

# **The Gates At Azalea Ridge**

## **SUPPLEMENTAL RULES AND REGULATIONS**

Revision: November 15, 2018

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### GENERAL STATEMENTS

- A. All homes must meet a standard that is acceptable in light of the overall Community plan. If a homeowner wishes to change the exterior appearance of the structure or its landscaping in any fashion, approval must be obtained in advance from the Modifications Committee. At no time may a change infringe upon the established easement lines. Failure to follow this policy could result in the infringement being removed at the homeowner's expense. Modification Request forms are available at the [thegatesatazalearidge.com](http://thegatesatazalearidge.com)
- B. All property shall be maintained in accordance with the provisions contained in the CCR and the *Supplemental Declaration* for the neighborhood.
- C. Nothing shall be done or maintained on any lot that is a nuisance. This shall include but not be limited to, loud TV or sound systems and barking dogs. Loud parties, vulgar language and any activity that interferes with TV or cable reception would also be included.
- D. Rentals –Maximum of 3 homes
1. The homeowner may lease the property, provided that the lease terms conform to the requirements of the Declaration. The minimum lease term will be one year. The lease form must state that the tenant is obligated to comply with the Declaration and any Rules and Regulations adopted for The Gates at Azalea Ridge. A copy of each lease must be registered with the HOA and the leasing form can be located on the HOA's website.
  2. Effective January 2019, all homeowners who are currently leasing their homes will be assessed an annual lease administration fee of \$1,300.00 per leased home (pro-rated for those who had an existing lease at the time the enclosed Resolution was passed). The fee and the pro-rated amount thereof constitutes a specific assessment pursuant to Article III, Section 8.2 of The Gates at Azalea Ridge Homeowners Association.
  3. Other than an approved lessee, no person other than the owner(s) shall occupy any lot on a regular basis. For the purpose of this manual a family shall consist of a spouse, children, parents, brothers, sisters, grandchildren and other persons permanently cohabiting the unit as or together with the Owner or permitted occupant thereof, and shall refer to any group of individuals occupying the home as one household unit subject to the occupancy limitations described above. To determine the maximum number of people who may occupy the unit at any one time, (excluding temporary occupancy by guests), simply add the number of bedrooms, multiply by 2 and add 1 to the total. A space designed as a den may have only 1 occupant. A guest shall include a person who has a principal residence other than the unit. A person occupying a unit for more than 1 month (other than a family member as defined above) shall be deemed a lessee, (regardless of whether a lease exists or rent is paid).
  4. If a tenancy has gone onto a month-to-month basis, tenant information must be updated with the HOA every six months.
  5. If the homeowner does not comply with the requirements outlined in this Resolution, or is in violation of the requirements outlined in the governing documents regarding leasing or any other violations, then the Association may, in addition to any other rights available under Georgia law, the Declaration and the Association by laws, levy monthly fines of Thirty-Five and NO/100 (\$35.00) until such violation is cured.

- F. **Business on premises** - While a member of the family may conduct business from the home, at no time shall such activities provide services or manufacture goods for sale on the premises. The business may not cause an increase in foot or vehicle traffic of any sort except for deliveries such as Federal Express or UPS. There shall be no signs erected on the property to advertise business activities within the home.
- G. A resident shall not create any obstruction to visibility at the street or common area intersections. The HOA shall not be liable for damages, injuries or deaths in any manner to any person or entity arising from violations of this section. This includes owners and their guests (CCR Article VII, Safety and Security, section 7.5).
- H. When enhancing or making changes to the landscape, neighbor friendly planting is encouraged. Species, quantity, character and design should be carefully considered when planning the appearance of a lot. Front yard plant selections should be ornamental in design and quality. All changes must be consistent with the character of **The Gates at Azalea Ridge**. Landscaping in the rear yard can reflect personal taste by providing for special gardens and natural landscape arrangements. Side yard plantings should be neighbor friendly. Natural planting layouts are encouraged. (CCR Article IV, Architectural Standards).
- I. Failure to follow any of the policies or restrictions set forth in this CCRs may subject the homeowner to possible fines and or the expense of returning unauthorized modifications to the original state. Subject to levy monthly fines of Thirty-Five and NO/100 (\$35.00) until such violation is cured.
- J. **Assessments**. All Association Assessments are due on the first day of each calendar year except assessments for maintenance-free neighborhoods, which are due on the first day of each calendar quarter. (See CCR, Article III, section 8.3, Payment of Assessments). The Association will levy monthly fines of Thirty-Five and NO/100 (\$35.00) until such violation is cured (See CCR Article III, section 8.5, Personal Obligation and Lien for Assessments; Delinquencies).

