



THE  
WATERFORD  
AT CARTERSVILLE

DESIGN STANDARDS

**Approved as Amended: May, 2008; April 2011; February 2015; May 2015;  
August 2015; September 2015**

**THESE DESIGN STANDARDS ARE WRITTEN FOR NEW CONSTRUCTION AND ANY ALTERATIONS, ADDITIONS OR REPAINTING OF EXISTING STRUCTURES.**

**IF THE HOMEOWNER PROCEEDS WITH ANY ALTERATIONS, ADDITIONS OR REPAINTING WITHOUT PRIOR APPROVAL BY THE ACC, THE HOMEOWNER RUNS THE RISK OF HAVING TO CORRECT ANY VIOLATION AT HIS OWN EXPENSE.**

**(In order to have one inclusive document relevant provisions of the Declaration are herein included in *italics* for informational purposes.)**

## DESIGN STANDARDS

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 WATERFORD DEVELOPMENT (hereinafter referred to as the “Development”) under section 5.04 of the THE WATERFORD Declaration of Covenants, Restrictions and Easements, recorded in Deed Book 58, pages 188, A-E Bartow County, Georgia records as amended (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 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 with existing standards of the neighborhood.
3. **DEFINITIONS.** The words “Association”, “Common Property”, “Development”, “Board”, “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. *No structure shall be commenced, erected, placed, moved onto or permitted to remain on any Lot nor shall any existing Structure upon any Lot be altered in any way which materially changes the exterior appearance of the Structure or Lot, unless plans and specifications therefore shall have been submitted to and approved by in writing by the ACC. Such plans and specifications shall be in such form and shall contain such information as may be reasonably required by the ACC including but not limited to:
    - (i) a drawing showing the location of all proposed and existing Structures on the Lot including building setbacks, open space, driveways, walkways, retaining walls, and parking spaces including the number thereof and all siltation and erosion control measures;
    - (ii) a foundation plan;
    - (iii) a floor plan;
    - (iv) exterior elevations of all proposed Structures and alterations to existing Structures, as such Structures will appear after all backfilling and landscaping are completed;
    - (v) specifications of materials, color scheme, lighting scheme and other details affecting the exterior appearance of all proposed Structures and alterations to existing Structures; and
    - (vi) plans for landscaping and grading.*

- B. *Upon approval by the ACC of any plans and specifications submitted, two (2) copies of such plans and specifications, as approved, shall be deposited for permanent record with the ACC. Approval for use in connection with any Lot or Structure of any plans and specifications shall not be deemed of a waiver of the ACC's right, in its discretions, to disapprove similar plans and specifications or any features or elements included therein if such plans and specifications, features or elements are subsequently submitted for use in connections with any other Lot or Structure. Approval of any such plans and specifications relating to any Lot or Structure, however, shall be final as to that Lot or Structure and such approval may not be revoked or rescinded thereafter, provided that there has been adherence to, and compliance with, such plans and specifications, as approved, and any conditions attached to any such approval.*
- C. *The ACC shall have the right to disapprove any plans and specifications submitted because of any of the following:*  
*(i) the failure to include information in such plans and specifications as may have been reasonably requested;*  
*(ii) the failure of such plans and specifications to comply with the Declaration of Covenants or the Design Standards; (iii) any other matter which in the judgment of the ACC, would be likely to cause the proposed installation, construction or alteration of a Structure (a) to fail to be in conformity and harmony of external design and general quality with the Standards of THE WATERFORD Development as set forth in the Design Standards or the Development-Wide Standard, or (b) as to location to be incompatible with topography, finished ground elevation and surrounding structures. In any case in which the ACC 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 proposal may be prepared and submitted for approval.*
- D. *The ACC shall take action on any plans and specifications submitted as herein provided within thirty (30) days after receipt thereof. Approval by the ACC, if granted, together with any conditions imposed by the ACC, shall be placed in writing on the plans and specifications and shall be returned to the applicant. Failure by the ACC to take action within (30) days of receipt of plans and specifications submitted shall be deemed approval of such plans and specifications.*
- E. *A rendering may be submitted for initial tentative approval. Initial tentative approval of a rendering shall not be considered final and*

no construction, grading, etc, shall commence until approval of the referenced plans and specifications.

