

**ARCHITECTURAL AND LANDSCAPE GUIDELINES
BRIGHT WATER
ARCHITECTURAL CONTROL COMMITTEE**

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DEFINITIONS

The Protective Covenants contain design review authority and broad, general objectives of the community association to protect our property values and integrity of the subdivision. The Design Guidelines, which may be modified from time to time, have been developed to supplement and amplify the Covenants. The Guidelines serve two purposes:

1. To assist the homeowner, both in designing the proposed improvement and in determining how to apply for approval;
2. To provide criteria for consistent decisions by the current and future Architectural Control Committee.

OVERALL GOAL

The overall goal of the Protective Covenants and Design Guidelines is to keep Bright Water an attractive and desirable place in which to live.

ARCHITECTURAL CONTROL COMMITTEE (ACC)

1. The Architectural Control Committee (ACC) is appointed by the Board of Directors and reports directly to the Board of Directors. The Committee is to provide assistance in establishing and enforcing community standards in the realm of the association's architectural scheme.
2. **Goal:** The goal of the Committee is to preserve the established aesthetic qualities of the community and the quality of living in the community.
3. **Organization:** The Committee Chair will be appointed by the Board of Directors
4. **Responsibilities:**
 - a. Be cognizant of the overall architectural plan of the community.
 - b. Protect community standards through architectural control as directed by the Covenants and Guidelines. Periodically review standards for adequacy and application.
 - c. Monitor member compliance with Guidelines and provide enforcement procedure recommendations to the Board of Directors.
 - d. Be alert to architectural problems and violations reported by members and seek a solution to these problems.
 - e. Review all plans for improvement on the common area and elements with respect to their impact on the aesthetic quality of the community.
 - f. Review all member ACC modification plans. Make recommendation to the Board of Directors for approval or denial of modification requests that are outside of the Guidelines, with respect to their impact on the aesthetic quality of the community.
 - g. Provide recommendations to the Board of Directors to improve the ACC's modification process.
 - h. Maintain Association property listing.
 - i. Maintain a membership roster.

APPLICATION INFORMATION

1. The following exterior additions, improvements or modifications **do not** require a Change Request Form to be submitted **provided** certain conditions are met:
 - a. Patios (Guideline 1)
 - b. Garden Plots (Guideline 3)
 - c. Play Equipment (Guideline 4)
 - d. Children's Wading Pools (Guideline 6)
 - e. Ornamental Trees and Shrubbery (Guideline 8)
2. **A completed form must be submitted through the Architectural Control Committee for all other types of modifications – whether the change is specified in the Guidelines or not.** The verbal approval of any sales agent, developer, builder, or association representative is NOT sufficient. All approvals must be in writing. When plans are required, they must be submitted with the form. A form is attached to these Guidelines. Additional forms are available from the Property Manager and the Bright Water website.
3. The ACC meets on an as-needed basis. Most business is conducted via email or phone. Owners generally will receive a response to their request within ten business days.
4. Decisions of the ACC can be appealed to the Board.

ARCHITECTURAL CONTROL ENFORCEMENT PROCEDURES

The ACC, along with our Property Manager, is responsible for overseeing the overall appearance of our neighborhood and ensuring compliance with the adopted Covenants and Guidelines appropriate to this committee "in accordance with Article 3, Section 17 of the Declaration of Covenants...". This process works as follows:

1. The Property Manager or ACC will, through routine inspections (drive throughs) or by complaints received, determine that a homeowner is not in compliance.
 - a. If discovered by the ACC, the Property Manager will be informed and will initiate the appropriate response letter.
 - b. If discovered by the Property Manager, he/she will initiate the appropriate response letter and inform the ACC Chair either by email, telephone or monthly report depending on the nature and severity of the issue.
2. A first letter of non-compliance will be delivered by the Property Manager to the offending resident requesting that the issue is corrected within seven (7) days. Note: Some issues (such as automobiles being parked on the street overnight or grass/weeds which are too high) will require a more immediate correction. Upon receipt of this letter the homeowner shall:
 - a. Correct the issue within seven days from the date of the letter of non-compliance, or
 - b. Submit to the Property Manager a reason for the delay along with a proposed plan that contains a timeline for compliance, in writing, within five (5) days from the date of the letter of non-compliance as to why the issue cannot be resolved within the allotted time at which time the ACC and the property manager will evaluate the reason and report back to the resident whether or not the timeframe for compliance will be extended

- c. It is noted that some issues (such as repainting a house) may require more than the normally allotted time to complete. Under such circumstances, the Property Manager shall have the authority to negotiate a reasonable time for the complete resolution of the issue and shall inform the ACC chair.
3. If the offending situation has not been remedied within seven (7) days from the date of the initial letter of non-compliance or a plan has not been submitted to the property manager or the ACC for approval, a second letter of non-compliance shall be sent to the offending resident by the Property Manager stating that, if there is no response from the homeowner within three (3) days of receipt of the second letter, the ACC will refer the issue to the Board of Directors, to take any or all of the following actions:
 - a. Impose daily fines of \$10 until the offending issue is resolved.
 - b. Turn the matter over to the Bright Water attorney and that any and all expenses regarding the attorney and the corrective action to the violation will be the sole responsibility of the homeowner.
 - c. Place a lien on the property as stated in Section 4.1 of the Declaration of Covenants (Special Individual Assessments) if necessary to collect the individual assessments levied due to the violation.
4. The ACC recognizes the reality that there may be property owners who are habitually in violation of the Covenants or ACC Guidelines. Repeatedly ignoring the proper upkeep of property is cause for being cited for chronic violation of the guidelines. Therefore, if any owner has been cited for an issue more than two times within two years, a first letter shall be issued stating an immediate fine of \$25 per day will be imposed if the resident is not in compliance within five (5) days. The fine will continue until the situation is remedied. This process shall continue each time the violation occurs until the property has been maintained in an acceptable manner for two years.