## RESTRICTIONS AND OPTIONS (Article IV, Architectural Standards)

From time to time homeowners may wish to make changes that suit their current life style and creative needs. The HOA recognizes this need and wishes to accommodate these changes. However, it is important to remember that the changes may affect the character of our neighborhood. (CCR, Article IV, Architectural Standards, section 4.2).

It is for this reason that the HOA must approve changes. They are charged with the responsibility of maintaining the original design standards. The HOA meets quarterly. Please see the request form in the website [thegatesatazalearidge.com](http://thegatesatazalearidge.com) or contact the HOA for forms and specific requirements if they are not covered in this Manual. Following is a summary discussion of various subjects commonly asked about by homeowners.

**Address treatments** - Numbers or letters must be not less than three inches nor more than five inches in height. The location must be near the front entry of the home or garage. No address treatments shall be attached to the yard light post.

**Awnings** - Require HOA Approval -Must match or contrast with the color of the house. Retractable awnings are not allowed except within a screened enclosure.

**Basketball Hoops** - Require HOA Approval - All basketball hoops will be permanent and affixed to a separate, free-standing post located on the home owners property, not attached to the Unit and not to be located on the road. All basketball hoops shall be maintained in working condition with no rust, missing nets or cracked or missing backboards.

**Birdhouse and bird feeders** - Homeowner option in backyard.

**Communication Devices** Satellite dishes one meter in diameter or less are permitted in accordance with the F.C.C. Telecommunications Act of 1996. Owners are encouraged to provide a site plan indicating the location of such devices.

**Decorations** -Homeowner option - Decorations, lights, flags and other decorations customary for holidays and special events are welcome. They must be temporary in nature and can be regulated as to quantity and how long they may remain in place. Christmas decorations may be displayed from Thanksgiving Day to January 15th. All other holiday decorations may be displayed three weeks before the holiday and one week after the holiday.

### **Decorative yard items**

- A. May be placed in the planting beds adjacent to the home. This is a Homeowner Option. They may not be more than ten feet from the front of the house.
- B. There should be no more than three such items in front of the house (without Modifications Committee approval) and the maximum height is thirty inches in earth tone colors, i.e. shades of brown, gray or white.
- C. Decorative fountains and birdbaths. Require HOA Approval. They will be considered on a case-by-case basis. A color picture of the fountain or birdbath must accompany the homeowner's request. They must supply information on the dimensions and material. A picture of the proposed location, which clearly shows the color of the house and the surrounding landscape, must also be submitted. If it is determined that the fountain or bird bath is in good taste and in keeping with the home and surrounding landscape, the (30) thirty inch height limit may be waived. Garden Globes are not permitted in the front of the home.

- D. Any wall ornaments outside the entry of the home and visible from the street require HOA approval.

**Door and window treatments**

- A. Homeowner option - Doors and windows may have protective film or tinting provided that it is non-reflective. Reflectiveness must not exceed 23%. If reflective film or tinting is installed homeowner may be required to remove it at their expense **HOA approval** is required for any reflective treatment.
- B. Homeowner option – White window treatments must be in displaced. Non-traditional window treatments (for example, old sheets) may be used for a maximum of six weeks from the date the owner moves in. Owners may apply to the Modifications Committee for a one-time thirty-day extension. Windows on garage walls that face the street must have window treatments.
- C. Storm doors are not permitted.