5. CONSTRUCTION

- A. After approval by the ACC of the plans for any Structure and prior to the commencement of any construction or grading on the Lot for which such plans were approved, the location of such Structure shall be clearly marked on such lot. After such marking, the Owner or the Owner's contractors shall request in writing that a 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 of these Design Standards. Within a reasonable time after receipt of such written request, the ACC shall: 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 accomplished by a statement of the grounds upon which such action is based. In any 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 a lot prior to the 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. In no event shall any driveways other than those approved by the ACC be constructed or used for temporary access to any Lot. 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 Lots prior to foundation construction, and no such stumps, brush or other debris shall be buried on such Lots. 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 and hay berms and silt screens shall be installed on Lots by Owner thereof when, in the opinion of the ACC, such Lot may erode due to topography. Whenever possible, Lots shall drain independently

rather than to adjoining Lots. (See Section 6.04, Erosion Control, of the Declaration)

- E. Corner lots are treated as having two front elevations.

6. DESIGN

- A. **MINIMUM HOUSE SIZE.** No single family residential Structure shall be located on any Lot unless said Structure shall meet or exceed the minimum square feet (heated living area) requirements established by the ACC. Structures on lower Lots, as designated by the ACC, shall be a minimum of 1600 square feet. Structures on Middle Lots, as designated by the ACC, shall be a minimum of 2000 square feet. Structures on Upper Lots, as designated by the ACC, shall be a minimum of 2400 square feet.
- B. **SET BACKS.** Building area set backs shall be within the recommended building lines indicated on the recorded subdivision plats of the Development, currently 20 feet from the pin, provided however, that less restrictive set backs may be approved by the ACC if an exception is requested when plans are submitted to the ACC for approval. In no event shall the set backs be less than those required by the City of Cartersville Subdivision ordinance.
- C. **HOUSES ON SLAB.** All slab houses must be on “built-up slab” up from finished walkway to interior finished floor elevation. The exterior of the concrete block foundation is to be veneered with brick, stone or stucco, depending on the exterior of the main house. A minimum of three steps up to the finish floor is required.
- D. **FOUNDATIONS.** All houses must have brick or stone foundations, as applicable to the material of each individual house, including around chimneystack. Porch foundations must have brick or stone on the entire front foundation under the porch or brick or stone piers with lattice between.
- E. **CHIMNEY STACKS.** Chimneystacks on front and sides of houses may not be cantilevered and hang in the air. They must sit on foundations veneered with brick or stone as applicable to the material of each individual house. Cantilevered chimney stacks are allowable on the rear only. No other cantilevered construction is allowed. Drive-under houses must have a built-out shed roof at the side of the house which can function as a chimney base. All chimney tops whether brick, stucco, or siding chimneys must be topped with a metal shroud painted black.
- F. **GARAGES.** The orientation and location of garages should be determined in relation to topography, trees and building lines in conjunction with overall house approval. Garage doors which face a street must be equipped with automatic closing devices. Garage doors shall be coordinated with all structures on the Lot and

materials and colors for such doors shall be specified on the plans submitted to the ACC for approval.

- G. DOORS, WINDOWS, AND SHUTTERS. Silver-finish aluminum doors (including sliding doors) and windows shall not be approved. A factory-painted or anodized finish aluminum or vinyl windows may be used, the color of which shall be specified in the plans submitted to the ACC for approval, and shall be subject to the color guidelines contained in these Design Standards. Window shutters must be appropriate for the style of the structure and size of the window. Vinyl shutters may be used, the color of which shall be specified in the plans submitted to the ACC for approval, and shall be subject to the color requirements contained in these Design Standards. Screen porches shall have dark color screens. Pediments (wood/stucco) or brick detailing required over all windows and doors where roofline permits. A trim package is required around the front entry. Bay windows must have front and corner sides. Siding is not allowed on a bay window. Dormer windows require raised panels on the front and are required on large roof expanses. Siding is not allowed on the front of dormers. The “dog house” look is to be avoided by having smaller overhangs with crown trim.
- H. EXTERIOR COLORS AND MATERIALS. Exterior colors and materials on all speculation houses as well as contract houses shall be specified in the plans submitted to the ACC for approval and shall be subject to the color and material guidelines contained in these Design Standards. Should a builder or homeowner wish to make changes in these scheduled color schemes, or design their own colors, this may be done only by consulting with the ACC in order to achieve a well-coordinated color scheme throughout the community. The main material used on the front of a structure must be used on side of same structure. Facing materials used on external projections shall be wrapped around the sides to intersect with the facing material of the main body of the structure. No metal posts for decks are allowed without ACC approval.
- I. ROOF. Roofing material and color shall be specified in the plans submitted to the ACC for approval, and shall be subject to the color and material guidelines contained in these Design Standards. No plumbing or heating vent shall penetrate roof surfaces which face the street or street adjacent to the residential structures. All roof stacks and flashing must be painted black or blend with roof color. A minimum 10/12’ roof pitch is required on the main body and accent gables.
- J. ROADS AND DRIVEWAYS; VEHICLES AND TRAILERS. *No road or driveway shall be constructed or altered on any Lot without the prior written approval of the ACC of plans and specifications for such roads or driveways.* Driveways shall be