FAILURE TO SUBMIT CHANGE REQUEST FORM

Homeowners who modify their property without first submitting an application to the ACC for approval will be subject to a **\$250.00** fine and required to complete a form within 7 days of notification. Failure to submit a form by this new deadline will result in imposition of a **\$10.00** daily fine until the matter is resolved.

In addition to fines, homeowners may also be required to undo any completed work at their expense that does not conform to the Guidelines and/or fails to get ACC approval.

COURT ORDERED INJUNCTIONS

Note: The Property Manager (with concurrence of the ACC chair) may request that the Association President authorize a court ordered injunction to stop or reverse unapproved work. This may occur at any time without prior letters of notification. Normally, the Property Manager or ACC chair will make direct contact with the property owner in an attempt to avoid this step.

The Bright Water Board will not individually discuss the issue with the impacted homeowner unless requested by the previous Point of Contact, e.g. the Area Representative or ACC member who has attempted personal contact. Should Legal costs be incurred, the property owner will be liable for these and subsequent expenses per Covenant authorizations.

APPEAL

Bright Water residents have the opportunity to appeal ACC decisions by requesting a personal appearance with the Board of Directors. All appeals must be in writing and presented to the ACC or Board prior to any personal appearance with the Board.

TIMELINESS OF WORK

All work approved by the ACC shall be completed within three months of the approved date unless otherwise approved. Members should submit a time-line of the work scheduled.

ALL REQUIRED PERMITS

1. All homeowner Modification Request Forms that involve construction or alteration of a structure that requires a building permit from Gwinnett County will be reviewed for compliance with the design Guidelines by the ACC based only on the Architectural Control Committee Design Guidelines, not the permitting requirements of Gwinnett County and any State or Federal governing agency.
2. It is the responsibility of the homeowner to confirm if a building permit is required by Gwinnett County for the requested structure. The ACC and the Board of Directors do not have the authority or the ability to inform homeowners if Gwinnett County requires a building permit.
3. The homeowner is fully responsible for obtaining the necessary permits as required by the governmental agencies having jurisdiction over the proposed improvement. The homeowner is solely responsible for compliance with the codes and ordinances of the governmental agencies having jurisdiction over the construction.
4. The ACC and the Board of Directors shall not be held responsible for any modification or alteration constructed by or on the behalf of homeowners who do not obtain the proper permits. This is regardless of whether the structure is approved by the ACC, as the Committee makes decisions based solely on the Design Guidelines.

GUIDELINE NUMBER 1: PATIOS AND WALKWAYS

1. Submission of a form for a patio is **not** required if:
 - a. The patio does not extend beyond the sidelines of the house and does not extend to within ten (10) feet of the side property lines; and
 - b. The patio does not exceed six (6) inches above ground level at any point; and

- c. The existing drainage patterns are not altered in a manner that adversely impacts any adjacent properties and the drainage of the patio is directed to the homeowner's own property and properly dispersed.
- 2. Submission of a form for a walkway is not required if the walkway is located in the rear yard and:
 - a. Is no closer than ten (10) feet from the side property lines; and
 - b. The walkway does not exceed four (4) inches above ground level at any point; and
 - c. If the existing drainage patterns are not altered in a manner that adversely impacts any adjacent properties and the drainage of the sidewalk is directed to the homeowner's own property and properly dispersed; and
 - d. If the width of the sidewalk does not exceed 4'-0".

GUIDELINE NUMBER 2: EXTERIOR APPEARANCE, DECORATIVE OBJECTS, FRONT PORCH FLOWER POTS, LIGHTING, HOUSE NUMBERS, ETC.

Exterior Appearance - General

The exterior appearance of your property is the primary purpose of the Design Guidelines. In making your selections, please consider the following:

- 1. All exterior painting and deck staining requires ACC notification and approval. Exterior painting will be considered on the color compatibility with the existing exterior materials and colors. A sample of the proposed exterior paint color and an existing color photo of the house is required.
 - a. Repainting using existing colors requires ACC notification.
 - b. A form requesting a paint color change requires the following information:
 - i. Paint sample color used in or approved for the Bright Water Community; and
 - ii. Area of house to be repainted; and
 - iii. Photograph of the house to be painted and the houses on both sides (in most cases, adjacent houses should not be painted the same color).
 - c. All color change requests will be reviewed by the ACC and then submitted to an independent Architect/Design Consultant to determine if the selected colors are appropriate for the neighborhood.
- 2. All roof replacement requires ACC notification and approval. Replacement roofing will be considered on the color compatibility with the existing exterior materials and colors. A sample of the proposed roofing color and an existing color photo of the house is required.

Although not required, dimensional or architectural shingles are strongly suggested.

