



May 3rd, 2023 (Revised)

The McGinnis Reserve Board of Directors is pleased to present the attached Architectural Guidelines as a supplement to Article 8 of the Declaration of Covenants, Conditions, and Restrictions.

The Architectural Review Committee (ARC) was created to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design. It is the responsibility of the ARC to ensure that the structures and grounds within the development are in harmony with one another and with the existing standards of the neighborhood.

The Application for Modification has also been revised and attached, and is found on our community website. The ARC cannot respond to a verbal request for approval – all applications must be made in writing. If an application is not approved, the ARC will state in their letter why such approval was denied and what type of application changes, if any, would alter that decision. If an applicant wishes to discuss or appeal a decision, the ARC should be contacted in writing.

It should be noted that ARC approval is required prior to the installation or construction of any improvement or change. If an improvement is made without ARC approval, the Board of Directors will be notified and corrective action will be enforced.

If you have a question please contact any ARC committee member. Contact information can be found on the McGinnis Reserve Web Site, mcginnis-reserve.com.

Sincerely,

Board of Directors
McGinnis Reserve Community Association, Inc.

Architectural Guidelines and Rules

The following guidelines are provided to homeowners to aid in planning architectural and landscape projects. These guidelines supplement the Architectural Standards in the Declaration of Covenants, Conditions, and Restrictions for McGinnis Reserve (hereinafter “Declaration”)

under Article 8, Section C.1. Additionally, these guidelines do not replace the requirement for all residents to request and obtain approval from the Architectural Review Committee (ARC) prior to beginning work as required under Article IV in the Declaration. Finally, in cases when homeowners are leasing their homes to lessees planning a project, the homeowner must request and obtain ARC approval on behalf of their lessees. Violation of the Architectural Guidelines will be addressed as required in the Compliance and Enforcement provisions of the Declaration under Article 16.

Note: If unapproved work is begun or completed and association action is required to remove or repair such work due to noncompliance with the guidelines, all costs and fees shall be assessed to the Owner, including, without exception, all costs and legal fees actually incurred by the Association..

1. Home Exterior Materials, Design, Styles and Colors.

Home exterior brick, siding, windows, doors, and roofing materials, design, styles and colors must remain consistent with those of the original construction of the home and with those of surrounding homes in the neighborhood. All home exterior materials, design, styles, and colors must be maintained in good repair as judged by the ARC. All exterior repairs or patchwork must match the rest of the surrounding exterior materials, design, styles, and colors to the extent that it is impossible to detect the appearance of repairs or patchwork as judged by the ARC .

2. Home Rebuild or Exterior Reconstruction.

Home rebuilds or exterior reconstruction must match the original design of the home or at least another model in McGinnis Reserve. In addition, home rebuilds or exterior reconstruction must meet guidelines described in paragraph 1.

3. Living Space Additions that Alter the Original Home Exterior Design.

Living space additions that alter the original home exterior design are discouraged, and normally will be declined by the ARC. However, if approved by the ARC, living space additions that alter the exterior home design must be constructed out of the same materials and attached to the corresponding housing unit, and must meet Home Exterior Materials, Design, Styles, and Colors guidelines in paragraph 1.

4. Non-living Space Additions to the Home (including but not limited to porches, patios, decks, pergolas, and sunrooms).

Non-living space additions to the home should normally be attached to the home and meet Home Exterior Materials, Design, Styles and Colors guidelines in paragraph 1. Exceptions

may be considered for patio, deck, and pergola materials, as long as they complement the appearance of the home as judged by the ARC.

5. Exterior Storage Structures (including but not limited to sheds).

Attached exterior storage structures are discouraged, and normally will be declined by the ARC. However, in order to be approved by the ARC, attached exterior storage structures must be constructed out of the same materials as, and attached to, the corresponding housing unit, and meet Home Exterior Materials, Design, Styles and Colors guidelines in paragraph 1. Detached units are forbidden.

6. Fences.

All fences must be approved in writing by the ARC prior to installation as to both design and location. Fencing may be installed for portions of the property from the mid-section of the home, rearward to the back of the property. No fencing of any kind may be installed in the front yard.

Approved fence designs are shown below and depicted in Attachment A:

- 1) *Maximum* 5 foot high black metal fencing.
- 2) *Maximum* 6 foot high wood privacy fencing with dog-eared planks. Wood fences must be clear sealed or stained an approved color.

Corner lot fences and fences along lot boundaries that adjoin lake-view, common areas and greenway lots, can only be fence style #1 listed above, which is black metal fencing. Both styles of fencing are acceptable for interior community lots.

Homeowners are responsible for maintaining fencing in good condition as judged by the ARC.

7. Landscaping and landscape structures (including but not limited to lawns, trees, plants, flowers, flower beds, gardens, mulch, retaining walls, edging, garden and flower boxes, and landscape lighting and decor).

a. Lawns.

- i. Lawn areas visible from the streets and common areas must be Bermuda, Zoysia, or Fescue Grass. Other types of grass may cover areas of the lawn not visible from the streets and common areas.