constructed with concrete. However, other hard surfaced material may be considered by the ACC if an exception is requested when plans are submitted to the ACC for an approval. Existing trees, topography and landscape planning should be taken into consideration and where possible driveways should curve. *No house trailer, mobile home, motor home, recreational vehicle, camper, bus, truck with camper top, box truck, boat or boat trailer, garden trailer, storage or equipment trailer, or like equipment, vehicles or trailers, shall be permitted on any Lot on a permanent or ongoing basis, but shall be allowed on a temporary basis not to exceed forty-eight (48) consecutive hours.* No automobile or vehicle or trailer, as described above, belonging to an Owner, family member, or guest shall be parked on a lawn on an ongoing basis. *Notwithstanding the foregoing, any such vehicles or equipment may be stored on a Lot, provided such vehicle or equipment is kept in an enclosed space and is concealed from view by neighboring residences and streets, and be approved in writing by the ACC.* A garden trailer may be stored on a Lot, provided the trailer is concealed from view by neighboring residences as much as possible, cannot be viewed from the street, and is approved in writing by the ACC.

- K. LANDSCAPING AND MAINTENANCE. A written plan of landscaping must be submitted to the ACC 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 and so forth. All grass areas in the front yard shall be commercial sod. Plantings must be live plants. No artificial plants are permitted. Landscaping shall be completed in accordance with approved plans not later than thirty (30) days after: (1) final inspection by the City of Cartersville building inspector, or (2) occupancy of residential structure, whichever is earlier. In the case of existing homes, proposed significant changes and additions in landscaping must be submitted in detail as set out in subparagraph (1) above. A time frame for completion shall be agreed upon between the ACC and the homeowner. *No tree having a diameter of three (3) inches or more (measured from a point two [2] feet above ground level shall be removed from any Lot unless shall removal is in conformity with plans approved by the ACC.* *Each Owner shall keep and maintain each Lot and Structure owned by him, as well as all landscaping located thereon, in good condition and repair, including, but not limited to (i) the repairing and painting (or other appropriate external care) of all Structures, and general appearance of the property (ii) the seeding, watering and mowing of all lawns, (iii) the pruning and trimming of all*



*trees, hedges and shrubbery; in particular so that the same are not obstructive of a view by motorists or pedestrians of street traffic, and (iv) the weeding, trimming, etc. of landscaped or natural areas adjacent to a street. Notwithstanding the foregoing, the maintenance required hereunder shall also extend from the boundary of a Lot to the curbing of the right-of-way bordering said Lot. Landscaping maintenance equipment when not in use shall not be visible from the street.*

In regard to vacant lots Owners are required to maintain the height of grass and ground cover to no more than twenty-four (24) inches up to the border of any adjoining dense wooded areas. These height restrictions apply to trimming around all obstacles to include light poles, street signs, individual trees, etc. A properly edged curb must be maintained.