- 3. Window treatments that are visible to the street should be made to blend with the exterior by using a white or off-white liner so that the vibrant colors or patterns you select for the interior don't clash with your exterior colors.
- 4. To maintain the consistent, uncluttered appearance of the neighborhood, Bright Water discourages the use/display of exterior decorative objects in front and side yards. This includes objects such as bird baths, wagon wheels, sculptures, statues, fountains, pools, antennas, free-standing poles of all types, gazing balls, benches, chairs, yard art and

items attached to approved structures and visible from any Bright Water street. Homeowners who wish to place such an object in their front or side yard must submit an application form providing explicit details about the item including size, shape, color, material, etc., and the intended location. Each application will be evaluated based on size and appearance of the object, and its fit with the overall look and style of the neighborhood. Any plan to include multiple decorative items in a single yard is **strongly discouraged**.

The visibility of the homeowner's location will play a part in the decision, which is subjective by nature. Each request will be reviewed independently and decisions could vary based on location, type of object, composition of the ACC, etc.

Failure to submit the proper application form and receive formal ACC approval prior to installing a decorative object will result in the homeowner forfeiting this privilege and requiring immediate removal of said item upon notice by the Property Manager.

Without exception, all free-standing birdhouses and birdfeeders shall be in the rear of the property and not visible from the street, ten (10) feet inside the property line near the trees or landscape, blending into the natural environment made of natural materials and color. Bright primary colors are not acceptable. Birdhouses and birdfeeders shall be no higher than six (6) feet including the pole and no larger in size than 8"x10"x12" including roof of birdhouse or birdfeeder. Corner lots will be reviewed on a lot-by-lot basis.

5. Except as provided below, a form must be submitted for all exterior lights or light fixtures not included as part of the original structure. Landscape lights must meet the following criteria:
 - a. Light fixture does not exceed twelve (12) inches in height; and
 - b. The number of light fixtures does not exceed ten (10); and
 - c. All fixtures do not exceed 20 watts rating (low voltage lighting), should be white or clear, non-glare, and shall be directed towards the homeowner's house and landscaping only.
6. A form is **not** required to be submitted for a single flag pole staff attached to the portion of a house to display the official state flag of Georgia or the official flag of the United States of America. Such flags may not exceed **3 x 5 FT** in size. These poles may also be used for the temporary display of flags related to schools, colleges, universities, or flags such as might be used for holiday seasons. Temporary flag displays are limited to three (3) days in duration.
7. Front doors and entry area decorations must be tasteful and in keeping with the style and colors of the house. Live plants and live flowers in pots must always be neat and healthy. Neatly maintained front porch flower pots that match color-containing evergreens/flowers do **not** require submission of a form.
8. Objects will be evaluated on criteria such as location, proportions, color and appropriateness to the surrounding environment.
9. House numbers may be only displayed on the mailbox.
10. All garbage cans must be screened from street view except on trash pick-up day.

11. Placement on driveways of items other than vehicles (such as furniture, garden equipment, and play equipment) is not allowed to exceed a 24 hour period, except as already permitted elsewhere in the ACC Guidelines.
12. Holiday decorations, lighting and other exterior decorative items must be removed within two weeks of the conclusion of the holiday. No exceptions.

GUIDELINE NUMBER 3: GARDEN PLOTS

1. A form must be submitted for garden plots unless all of the following conditions are met:
 - a. The plot is located behind the rear line of the house and ten (10) feet from the side property line; and
 - b. The plantings are in keeping with the general horticultural appearance of the community; and
 - c. The plot must be properly maintained per the community standards; and
 - d. The plot does not alter the existing drainage patterns in a manner that adversely impacts any adjoining property.
2. All garden plots must be located behind the rear line of the house. All other proposed locations will be considered on an individual basis when a form is submitted.
3. Garden plots are planting areas or beds that contain anything other than ornamental plants, such as vegetables, herbs, peanuts, watermelons and the like. Seasonal plants to heights of six (6) feet or more in growth need a form submitted.

GUIDELINE NUMBER 4: PLAY EQUIPMENT

1. A form is not required to be submitted for play equipment if the play equipment is located:
 - a. In the rear yard; and
 - b. Within the extended sidelines of the house, with the placement in the middle 1/3 of rear; and
 - c. Within the screened fenced area of the house, if yard is fenced; and
 - d. Such that it will have a minimum visual impact on adjacent properties; and
 - e. The play equipment does not alter the existing drainage patterns in a manner that adversely impacts any adjoining property.
2. Metal play equipment, other than trampolines, is NOT permitted, exclusive of wearing surfaces (slide poles, climbing rungs, swing seats, etc.), which are required to blend into the surrounding environment (earth tone colors comparable to dark green or brown). Bright colors in general are not allowed. Play equipment should be of natural materials and colors. All colors should be natural earth tones such as dark green, tans and browns. All play equipment, play houses and tree houses must be properly maintained.
3. A baseball backstop or similar item is **not** play equipment and must comply with the Fence Guideline Number 7.

4. Playhouses and similar structures must conform to the requirements specified in the Exterior Building Guideline Number 11.

GUIDELINE NUMBER 5: BASKETBALL GOALS

1. Basketball goals on individual lots are discouraged due to the proximity of houses in the community and the potential for disturbing the peaceful enjoyment of neighbors. In ground basketball goals are permitted on a conditional basis. A form must be submitted and will be considered if all of the following requirements are met:
 - a. All new backboards will be clear only;
 - b. The post is painted black;
 - c. A drawing accompanies the form showing the proposed location.
2. Owner must maintain the appearance of the pole and goal at all times.
3. If freestanding or portable, one rectangular Guideline on the backboard is permissible. Basketball backboards shall not exhibit any other image then the target box.
4. Portable goals must not be used in the street or other public areas. Use is limited to driveways and other areas on the homeowner's property.
5. No goals may be attached to the exterior of the house, deck, etc.

