

# **Lake Dow North Property Owners, Inc.**

## **ACC Guidelines**

**(Updated May 2009 to reflect removal of Subdivision Services as a contact)**

## **ACC Guidelines for Lake Dow North Property Owners, Inc.**

The ACC has authority to review all plans to construct any home or improvements in the Lake Dow North community, No construction of any home or improvement can be legally commenced in this community without ACC approval. If you begin construction of a new home or make exterior changes to an existing home without ACC approval, you can be sued by the Association to correct the violation.

All new construction and home improvements must be documented through the approved ACC applications. If you get a building permit from the County, you will still need ACC approval. Approval from the County does not constitute approval from the ACC. The Committee still requires that your plans be submitted in writing for review.

All Board members, agents, and members of the ACC, while acting on behalf of the ACC or the LDN POA, shall be legally protected from action against them, as set forth in the legal documents of the Community.

### **How to Submit a Request**

The ACC application can be obtained using any of the following options:

- Through the POA web site, at [www.lakedownorth.com](http://www.lakedownorth.com), click on the Board/Committee Info tab, click on ACC Requirements;
- By emailing the officers of the POA, at [ldnpres1@bellsouth.net](mailto:ldnpres1@bellsouth.net) or by calling 770-954-1688,
- By emailing the POA management company, at [www.grace-management.com](http://www.grace-management.com) or by calling 770-389-6528 or fax 770-506-8430,
- Through U.S. postal mail at: Lake Dow North Property Owners, Inc., P O Box 1677, Stockbridge, GA 30281.

### **ACC Contact**

Bob Kaczowski, 678-583-0112 or [bbkaz@bellsouth.net](mailto:bbkaz@bellsouth.net) – VP of the ACC committee.

### **ACC Process Steps**

1. When requests are received, the ACC will make sure the application is complete, including the signature and deposit money if required, and then fill in the date received and initial. If it is not complete, the homeowner will be notified that it was not accepted and the additional elements required to be completed.
2. Completed forms are then reviewed by the ACC at their monthly meeting. Meetings are held the last Thursday of each month.
3. The ACC has 30 days upon receipt of a completed form to notify the owner/builder of approval or disapproval.
4. ACC members will conduct site visits.
5. For approved activities, owner/builder will receive a letter with a copy of the approved application notifying them of the approval. The original form with all signatures and written comments will be maintained by the ACC.
6. Construction can begin with the approved ACC application.

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7. For applications not approved, a letter will be sent along with the application explaining the reason/s why the application was not approved. The original form with all signatures and written comments will be maintained by the ACC.
8. If the ACC fails to approve, conditionally approve, or to disapprove such application within forty-five (45) days after the application and such information as the ACC may reasonably require shall have been submitted, its approval will not be required and this Article shall be deemed complied with, unless such construction, modification or improvement otherwise is in violation of the Declaration, the Bylaws, the design standards, the Association's rules and regulations, or applicable zoning ordinances.

### Appealing the ACC Decision

Owner/Builder shall have the right to appeal the decision of the ACC to the Board of Directors. The Board shall rule on the appeal within thirty (30) days of receiving written notice requesting an appeal from the Owner/Builder. There is no appeal beyond the Board of Directors.

### ACC Checklist

<input type="checkbox"/> Review the ACC guidelines (new or home improvement) that most closely relate to your project.
<input type="checkbox"/> Gather information about your new home or planned modification. Whether seeking bids, working with your prospective contractor, or designing a do-it-yourself project, you should provide, in writing, as many details as possible. This will benefit all parties (you, the contractor, your neighbors, and the ACC) and will help head off future misunderstandings.
<input type="checkbox"/> Obtain construction documents (or drawings) prepared by a qualified person. Documents should include details of construction, materials, waterproofing, drainage, plans, sections, elevations, code requirements, along with any other details that will enable the ACC to make a decision.
<input type="checkbox"/> Call the County Government building permits to determine whether any permits will be needed for the work. It is important to remember that a project may be acceptable as far as the County is concerned but remain unacceptable to the ACC. In all cases, the Lake Dow North Property Owners, Inc., (LDN POA) covenants take precedence.
<input type="checkbox"/> Make sure your forms are submitted to the ACC Vice President or a committee member.
<input type="checkbox"/> Application must be submitted to the ACC at least 10 days in advance.
<input type="checkbox"/> Make sure you have no outstanding money owed the Association.
<input type="checkbox"/> Include new construction deposit (\$3500) plus the \$100 design fee review.
<input type="checkbox"/> Make sure all required signatures are on the application.

