets and any other adjoining property. Whenever possible, Lots shall drain independently from, rather than to adjoining Lots.

6. **DESIGN DETAILS.**

A. **Minimum House Sizes:** No single family residential Structure shall be located on any Lot unless said Structure shall have at least 1,800 square feet of heated living area. Any such Structure which exceeds one story in height shall have not less than 1,000 square feet on the ground floor and at least 2,000 square feet of total heated living area. No such Structure shall exceed two stories in height, excluding basement, provided however, that single family residential Structures may, subject to the approval of the ACC, be designed as Split-Level Structures which are three stories high. The words "Split-Level Structures" as used herein, shall mean single-family residential Structures in which floor levels of living space are separated so that ground levels are in differing elevations and a part of such Structure is three stories in height. In the case of Split-Level Structures there shall be not less than 1,500 feet of heated living area on the two ground floor elevations and at least 1,900 total square feet of heated living area.

B. **Set-Backs.** In no event shall the set-backs be less than those required by the Gwinnett County Subdivision Ordinance.

C. **Garages.** Garage doors shall be coordinated with all Structures on the Lot and materials and colors for such doors shall be specified on the plans and specifications submitted to the ACC for approval.

D. **Windows and Doors.** Silver-finish aluminum doors (including sliding doors), windows, storm windows, and storm doors shall not be approved. A factory-painted or anodized finish aluminum may be used, the color of which shall be specified in the plans and specifications submitted to the ACC for approval and shall be subject to the color guidelines contained in Section 8B of these Design Standards.

E. **Exterior Colors and Materials.** All exterior colors and materials of all Structures shall be specified in the plans and specifications submitted to the ACC for approval and shall be subject to the color and material guidelines contained in Section 8 of Design Standards. An Owner wishing to make changes in these scheduled colors, may do so only by consulting with the ACC in order to achieve a well-coordinated color scheme throughout the community.

F. **Roof.** Roofing material and color shall be specified in the plans and specifications submitted to the ACC for approval, and shall be subject to the color and material guidelines contained in Section 8 of these Design Standards. All plumbing or heating vents that do penetrate the roof surface shall be painted to blend with the roof color.

G. **Driveways.** Driveways shall be constructed with concrete, provided however, that the other hard surface material such as asphalt may be approved by the ACC if an exception is requested when plans and specifications are submitted to the ACC for approval. Driveways should be curved when possible taking into consideration existing trees and landscape planting.

H. **Landscaping.** A written plan of landscaping **must** be submitted to the Architectural Control Committee **prior** to installation of any materials; this plan should include a drawing to show location, variety and size of all plant materials, as well as location and description of all "hardscape" items such as fences, walls, rocks, fountains, statuary, and so forth. Landscaping shall be completed in accordance with approved plans not later than thirty (30) days after: 1) final inspection of the residential structure by the Gwinnett County building inspector, or 2) occupancy of residential Structure, whichever is earlier.

I. **Mailboxes.** No mail box or paper box or other receptacle of any kind for use in the delivery of mail, newspapers or similar material shall be erected or placed on any Lots or Structures unless it shall conform to the designs and specifications adopted by the ACC. A standard mailbox design has been adopted for the entire Development and plans and specifications are available from the ACC.

J. **Pre-fabricated or Factory Built Structures.** Pre-fabricated or factory built structures shall not be permitted within the Cooper's Pond subdivision.

7. **SITE PLANNING AND DESIGN**

A. **Location of Structures.** All structures together with related paved and open areas, shall be located on each Lot to:

- (1) minimize changes in the existing topography;
- (2) preserve existing trees and vegetation to the maximum extent possible;
- (3) control drainage and prevent erosion as stated in Section 5D of these Design standards;
- (4) create prime views and conceal unsightly areas.

8. **COLORS AND MATERIALS GUIDELINES.**

A. **MATERIALS.**

1. A minimum number of exterior materials shall be used on Structures to avoid a cluttered appearance. Where two materials are used (in addition to glass), one shall be dominant.