GUIDELINE NUMBER 6: PRIVATE POOLS and LANDSCAPE PONDS

1. A form is not required to be submitted for children's portable wading pools (those that can be emptied at night) that do not exceed eighteen (18) inches in depth and whose surface area does not exceed thirty-six (36) square feet.
2. Above-ground pools are prohibited.
3. A form **must** be submitted for **ALL** in-ground pools and ponds:
 - a. All forms for a pool addition shall be submitted with a drawing of the property that accurately depicts the location of the house, property lines, building setbacks, decks, easements and any other elements that may restrict the location of the proposed pool. The drawing shall be prepared to a scale of 1"= 10'. The drawing shall dimensionally depict the proposed location of the pool and pool deck, pool equipment and any other related improvements. The proposed drainage plan shall be clearly indicated including all existing drainage conditions. All proposed materials and colors should be indicated on the drawing. The drawing shall indicate the location and type of silt fence to be installed and maintained during construction. Existing trees and other landscaping that are to be removed to accommodate the proposed pool improvements shall be marked with ribbon for review by the ACC prior to removal.
 - b. The appearance and detailing of all retaining walls must be consistent with the architectural character of the house. Retaining walls shall not exceed 4'-0" in height. All retaining walls shall be located a minimum of 3'-0" clear of any property line to allow for drainage and the maintenance of the wall. Some terracing may be acceptable.

- c. Privacy fencing for lots with pools and spas must comply with the fence Guidelines.
 - d. Maximum pool area is eight hundred (800) square feet.
 - e. Glaring light sources, which can be seen from neighboring lots, shall not be used.
 - f. The pool area shall be enhanced with landscaping and all pool equipment shall be screened with evergreen landscaping.
 - g. Pool equipment shall be located a minimum of 15'-0" from any adjacent property and shall be behind the rear plane of the house.
 - h. Dirt excavated shall not be stored on the lot longer than one week. All stored excavated dirt shall be immediately covered with straw to prevent erosion.
 - i. A construction timetable is required, including a completion date.
4. A form must be submitted for exterior hot tubs, and hot tubs must be screened from adjacent properties.
 5. A form must be submitted for proposed ponds. Ponds shall comply with the following:
 - a. All submittals for proposed ponds shall include a drawing, including all related improvements, clearly indicating the location of the pond with respect to the main house and all property lines and proposed grading if applicable.
 - b. The recommended location shall be in the middle third of the rear yard. Ponds shall not be located in the front or side yards.
 - c. Pond designs are restricted to natural settings and are required to blend with the natural features of the land. Ponds shall not be higher than the adjacent land other than natural border stones. Monumental and decorative ponds are not permitted.
 6. The total area of ponds including all water surfaces shall not exceed 80 square feet.
 - a. All ponds shall include the oxygenation of water and water movement to prevent the growth of mosquitoes. Ponds shall be maintained and shall not consist of any areas of stagnant water.

GUIDELINE NUMBER 7: FENCES

1. The original design concept of the Bright Water Community promotes a feeling of open space; therefore, fencing is not generally encouraged. A form must be submitted for **ALL** fencing.
2. While not required by the ACC, a survey of the property is highly recommended in order to define property lines. It is assumed by the ACC that the fence being applied for will be erected on the property of the applicant. The homeowner erecting a fence is solely responsible for its placement. The fence must be on the homeowner's property.
3. Chain link fences are prohibited. No wire fences, chicken wire, or welded wire fences are permitted.
4. No double fencing is permitted.
5. All forms must include the following information:
 - a. Picture or drawing of fence type. Permissible fence types are privacy fence picket style with boards touching, inclusive of privacy shadow – box styles, picket, metal

iron (no scallops) split rail where the split rail matches the rail fence at the entrance, when used exclusively for decoration (on approval) with no wire attached and of the size and color listed below.

- b. Dimensions:
 - i. The height shall not exceed five (5) feet, with the exception that fencing around the perimeter of the Bright Water property shall not exceed six (6) feet. Perimeter fencing shall match the existing perimeter fencing in color, design, height, and materials.
 - ii. The maximum span between posts shall be ten (10) feet. Fences are permitted to have spires as part of the wood post.
 - iii. The minimum post size shall be 4"x 4".
 - iv. Crossbeams shall consist of either two 2"x 6" rails or three 2"x 4" rails per section as a minimum; two 2"x 8" rails or three 2"x 6" rails are also acceptable. Crossbeam structure must face inside towards the yard.
 - c. Color: The color shall be natural or stained a natural wood color. Painting of fences is not permitted.
 - d. Site Plan: A site plan drawing denoting the location of the fence must accompany the form. Fences shall not be located closer to any street than the rear edge of the home except for the following conditions that will be considered on a case by case basis:
 - i. On corner lots, the fence shall not be closer to any street than the building line of the adjacent lot(s).
 - ii. If the "rear" door of a house (basement, crawl space, or main level) or the air conditioner unit(s) is on the side of the house within six (6) feet of the "rear" of the house, fence construction will be allowed to begin at the door or the air conditioner unit(s) so that the door or air conditioner unit(s) is within the fenced-in area.
6. Dog Runs are not permitted.
 7. Each homeowner must maintain the fences located on his/her respective property regardless of origin of construction or location. Double fencing is not permitted.
 8. Illustrations of the approved fencing are available from the ACC. Before selecting the desired fence style refer to these Guidelines. If the adjacent properties have installed fencing, then the fence design should match the existing fence design.