# ACC Guidelines for Lake Dow North Property Owners, Inc.

## HOME IMPROVEMENTS CRITERIA

### DESIGN REVIEW FEE

- No fee is required for home improvements.
- No review is conducted until all required documents are submitted.

### ASSESSMENTS

1. Must be paid and current.
2. No review will be conducted until all assessments, fines, work orders and all interest and late fees are paid.

### PHOTOGRAPHS

In color, of the site and surrounding residences showing:

1. View of site from the street
2. Views of four houses adjoining on each side and of the four houses opposite on the other side of the street (identify by lot number and/or address)

### FENCES

1. Applications must include plat with drawing.
2. Must be in the backyard only and may come up on the sides of the house to no closer than 10 feet of the front corners.
3. Plats must be submitted with the placement of the fence shown on it.
4. Shrubbery must cover the exterior of the fence. Hedges must also be approved by the Architectural Review Committee.
5. Chain link fences are prohibited.

### ENCLOSED PORCHES/SCREENED PORCHES

1. Enclosed porch application must include description and picture of similar porch for consideration.
2. Screened porches must have similar roofing as the house. No screened porches may have screening as the roof.
3. Closed in porches must match the house in terms of siding/color but entirely glassed-in porches will be considered.
4. Porches must be attached to the back of the home - closed in structures separate from the house are not acceptable.

### Other Items that require an application, plans and ACC approval (list not inclusive)

1. Decks. Deck Addition – must be behind house.
2. Swimming Pools must conform to the same setbacks as those required of all structures. Only in-ground pools are permitted. (Children's wading pools must be removed when not in use).
3. Removal of trees more than six inches in diameter.
4. Roof Replacement.
5. Window Replacement.
6. Mailbox Replacement.
7. Recreation and Play Equipment (Play houses, swing sets.)
8. Storage sheds are prohibited.

## **ACC Guidelines for Lake Dow North Property Owners, Inc.**

### **NEW HOME CONSTRUCTION CRITERIA**

#### **DESIGN REVIEW FEE**

- Check for \$100 for new construction only.
- All additions and alterations require approval only.
- No review is conducted until all required documents are submitted.

#### **DEPOSIT**

- A deposit of \$3500 is required for all new construction. The purpose of the deposit is to ensure that the owner and the owner's builder comply with the provisions of these guidelines and the Lake Dow North Declaration. This deposit may be used by the Association to cure any violation by the owner or the owner's builder of the Declaration, including payment of any fines levied by the Association, or to cure any violation of these guidelines.

#### **ASSESMENTS**

- Must be paid and current on the Lot.
- No review will be conducted until all assessments, fines, work orders and all interest and late fees are paid.

#### **TWO (2) PLAT COPIES SHOWING**

1. Meets and bounds.
2. Setback lines.
3. Footprint of the structure(s) with dimensions.
4. Location of outdoor mechanical equipment.
5. Tabulations of lot area and the square footage of the structure(s) per floor.
6. Tree coverage and clearing indicating all trees over 6" diameter standing outside the ten-foot allowable clearance line. (The inclusion of septic and utilities can inform the clearing requested.)

#### **TWO (2) LANDSCAPE PLAN COPIES INCLUDING**

1. Paved areas and their materials, fences and their design, water features, screening of mechanical equipment, planting beds, shrubs, and sod (as specified by covenants).

#### **SQUARE FOOTAGE**

Two thousand (2000) square feet shall be the minimum size dwelling allowed for Lots not located on the waterfront. Three thousand (3000) square feet shall be the minimum size dwelling allowed for Lots located on the waterfront.

#### **PHOTOGRAPHS**

In color, of the site and surrounding residences showing:

1. View of site from the street.
2. Views of four houses adjoining on each side and of the four houses opposite on the other side of the street (identify by lot number and/or address).