- ii. All lawns must be maintained (e.g., watered, fertilized, cut, etc.) in accordance with accepted, professional practices for the grass type, region, season, and weather conditions, as determined by recognized lawn care professionals.
- iii. All lawns must be maintained weed and fungus free.
- iv. Lawns must be edged along interfaces with driveways, sidewalks, and other landscape boundaries.
- v. Note: Homeowner is responsible for maintaining grassy area and tree bed between sidewalk and road surrounding their property. As defined in Article III, Section 3.1 of the Declaration, specific common area open spaces should be maintained by owners of the adjacent unit.
- vi. All grass must be cut immediately to professionally recognized heights for the region, season, and weather conditions, if it reaches 4 inches or more in height.

b. Landscaping.

- i. Landscaping includes: trees, plants, flowers, beds, mulching materials, edging, retaining walls, landscape lighting, and other decor.
- ii. Landscape visible from the streets and common areas must be ornamental. Vegetable and other utilitarian gardens must not be visible from the streets and common areas.
- iii. All landscaping must be organized and maintained, e.g., watered, fertilized, cut, etc., in accordance with accepted, professional practices for the landscape type, region, season, and weather conditions, as determined by recognized landscaping professionals.
- iv. Landscaping must be contained within the property boundaries. Any landscaping extending beyond property boundaries onto Common Area will be removed or corrected to remain within the property boundaries.
- v. Mulching materials may be pine straw, bark or chips, stone, or rubberized mulch and must be in natural mulching colors that match the color of the house.
- vi. All landscape beds and mulched areas must be free of weeds and grass.
- vii. Dead and rotted landscape must be removed or replaced.
- viii. Acceptable landscape bed edging includes: trenching, stone or other materials that match house color and style. Metal or plastic edging must be installed so that it blends into the transition between landscape area and other areas.

ix. Landscape lighting must blend into the landscape design. It must contain white or soft white light, and must not be a nuisance to neighboring property owners.

8. Garden Ornaments, Sculptures, Water Features and Yard Art – Front Garden.

Subject to the provisions regarding Signs and Displays under Article V, Section 5.4(b)(vi) of the Declaration, objects on the exterior of the house that are visible from the street and common areas must be approved by the ARC. This includes but is not limited to lawn and garden ornaments, planters, statues, water features, bird baths, decorative objects, or outdoor furniture; Such items must blend with the overall community in color and style.

9. Mailboxes.

All mailboxes must be maintained in good working condition. They must match the original style, material (metal), and color (black) as installed by the original builders in McGinnis Reserve and as shown in Attachment B. The house numbers must be maintained in the original form and their reflectivity must be maintained as well. Acceptable landscaping as described in paragraph 7 and approved by the ARC, may be installed around the mailbox, as long as the mailbox is not altered in style, material (metal), or color (black) and the house numbers remain clearly visible from the street.

FINAL NOTE: These guidelines are not absolute and irreversible dictates. However, the ARC feels that the closer these guidelines are adhered to, the more harmonious and aesthetically pleasing the community will be. The ARC is open to other ideas and suggestions, and will review projects not covered by these guidelines on a case by case basis. The ARC reserves the right to amend or revise these guidelines as necessary.

Attachment A – acceptable styles of fences

Metal fence style 1:



Metal fence style 2:



Wooden fence style 1:



Wooden fence style 2:



Attachment B – acceptable style of mailbox:





McGinnis Reserve Homeowners Association
Application for Modification
Architectural Review Committee: (ARC)

Date: _____
Owner: _____
Address: _____

Email: _____
Lot #: _____
Phone: _____

Contractor Name: _____
Address: _____ Phone: _____

Description of Improvement/Change Proposed:

All requests **must** be accompanied with the following:

1. Architectural drawing and/ or pictures, including a plot plan indicating the location of the project area. Provide dimensions from the proposed project area to your shared property line(s) and also from your home.
2. Provide drawings and/or pictures showing the kind and nature of the proposed project and include dimensions of width, length and height.
3. Description of materials: indicate the proposed materials to be used in the project. *Please keep in mind the materials must conform to the community standards of existing construction and colors.*
4. Paint samples, if applicable.
5. Color swatches, if applicable

Proposed start date: _____

Proposed completion date: _____

Continued on next page

* NOTE: Please allow 30 days after submission to ARC for review and response to your request.
Please **mail** completed form to:

**Community Management Associates, Inc. c/o
McGinnis Reserve HOA
1465 Northside Drive, Suite 128 Atlanta, GA
30318**

OR: Email this completed request form and all supporting documents to **arc@mcginnisreserve.com**

Important Notice:

For your protection, inquire with the City and/or County about permit requirements before starting any work on said property involving new construction, alterations, modifications or additions.

Neither the Declarant, the Association, the ARC, the Board, nor the Officers, Directors, Members, Employees, nor the agents of any of them shall be liable for damages to anyone submitting plans and specifications to any of them for approval, or to any owner of property affected by the declaration by reason of mistake in judgment, negligence, or disapproval or failure to approve or disapprove any such plans or specifications; nor shall any of them assume liability or responsibility for any defect in any structure constructed from any such plans and specifications.

The undersigned owner(s) hereby acknowledges that he or she is responsible for complying with any third party easements setbacks, buffers and any other county requirements. Any approval of plans and specifications shall not entitle improvements to be built if otherwise prohibited by any third party easements or other County requirements.

Approval of any such structure by the ARC is in no way a certification that the structure has been built in accordance with any Governmental rule or that the structure complies with sound building practice or design.

Homeowner(s) hereby acknowledge(s) that s/he has read the entirety of this form.

Owner 1: _____ Owner 2: _____

Printed Name: _____ Printed name: _____

Date: _____ Date: _____

For CMA use only:

Date received: _____