GUIDELINE NUMBER 8: EXTERIOR LANDSCAPING AND MAINTENANCE

1. Tree/Shrub Removal or Addition:
 - a. Tree/shrub modification is considered an architectural change and subject to the Architectural Control Enforcement Procedures. **Therefore, all trees or significant foundation/landscape shrubs to be removed, changed or added to a front yard shall be submitted to the ACC for review and approval.** No approval is needed to remove a tree or shrub from a backyard.
 - b. Trees and shrubs are critical component of our environment. It is important to note that we all benefit from a balance of landscaping and that trees comprise the most visual aspect of most landscapes. Limbing, pruning, and shaping trees/shrubs is strongly preferred to removal.
 - c. When a tree is removed, the stump must be ground down to **below** the surface level.
 - d. Residents owning a corner lot must maintain the side yards and landscaping on the corner to the same level of standards as a front yard.
 - e. A replacement tree/shrub is desired but not required in all circumstances. The ACC may recommend or require a replacement of the appropriate size/type.
 - i. Trees such as Maple, Cherry, Elm, Japanese Maple, Cherry Blossom, are good varieties to consider when choosing an environmentally suitable replacement. These are simply examples and other varieties may be considered.
 - ii. It is recommended to consult a landscaper or arborist when choosing a replacement tree/shrub.
 - f. Tree plantings (row or cluster styles) are not permitted from the front line of the house to the street. In the case of corner lots, trees (row or cluster style) are not permitted from the front corner of the house on the adjacent lot(s) to the street. However, row or cluster tree plantings are permitted from the front corner of the house to the rear corner of the property line. Staggered tree planting is preferred over rows. Hardwood trees should be located a minimum of ten (10) feet from property lines. Evergreen trees shall be located a minimum of five (5) feet from adjacent property lines.
2. All landscaping beds must be covered with a suitable covering such as natural pine straw, chopped pine bark mulch, or wood shavings of natural earth tones. Rock is only permitted in natural colors of tan, beige and gray. White rock is **not** permitted.
3. Landscaping should relate to the existing terrain and natural features of the lot, utilizing plant materials in keeping with the horticultural appearance of the community. Approved grass types for front lawns are Bermuda or Zoysia only. The amount and character of the landscaping must conform to the precedent set forth in the Bright Water Community.
4. Each owner 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. Bare earth must be covered with natural pine straw or earth tone mulch to prevent soil erosion.

5. Landscape bed edging must not exceed more than four (4) inches above the ground, and must be of uniform type. Permanent masonry must be approved. Standard bed edging: black polypropylene, brick edging that matches the brick of the house, stone, or concrete. Stacked or angled brick is not permitted. Wood or decorative plastic is not permitted. The preferred landscape edging is a net four (4) inch to six (6) inch deep trench. Other edging, if used, must be flush with the ground and be of a uniform type.
6. Each homeowner shall keep his/her lot and all improvements thereon in good order and repair including, but not limited to, seeding, watering, mowing, edging, the pruning and cutting of all trees, shrubbery and weed control; homeowners should also maintain the painting or other appropriate external care of all structures and removal of dead trees and improvements. This responsibility extends to curbs and streets which should be properly trimmed and removed of weeds, debris, etc. This should be done in a manner and with such frequency as is consistent with good property management and the precedent set forth in the Bright Water Community.
7. Outdoor storage of garden tools and hoses must be screened from view and must be kept behind shrubs. Any tools or items stored under a back deck or porch must also be screened from view.
8. All debris, clippings, etc. must be properly removed from lawns, driveways, sidewalks, streets, etc. Hosing, raking or blowing materials into the streets and into the stormwater management system is not permitted. ***Any waste material in the storm system in Bright Water Community contributes to pollution in our lake. Please protect our lake.***
9. Installation of permanent irrigation systems (those in place longer than two weeks) will require an ACC approval. Exceptions to this are soaker hoses and traditional temporary sprinklers attached to garden hoses. Irrigation systems must not spray directly onto, cause erosion to, or affect drainage onto a neighboring property.

GUIDELINE NUMBER 9: FIREWOOD

1. Firewood piles must be maintained in good order and must generally be located within the sidelines of the house and in the rear yard in order to preserve the open space vistas.
2. Firewood pile coverings are allowed only if the cover is an earth tone color and the firewood pile is screened from the view of the street. For example, a tarp-covered firewood pile may be located under a deck and have shrubs planted around it.

GUIDELINE NUMBER 10: DECKS

1. A form must be submitted for ALL decks.

2. The form must include the following:
 - a. site plan denoting location, dimensions, materials and color.
 - b. The deck may not protrude past the sides of the house and must be located in the rear of the house.
 - c. Materials must be cedar, cypress, or Number 2 grade or better pressure treated pine (other material will be considered).
 - d. The deck must be natural or stained a natural wood color or trim color of the house.
3. Vertical supports for wood decks must be a minimum of 6"x 6" wood posts that match the color of the deck or metal poles. Metal poles shall be boxed in so as to appear to be 6"x 6" wood posts.
4. A rail design shall be submitted with the site plan and form indicating the picket and rail materials and design. A brochure may indicate the design if a prefabricated design is used; otherwise, the design should be drawn to scale to indicate the design.
5. The following, without limitation, will be reviewed: location, size conformity with design of the house, relationship to neighboring dwellings, and proposed use.
6. Homeowners are advised that Gwinnett County may require a building permit for construction of a deck.