- L. POOLS AND SPA EQUIPMENT. Plans for proposed swimming pools, hot tubs, surrounding decks, fencing and screening must be submitted for approval before any clearing, grading or construction is commenced. There will not be any aboveground pools approved.
- M. ANTENNAE. *No exterior television or radio antennae of any sort shall be placed, allowed or maintained upon any portion of a Structure or Lot without prior written approval by ACC. No antennae shall be installed or used for the purpose of transmitting of electronic signals.* The intent of this paragraph is to prohibit installation of above-mentioned Structures. A satellite dish or receiver should not be installed on the front of a home and whenever possible should not be visible from the street.
- N. MAILBOXES. All mailboxes must be a black steel large U. S. Postal Office mailbox, size 10.875" H x 8.5" W x 22.25" D unless otherwise approved by the ACC. All mailboxes must be mounted on the white standard post with green base as required by the ACC. Mailboxes and posts shall be maintained and kept in good condition.
- O. RECREATIONAL EQUIPMENT. *Recreation and playground equipment shall be placed or installed only upon the rear of a Lot as approved by the ACC. Basketball goals may be placed adjacent to the driveway but shall be painted to match the house.* Basketball backboards approved by the ACC for attachment to the house must be painted to match the house.
- P. PREFABRICATED STRUCTURES. Prefabricated or factory built structures (mobile homes) shall not be permitted within the Development, and such manufactured units shall not be employed as elements in the construction of residential structures affixed to real property within the Development except by express written consent of the ACC.

- Q. **ACCESSORY STRUCTURES.** A detached accessory structure may be placed on a Lot to be used for a playhouse, a pool house, a tool shed, a doghouse, or a garage. A garage may also be an attached structure. Such accessory structures shall conform in exterior design and quality to the dwelling on the same Lot. With the exception of a garage that is attached to a dwelling, an accessory structure placed on a Lot shall be located only behind the dwelling as such dwelling fronts on the street abutting such Lot. Such accessory structures shall also be located within such side and rear setback lines as may be required hereby or by applicable zoning law. The Architectural Control Committee shall have the right to approve or disapprove the plans and specifications for any accessory structure to be erected on any Lot, and construction of an accessory structure may not be commenced until complete final plans and specifications shall have been submitted to and approved by the Architectural Control Committee in accordance with the provisions of these covenants. Any accessory structure shall be constructed concurrently with or subsequent to the construction of the dwelling on the Lot on which such accessory structure is located. A yard flagpole is not allowed.
- R. **TEMPORARY BUILDINGS.** *No temporary building, trailer, garage or building under construction shall be used, temporarily or permanently, as a residence on any Lot except as temporary sleeping or living quarters required or desirable for security purposes in accordance with plans and specification thereof approved by the ACC. No contractor or builder shall erect on any Lot any temporary building or shed for use in connection with construction on such Lot.*
- S. **SIGNS.**  
*(1) No signs (including but not limited to commercial and similar sign) shall, without the ACC's prior written approval of plans and specifications therefore, be installed, altered or maintained on any Lot, or any portion of a Structure visible from the exterior thereof except;*  
*(a) such signs as may be required by legal proceedings;*  
*(b) not more than one "For Sale" sign, such sign having a maximum face area of four square feet; provided that such sign may only be displayed in the front yard of a Lot; and, provided, further, that if, at the time of any desired use of such sign, the Association is making "For Sale" signs available for the Owners use, the signs made available by the Association must be used;*  
*(c) directional signs for vehicular or pedestrian safety in accordance with plans and specifications approved by the ACC;*  
*(d) temporary signs (i.e., garage, lawn sales, etc.) which must be kept to a minimum and may be put up no sooner than 24 hours in advance of the event and removed promptly after the event has*

ended; (Signs on residential lots and sign posts which “lead the way” to temporary events are prohibited and subject to confiscation on sight. Any homeowner placing such a sign, which upon removal, causes defacing of any signpost, will be subject to assessment for the cost of any necessary repair.);

(e) temporary signs of the Association; and,

(f) political campaign signs which may be displayed two weeks prior to an election and removed within two days following the election

(2) *“For Rent” or “For Lease” signs are prohibited.*

(3) No sign may be placed on the common property or entrance areas of the Development except:

(a) temporary signs for an event at the clubhouse or cabana which must be kept to a minimum and may be put up no sooner than 24 hours in advance of the event and removed promptly after the event has ended and provided the sign does not obscure signage of the HOA;

(b) temporary signs placed by the Board;

(c) temporary signs described in (1)(d) above ended and provided the sign does not obscure signage of the HOA.