2. Secondary materials, when used, shall complement the dominant material in texture and color.

3. Recommended materials include:

- (a) wood siding, painted or stained wood, hardboard beveled;
- (b) brick - there shall be no weeping or black mortar. Samples of all brick must be submitted for approval. Old used brick will be accepted in special areas, as will be the painting of brick;
- (c) stone- shall be Tennessee Field Stone with gray mortar (no black mortar);
- (d) natural plywood siding with well detailed edges and joints;
- (e) cedar shakes or shingles;
- (f) asphalt shingles which are very dark brown, black, shadow-black and other trade names of various dark brown or black asphalt roofing;
- (g) wood garage doors of simple design;
- (h) stucco of approved manufacturer.

4. Unacceptable materials include:

- (a) artificial brick, stone or wood;
- (b) color coatings which simulate natural materials;
- (c) unnatural tones of brick and stone;
- (d) exposed concrete foundations - all visible concrete

foundations must be veneered with brick, stone or stucco as is compatible with house design and specified by the ACC.

- (e) visible silver finish and aluminum flashing;
- (f) unfinished standard concrete block or poured concrete walls ;

(5) The exterior materials of all Structures on all Lots shall be harmonious and complementary.

C. **Colors.**

(1) The exterior colors of the walls and roof of a single-family residential Structure shall be compatible and harmonious with the colors of nearby single-family residential Structures. Highly bright and reflective colors shall be avoided.

(2) A minimum number of exterior colors shall be used. When more than one color is used, one shall be clearly dominant.

(3) Secondary colors shall be:

- (a) compatible with the dominant color;
- (b) limited to architectural details such as fascia frames and other building trim.

(4) High contrast colors, when used on Structures shall be limited to major architectural elements such as entry doors.

9. **SCREENING GUIDELINES.**

A. Screening shall be used within the Development to define private spaces or to attract or divert attention to or from particular views.

B. **Objects to be Screened.** - In every instance screening shall be used in connection with the following:

- (1) exterior, ground-level machinery, such as air-conditioning, heating equipment, swimming pool equipment, etc.
- (2) Outside storage and service areas for equipment, supplies

and woodpiles; and

(3) Refuse containers and related storage areas.

C. **Methods of Screening.** Subject to the approval of the ACC, the following methods of screening may be used:

(1) Earth banks and berms -such earth banks and berms shall:

(a) Have a maximum slope of 2:1 and

(b) be covered with an acceptable grass or ground cover suited to the slope.

(2) Planting screens - such planting screens shall:

(a) be composed of plants approved by the ACC;

(b) be installed at a minimum height of 3 feet, with an expected three year height of 6 to 8 feet; and

(c) be spaced at a density which will create an effective year-round visual screen.

(3) Fences and walls - such fences and walls shall:

(a) complement the design, texture and color of all Structures on the same Lot;

(b) shall be a maximum of 6 feet above grade in height;

(c) shall include planting as an integral component; and

(d) shall not attract attention as distinct architectural elements.

(4) Prohibited Screening -

(a) Woven metal or chain link fences shall not be used with the exception of the chain link fence around the tennis courts at the recreation area.

10. **AMENDMENT.** These Design Standards may be amended from time to time by a majority vote of the members of the ACC.

11. **EXCEPTIONS:** Exceptions to these Design Standards may be allowed by majority vote of the members of the ACC, but only in cases where the ACC

determines that (i) an exception is necessary in a particular case to avoid undue hardship or to deal with unique, unusual or extraordinary conditions or circumstances encountered on a particular lot; and (ii) the exception will serve the spirit of these Design Standards and not be to the detriment of the Development. Such exceptions shall be in writing. No exception allowed hereunder shall have any precedental or other effect upon any other situation in which an exception is requested of, or considered by, the ACC.

Approval of any Structure by the ACC in no way is a certification that the Structure has been built in accordance with any governmental rule or regulation or that the Structure complies with sound building practice or design.