GUIDELINE NUMBER 11: EXTERIOR BUILDING ALTERATIONS AND ADDITIONS

1. A form must be submitted for all exterior building alterations and additions. Building alterations include, but are not limited to, changes in exterior doors and garage doors, storm doors and windows, construction of driveways, garages, porches and room additions to the house. All exterior painting and deck staining requires ACC notification and approval.
2. The original architectural character or theme of any house must be consistent for all proposed additions and alterations to the structure. Once the character is established, whether it is traditional, contemporary, etc., no change may alter that character. The design shall utilize materials, colors and proportions that are consistent with the existing structure. All materials, colors and sizes shall be clearly identified on the submittal. The use of pre-fabricated structures and their components do not comply with these standards and are therefore not permitted.
3. Storm doors must be made of anodized bronze or anodized aluminum with baked enamel finish compatible with the primary and trim colors of the house. Storm door windows must be of solid glass with no decorative or protective metalworking. The form must be submitted and contain the following information:
 - a. Picture or drawing of the door on which storm door will be installed; and
 - b. Picture depicting style of storm door to be installed; and
 - c. Color.
4. Storm windows must be made of anodized bronze or anodized aluminum with baked enamel finish compatible with the primary and trim colors of the house. Storm windows must be of solid glass with no decorative or protective metalworking. The form must be submitted and contain the following information:

- a. Storm windows must comply with window to be covered; and
 - a. Picture or drawing of the window; and
 - b. Picture depicting style of storm window to be installed; and
 - c. Color.
- 5. Decorative Windows such as stained glass, decorative glass, etched glass, or leaded glass must be housed in wood frames and use muted colors. NO intense primary colors are to be used, and color must be compatible with the design of the house. All colors are subject to review of the ACC.
- 6. For any changes to the plans as approved by the ACC, the owner must submit such changes for approval prior to commencing construction.
- 7. Tennis courts, basketball courts or any other hard-surface play/recreation area is prohibited.
- 8. Detached building will be considered for lots of one (1) acre or more. If the lot contains less than one (1) acre, only attached structures will be considered.
 - a. Structures shall be located in the rear yard of the property and no closer to a property line than the extended sidelines of the existing home and in no case closer than ten (10) feet.
 - b. Structures shall be limited to 100 square feet.
 - c. Structures may not be used for workshops, or any other purpose that may be deemed by the ACC to cause disorderly, unsightly, or unkempt conditions.
 - d. Structures' exterior materials must match the exterior materials used on the home. For example, if the house is stucco then the addition shall be stucco. If the house is a combination of materials, the structure shall be compatible with the materials on the adjacent face of the existing house.
 - e. Carports (or open air covered structures used for the purpose of storing or parking cars, boats, RVs, etc.) are NOT permitted.
- 9. Homeowners are advised that Gwinnett County may require a building permit for construction of any structure, attached or detached.
- 10. A form must be submitted for all doghouses. All dog houses must be located where they will have minimum visual impact on adjacent properties, and shall not be located closer to any adjacent property line than ten (10) feet.

GUIDELINE NUMBER 12: VEHICLES AND PARKING

- 1. The recreational area parking lot is intended for the use of Bright Water residents (in good standing) during their use of the recreational area, pool and tennis courts and clubhouse facilities.
 - a. No boat, trailer, camper, recreation or any other type vehicle may be parked or stored in open view on residential or common property for longer than a seventy-two (72) hour period without a parking permit issued by the Bright Water Community.
 - b. A special temporary parking permit must be obtained from the Bright Water Community in order to park vehicles of any nature overnight in the recreation area parking lot.

2. All cars parked in open view must be operable, may not be unsightly, and must have current license plates and registration. Car covers are not permitted. Should a car be parked on a concrete parking pad that is located in the rear yard, that pad shall be properly screened from the view of the neighbors.
3. No vehicle may be parked on any yard or sidewalk.
4. No commercial vehicles (including vans, pickup trucks, etc.) are to be parked overnight on neighborhood streets or driveways.
5. For the safety of our residents, including the free and unrestricted travel of emergency vehicles, residents and their guests are encouraged to not park on the street. If and when you park on the street, do so in such a manner that access is not restricted. If a car is parked on one side of the street, don't park directly across from it. Park on the same side of the street or down the street from that car. Use common sense and remember that a car may be able to get by, but a fire truck or large emergency vehicle may not.
6. Additional concrete or paver parking additions shall be submitted for review. A site plan showing the exact proposed location of the additional parking space must be clearly indicated and include all measurements for the overall size and distance from any adjacent property line.
 - a. Existing garages with doors facing the street may be allowed to extend the drive along the side of the garage. The drive may require retaining walls in order to do this. The drainage from the new drive parking must be directed to the street or the rear yard. It shall not be directed to the adjacent lot. Landscape screening is required between the new parking and the adjacent property line. Only one parking space is permitted and the maximum size shall not exceed 10.0' wide x 18.0' deep.
 - b. Existing garages with doors facing an adjacent lot may be allowed to extend the drive towards the rear of the existing drive turnaround area. The drive extension may require retaining walls in order to do this. The drainage from the new drive parking must be directed to the street or the rear yard. It shall not be directed to the adjacent lot. Landscape screening is required between the new parking and the adjacent property line. Only one parking space is permitted and the maximum size shall not exceed 10.0' wide x 18.0' deep.
 - c. Corner Lots will be reviewed on a case by case basis as there are multiple garage and drive configurations.
 - d. A permit from the county is required. A copy of the permitted drawing must be submitted prior to starting work to ensure the permitted drawing and the ACC submittal drawing is the same.
7. Additional drives or driveway extensions are not allowed. This includes the addition of a loop drive, a driveway to the basement or any driveway in addition to the original driveway as constructed when the house was built.
8. In general, the parking of cars shall be limited to the garage and the dedicated parking provided either existing or as approved by the ACC and Board. Outdoor parking restrictions of vehicles remains as enforced by other areas of the guidelines and covenants. It is the intent to preserve the residential character of the community and the maintained front yard landscaping.