(4) *In no event during approved construction of any Structure shall more than one job identification sign be approved by the ACC. Said sign shall be removed upon occupancy of the Structure.*

(5) Signs in violation of the Design Standards are subject to confiscation on sight.

- T. AIR CONDITIONING UNITS. No window air conditioning unit may be located in any part of any dwelling or accessory structure which is visible from any street, and all exterior compressor units shall be ground mounted, not located on the front of a Structure, and should be screened by fencing or landscaping.
- U. CLOTHESLINES, GARBAGE CANS, ETC. *No outside clotheslines will be allowed.* Woodpiles shall be kept screened by adequate planting or fencing so as to conceal them from view by neighboring residences and streets, and may be maintained in the rear yard on a Lot only. *Garbage cans should be maintained in the rear yard on a Lot.*
- V. YARD ARTS AND ORNAMENTS. No ornaments, arts or any other yard structures may be placed in front of or to the side of the Lot in view of the public without prior written approval of the ACC. The ACC may consider the size, number, and nature of such ornaments, arts or other yard structures as well as their aesthetics in determining whether or not to grant approval.
- W. ANIMALS. *No agricultural animals may be kept on any Lot in violation of the City of Cartersville Zoning Ordinance. No animals including birds, insects, and reptiles may be kept on any Lot unless kept thereon solely as household pets and not for commercial*

*purposes. No animal shall be allowed to become a nuisance. No Structure for the care, housing or confinement of any animal shall be constructed, placed or altered on any Lot unless plans and specifications for said Structure have been approved by the ACC.*

- X. *SOLID WASTE. No person shall dump rubbish, garbage, or any other form of solid waste on any Lot or on Common Property.*
- (1) Except during approved construction and as approved by the appropriate governmental authority, no person shall burn rubbish, garbage, or any other form of solid waste on any Lot or on Common Property.*
  - (2) Except for building materials employed during the course of construction of any Structure approved by the ACC, no lumber, metals, bulk material or solid waste of any kind shall be kept, stored, or allowed to accumulate on any Lot unless screened or otherwise handled in a manner set forth in the Design Standards.*
  - (3) If rubbish, garbage, or any other form of solid waste is to be disposed of by being collected on a regular or recurring basis, containers may be placed in the open on any day that a pick-up is to be made, in order to provide access to persons making such pick-up. At all other times such containers shall be screened or enclosed in a manner set forth in the Design Standards.*
- Y. *NUISANCES. No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done thereof which may be or may become any annoyance or nuisance to the community.*

7. **COLORS AND MATERIALS:** The exterior materials of all structures on all Lots shall be harmonious and complementary. The main material used on the front of a Structure must be used on each side of the structure. Facing materials used on external projections shall be wrapped around the sides to intersect with the facing material of the main body of the structure.
- A. **MATERIALS.** Recommended materials include:
- (1) Natural wood lap siding; hard board lap siding.
  - (2) Brick – There shall be only residential color range and size brick, no weeping or black mortar. All brick shall be subdued colors and samples must be submitted for approval. Old used brick will be accepted in special areas, as will be the painting of brick.
  - (3) Stone – Stone shall be Tennessee Field Stone with grey mortar (no black mortar). Fabricated stone, with a realistic appearance, shall be at the discretion of the ACC.
  - (4) Stucco – Stucco is a specialized house finish. Stucco houses shall only be approved by special request and only after the ACC agrees that stucco fits the street scape and overall community standards. The builder may only use stucco as outlined

in the specifications on file with the ACC. These specifications should be given to the builder at the time plans are submitted and approval given for stucco finish. Visible stucco on foundation walls shall not exceed 36" in height. All foundations above must be covered and/or veneered in the primary material of the house exterior. All such foundation stucco is to be painted to match exterior of house.

(5) Natural plywood siding with well detailed edges and joints.

(6) Natural cedar shakes or shingles.

(7) Retaining walls must be of brick for brick and siding homes or stucco with cap detail for stucco homes unless otherwise approved by the ACC.

B. 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 reflective and bright colors shall be prohibited.

(2) All primary colors, which are the large areas of painted walls, shall be in subdued earthtone colors.

(3) Secondary colors shall be compatible with the primary colors and be limited to architectural details such as trim in general, fascia, frames, shutters, front doors, etc.