## ACC Guidelines for Lake Dow North Property Owners, Inc.

### NEW HOME CONSTRUCTION CRITERIA (continued)

#### ELEVATIONS

(min. 1/8' scale) of the structure(s) from all sides showing:

1. Complete conformation of the building showing all details including, but not limited to: doors and windows, trims and cornices, articulation of windowpanes and screen dividers.
2. Building materials and colors.
3. Roof slopes (minimum - 12:8).
4. Vertical dimensions on all elevations of major components showing: distance from the average grade to the eave and the height of the highest ridge above the eave line. Height will conform with Henry County Code 3-7-22, Building height definition. See ACC Review Criteria.
5. Wall sections and section details to support the major exterior design elements.

#### ADDITIONS AND ALTERATIONS

Submissions shall be in conformance with those outlined for New Construction only as they apply. A proposed addition is to be shown on a plat as to footprint and setbacks and square footage. Elevations, either as drawings or modified photographs are the same as for new structures. Photographs, in this case, are required only for the structure being modified, and of sufficient information to confirm style and materials. Two (2) sets of plans must be provided to the ACC for review.

#### REVIEW CRITERIA

The following are clarifications of some of the issues addressed by the Architectural Control Committee in the approval of plans for construction at Lake Dow North. **No review will be conducted until all assessments, fines, work orders and all interest and late fees are paid.**

#### CONFORMANCE REQUIREMENTS:

Materials: In accordance with LDNHOA Covenants, all structures will be finished with Brick, stucco and stone are regarded as generally inappropriate for dormers or architectural features supported on wood (columns).

**Mechanical equipment** and swimming pools will conform to the same setbacks as those required of all structures.

**Building heights** will be examined as to conformance with Henry County Zoning Code and will be applied to all elevations. Clarification: Height is measured from the average finish grade to the mid-point between the eave line and the highest ridge and is restricted to 35 feet. Number of stories will be examined as to conformance with the Henry County Zoning Code definition of Basement: The area below the first floor level in a building and having not more than one-half (1/2) of its height above grade.

**Maintenance:** Owners of lots with house construction in progress are required to maintain the lot perimeter - keeping weeds and over-growth cut, install and maintain a silt fence on four sides, provide a dumpster and timely removal of trash and debris.

## ACC Guidelines for Lake Dow North Property Owners, Inc.

### NEW HOME CONSTRUCTION CRITERIA (continued)

Failure to comply shall result in fines of \$500 or more and will be deducted from the deposit of \$3500, in addition to any costs incurred by the homeowners association to assure compliance will also be deducted.

#### **ESTHETIC CONSIDERATIONS:**

Whereas, the standards of the ACC, the community, its designers and builders has produced an overall harmonious effect, it should be noted that established patterns suggest goals for the fifteen percent of build-out remaining for the future.

**Standards** Whereas, the standards of the ACC, the community, its designers and builders has produced an overall harmonious effect, it should be noted that established patterns suggest goals for the fifteen percent of build-out remaining for the future.

**Style:** There has been an overwhelming trend to multiple gabled facades, the current trend in the off-the-shelf builders' plans available in the past ten years. The verticality of such gables, steep roof pitches and yawning entrance features have become dominant. Alternative styles will be encouraged in order to vary the texture of the streetscapes and to create a community that is less dated by the overuse of such plans.

**Materials and color:** Exterior building materials shall be of stucco, glass, brick, or stacked stone; however, the ACC may approve the use of other materials on bay windows, cantilevers, gables, or donners. However, all chimney chases must be constructed of either stucco, brick, or stacked stone

While building materials are restricted to brick, stucco and stone, there should be more variety in color within these materials. The current trend toward ox-blood brick with matching mortar has run its course. Designers and builders will be encouraged to offer other colors of brick and with contrasting mortar.

**Details:** When employing or borrowing from traditional forms, the basic standards of those forms should control, e.g. a pediment sitting on columns requires a vertical frieze (beam) between the soffit and the tops of the columns and should not sit directly on the column cap. This particular example is singled out as one sometimes misunderstood by builders in the development.