GUIDELINE NUMBER 13: SATELLITE DISHES/WINDOW AIR CONDITIONERS/WINDOW FANS/SOLAR PANELS/DEVICES

1. A maximum of two satellite dishes/antennas are allowed. With the technology advances, Bright Water's goal is to reduce the maximum number of exterior dishes/antennas to one.
2. Satellite dishes/antennas shall not be located on the front roof plane(s) or in the front yard of any property. These devices shall not be visible from the street and when located on the ground shall be screened as much as allowable to minimize their exposure from street views.
 - a. Front yard mounting of satellite dishes is strongly discouraged due to the difficulty in properly screening the dish. However, if there is no other reasonable alternative location, all dishes located in the front shall be mounted on grade within five (5) feet of the house and screened with evergreen landscaping that will provide screening without blocking the signal.
 - b. Rooftop mounting of satellite dishes on the rear of the house (out of public view) is preferred.
3. Colors of satellite dishes are subject to review. Colors shall be neutral and be compatible with the colors of the house.
4. Window air conditioners or window fans are prohibited. Any other type of appliance or device located in a window or wall where the device is visible on the exterior must be approved.
5. Solar panels located on a roof plane must lie flat in alignment with the existing roof plane. The frame for the panels shall be non-glare and colored to blend with the color of the roof shingles. The panels themselves shall not be highly reflective. A grouping of panels laid out in a uniform pattern on a roof is required. Random placement is not allowed. All wiring or cables associated with the panels shall be routed through the attic directly adjacent to or under the panels. Wiring and cables shall not be laid out along the roof or walls and shall not be visible. Solar panels shall be fixed and secured to the roof per industry standards meeting all applicable codes and ordinances.
6. Solar panels shall not be located on any roof or wall facing a street. All panel locations shall be carefully planned to be completely screened from street view. Solar panels located on the ground are not permitted.
7. All solar panels/devices shall be submitted for ACC review.

GUIDELINE NUMBER 14: MAIL BOXES

1. Mailbox and mailbox numbers different than the original installed by the builder are prohibited. All mailboxes must be maintained with flat black paint. Missing numbers must be replaced and other maintenance/repair performed in a timely manner.
2. No plants shall be planted in such a manner that such planting and their future growth obstruct delivery of mail.

3. No plants shall be planted in such a manner that such planting and their future growth obstruct the numerical address.
4. All landscaping beds surrounding the mailbox shall meet the Design Guidelines Number 8, Item 5, which reads: The preferred landscape bed edging is a neat 4" to 6" deep trench. Other edging, if used, must be flush with the ground and be of a uniform type.

GUIDELINE NUMBER 15: SIGNS IN YARDS

1. The ONLY sign allowed in the front or side yard for an unlimited period of time is a FOR SALE sign, in accordance with the Covenants.
2. BOOSTER signs from schools or organizations are allowed to be visible for a period of two (2) consecutive weeks. Signs recognizing family member participation in a sport or school activity can be displayed for the length of season (unless it fades/deteriorates to an unsightly appearance).
3. POLITICAL signs may be displayed no earlier than the first day of early voting of each election and removed immediately after the election.
4. Signs must not exceed 2 x 3 feet in size.

GUIDELINE NUMBER 16: SPECIAL CONSIDERATION FOR LAKE LOT

1. In addition to the above Guidelines, all improvements to the rear yard (except for normal landscaping) shall be submitted for approval by the ACC. Improvements to rear yard within ten (10) feet of the rear property line are discouraged, and no structure will be approved that encroaches into common lake area.

GUIDELINE NUMBER 17: EDGING

1. Edging is defined as a border between mulch/bed areas and turf or dry creek beds and turf. It is a discrete border and not a wall. It is flush with the sod and does not project above the sod more than 1".
2. Acceptable materials are:
 - a. Black or Brown metal edging
 - b. Black or Brown plastic edging
 - c. Concrete - Natural color, Tans or browns. Grey or natural concrete color is not approved. Note, this is an edging material, not a building material used as edging. It is laid flat.
 - d. Brick similar to the house, flat. The brick shall not be laid at angles.
3. Decorative Edging such as scalloped concrete edging or set on an angle is not approved.
4. All edging shall be professionally installed with consistent, level installations

5. Stepping the edging is not approved. It shall follow the slope of the turf when applicable.
6. Edging shall not be used as a garden wall to create a “built-up” area around trees or shrubs, see walls for that requirement.
7. Where beds extend across two properties, the edging shall be uniform and consistent for both properties and not in contrast.
8. Edging shall be discrete, a very minimum visual impact and is only intended to define the separation of turf and beds as noted above. It is not intended to be a decorative addition.