(4) The color of walls of adjacent residential structures shall not be the same.

(5) All roof colors shall be in shades of black, dark gray, deep dark brown in special cases, or cedar shingles. All roof colors are to be submitted for ACC approval. Metal roofing is allowable as accent material.

(6) On additions, modifications, and renovations the ACC may specify that no more than one quart of each exterior color is to be applied prior to final approval of the ACC.

8. FENCES AND SCREENING: Screening may be used within the Development to define private spaces or to attract or divert attention to or from particular views.

A. OBJECTS TO BE SCREENED. Screening may be used in connection with the following:

(1) free standing utility apparatus, such as transformers, and switching equipment;

(2) exterior, ground-level machinery, such as the air conditioning or heating equipment;

(3) outside storage and service areas for equipment and supplies; and

(4) refuse containers and related storage areas.

- B. METHODS OF SCREENING. Subject to the approval of the ACC, the following methods of screening may be used:
- (1) Earth Banks and Berms – banks and berms shall:
    - (a) have a maximum slope of 2.1 and
    - (b) be covered with an acceptable grass
  - (2) Planting screens, hedges, specie and layout design to be approved by ACC.
  - (3) Fences and Walls – All fences and walls to be installed on any residential Lot must be constructed to comply with the designs and specifications as approved by the ACC. All such fences must be submitted to and approved by the ACC prior to construction. Fences and walls shall:
    - (a) complement the design, texture and color of all structures of the same Lot;
    - (b) be a maximum of 6 feet above ground in height;
    - (c) decrease in height and increase in transparency with increasing distance from a structure so as not to obstruct views;
    - (d) include planting as an integral component;
    - (e) not attract attention as distinct architectural elements;
    - (f) not extend more than 20 feet from the rear corner of the house;
    - (g) meet materials requirements as follows:
      - (i) posts to be 4” x 4” of treated wood @ 8’ on center;
      - (ii) framing of treated 2” x 4” wood on inside;
      - (iii) boards to be cedar of 1” x 4” or 1” x 6” with 2” spacing;
      - (iv) for a privacy fence be painted or stained with the color to be approved by the ACC;
      - (v) for a perimeter fence be natural and may be sprayed with a clear sealer; and
    - (h) always have the “clean” side facing neighboring residences or streets.
- C. PROHIBITED SCREENING.
- (1) Woven metal or chain link fences shall not be used.
  - (2) Pre-fabricated fence panels of artificial materials shall not be used unless approved in advance by the ACC.
  - (3) No fence, which completely blocks visions, shall be placed or constructed except where the need for privacy is evident and only upon approval by the ACC.
9. REQUIRED APPROVAL: Although these designs are provided to clearly illustrate the approved specifications, each must be submitted to and approved by the ACC prior to installation as prescribed by the Covenants and Design Standards.

10. FEES: The ACC is authorized by the Declaration to impose and collect a reasonable and appropriate fee to cover the cost of review of plans required to be submitted. The cost for review of full plans for new construction shall be \$450.00. The cost for review of plans for additions, remodeling, fencing, changes in exterior colors, materials, or roofing shall be on a graduated scale, dependent upon the scope of the project, and shall not exceed \$450.00.

THESE DESIGN STANDARDS MAY BE AMMENDED FROM TIME TO TIME BY MAJORITY VOTE OF THE MEMBERS OF THE ACC.

### ENFORCEMENT

Pursuant to the Declaration of Covenants, Restrictions and Easements for The Waterford the enforcement of the Design Standards is the responsibility of the ACC and the Board of Directors of The Waterford Homeowners' Association (Board).

When a violation of the Design Standards occurs the ACC shall seek to resolve the violation informally by notification to the Owner of the violation and the action or actions needed to remedy the violation.

If within a reasonable time, as determined by the ACC, the violation is not remedied the ACC shall inform the Board. If the Board agrees with the determination of the ACC with respect to the failure of the Owner to remedy the violation, then the Board shall give written notice to the Owner to remedy the condition in question, setting forth in reasonable detail the nature of the condition and the specific action or actions needed to be taken to remedy such condition. If the Owner shall fail to remedy the condition within a reasonable time, as determined by the Board, then the Association shall have the right of Enforcement as provided in Section 8.02 of the Declaration.