GUIDELINE NUMBER 18: WALLS

Walls are defined into two categories. The first is a wall used as a low garden wall, no taller than 24”. The second is a retaining wall, any wall taller than 24”.

GARDEN WALLS

1. Must be no taller than 24”
2. Garden walls shall be one of the following materials:
 - a. Brick and mortar to match the house
 - b. Natural stone (mortared or dry stack)
 - c. Small/medium stone loosely set
 - d. Stucco, if house is stucco
 - e. Landscape timber
 - i. must be new material
 - ii. restricted to the rear yard
 - iii. subject to ACC review and approval.
3. Garden Walls are typically added to enhance an area or offer a transition between two different levels of a yard. They are not retaining walls, rather a choice in lieu of a sloped area in the yard. Garden walls to level the area around a tree shall extend beyond the tree and incorporate other areas. Adding a Garden Wall around an individual tree is not permitted. Garden Walls shall not be incorporated extensively in any yard or area of a yard. They should be a soft hardscape accent feature. The use of Garden Walls shall not alter any current drainage pattern that would adversely impact adjacent lots or the aesthetic streetscape of the property. Garden Walls shall be thoughtfully designed to enhance the property without negatively impacting the adjacent lots or Streetscape.
4. All Garden Walls require a submittal to the ACC review committee. A site plan, drawn to a minimum scale of 1” = 10.0’ is required. The site plan shall show the exact location of the proposed wall and its relationship to the property lines and other improvements on the property. All proposed grading or earthwork shall be clearly indicated. The existing flow of drainage and proposed flow, if altered, shall be indicated. The ACC, at its sole discretion may require a field run topographical survey in order to determine the existing and proposed conditions. Garden Walls installed without getting approval from the ACC shall be deemed unapproved and shall be removed until such time as they are properly submitted and approved by the ACC. Failure of the ACC to act on the installation of a Garden Wall without the required submittal and approval shall not constitute an approval regardless of the time of discovery.

RETAINING WALLS

1. Retaining walls shall be of the same materials noted for Garden walls excluding Landscape Timbers. Wood retaining walls are not allowed. Natural Stone Boulder walls may be considered in certain conditions. Engineered decorative concrete block retaining walls are not approved in front yard or where visible from the street. The use of engineered decorative concrete block retaining walls in the rear yard will be subject to ACC review and approval.
2. The use of retaining walls is typically to establish relief of a steep yard slope, provide access to a basement level, or to provide support for a driveway or turnaround area. All retaining walls shall be designed to enhance the property and in keeping with the design standards of the community. Walls that are “connected” to the existing house should be the same material as the house, ie, brick, stone or stucco. Walls that are separated from the house by at least 10.0’ should be complimentary to the existing house materials.
3. A submittal is required for all wall types. In general walls should be used sparingly as the yards in Brightwater are in general small. Walls shall be designed to prevent any damage to adjacent property landscaping, hardscape, or drainage. All walls 4’-0” and taller are required to be permitted by Gwinnett County. A copy of the permit shall be submitted to the ACC. The issuance of a county permit does not constitute an approval from the ACC.
4. The use of Retaining Walls shall not alter any current drainage pattern that would adversely impact adjacent lots or the aesthetic streetscape of the property. Retaining walls shall not be used close to adjacent properties where the retaining wall creates a visual barrier to the adjacent property without providing 3.0’ – 4.0’ area for evergreen landscape screening. The landscape screening shall be a minimum height of half of the proposed wall height. The species shall be selected appropriately to not infringe on the adjacent lot as the plant material develops and matures. Retaining walls closely located to an adjacent property shall be limited in height to minimize the visual and solar impact to the adjacent property.
5. All Retaining Walls require a submittal to the ACC review committee. A site plan, drawn to a minimum scale of 1” = 10.0’ is required. The site plan shall show the exact location of the proposed wall and its relationship to the property lines and other improvements on the property. All proposed grading or earthwork shall be clearly indicated. The existing flow of drainage and proposed flow, if altered, shall be indicated. All retaining walls require and field run topographical survey to define the existing and proposed conditions. Retaining Walls installed without getting approval from the ACC shall be deemed unapproved and shall be removed until such time as they are properly submitted and approved by the ACC. Failure of the ACC to act on the installation of a Retaining Wall without the required submittal and approval shall not constitute an approval regardless of the time of discovery.

EXISTING WALL COMPLIANCE UPDATE

There are walls existing in Brightwater that do not meet these standards/requirements. Some of these walls may have been reviewed and some may have been installed without the review and approval.

It is the intent of the Board for all properties to comply with the established guidelines and standards including all amendments as adopted from time to time. It is understood that compliance with a newly adopted guideline may present difficulties for some properties. Accordingly, the following guidance is offered.

1. Upon notification of a guideline concern, please provide the Property Manager if the concern was properly submitted for review and approval or not. If not please provide photographs and a written request for an updated review of the concern.
2. The ACC will offer guidance for options available if changes are desired to meet the new guideline or standard.
3. A proposed timeline or sequence will also be suggested.

If the concern identified was properly submitted and approved, the ACC will simply ask that the improvements be brought to the new standard. While this is not mandatory, it is requested to maintain the overall value and quality of the property in Brightwater.