**Driveways and Walkways** -

- A. Driveways and walkways may be improved from the original design with HOA approval.
- B. Owners are required to keep their driveway and walkway relatively free of stains such as grease, oil and rust.

**Equipment/ Mechanical** - Walls or landscaping are required to screen above ground utility access equipment and mechanical equipment, such as pool pumps, heaters, water softeners, air conditioners, etc., from public and neighbor view. Refer to Design Criteria.

**Fencing/Walls** **Require approval.**

- A. Invisible fencing may only be placed in the rear yard.
- B. Freestanding arbors, fences and trellises - Refer to Design Criteria
- C. Fences are not permitted in Maintenance Free Neighborhoods.

**Flags**

- A. Homeowner option -Brackets may be attached to the house or garage to hold a pole for an American flag which is no larger than three feet by five feet.
- B. The American flag will be flown in accordance with Federal Statutes.

**Garage Doors** - Must be kept closed at all times except when in actual use and during reasonably limited periods when the garage is being cleaned or other activities are being conducted which reasonably require the door(s) to be left open. Each garage must be sufficiently free of storage that it can accommodate the parking of at least one car.

**Garage Sales** - All individual sales are prohibited except for private estate sales by appointment only unless it's a community event(s).

**Garbage and Trash Disposal Containers** - Must not be placed out for pick up sooner than twelve hours before scheduled collection. They must be removed within twelve hours after collection.

**Generators, Emergency** - There are restrictions. **Require HOA approval.**

**Gutters** - May be added at any time as a Homeowner Option -. The color must match the approved fascia color or be white.

**Irrigation** - Owners are responsible for providing proper irrigation. The irrigation system and its usage must be in compliance with existing Gwinnett County Water Management, If there is a time schedule for watering in our neighborhood, your irrigation timer must be set in compliance with the schedule. Over watering is a violation of Florida law as well as a violation of the Declaration.

**Landscape** - Owners of all properties are required to maintain their landscape in a manner that is in keeping with the standards of **The Gates of Azalea Ridge**. This maintenance requirement includes plantings, mowing of grass, edging, trimming and fertilizing on a regular basis. Weed control and insecticide applications must be done as needed. The size and shape of trees and shrubs must be maintained so as not to pose a safety hazard by restricting visibility or hanging over public sidewalks.

- A. Shrub and flowerbed edging must be properly installed and maintained.
- B. Changing plants in the original beds, if using plants from the approved planting palette is a Homeowner's option.
- C. Mowing - Owners are responsible for mowing and maintenance of the property.
- D. Any plant material that dies shall be removed and replaced with plant material of the same variety and size within 60 days.

**Lighting (exterior)** - Additional low-voltage lighting may be added to highlight sidewalks and planting beds. This is a Homeowner Option. Any exterior light that is determined to be a nuisance to neighbors will be considered a violation. The owner will be required to adjust or remove the light.

**Moving PODS, Uhauls and Construction Dumpsters** - Temporary PODS or Uhauls may be parked in a driveway for one week to facilitate moving. Dumpsters may be parked in a driveway for two weeks to facilitate construction. If extenuating circumstances require a longer term, permission should be requested from the Management Office, which will evaluate requests on a case by case basis.

**Painting (exterior of home)** -

- A. Same color - Homeowner option
- B. Change to another - Requires HOA Approval.

**Parking-**

- A. Parking any vehicle on the street overnight is **Strictly Prohibited**. A violation occurs if the same vehicle is observed parked in the street 11:00 pm and the following morning at 7:00 am.
- B. There must be at least one space in the garage available at all times for parking a vehicle.
- C. No commercial or public service vehicle may be parked in a driveway overnight (11 p.m. - 7 a.m.).
- D. The intent is to allow, with minimal restrictions, standard size vehicles the purpose and use of which is predominantly for personal transportation, and to restrict vehicles which by design, nature, use or appearance are clearly commercial or limited use recreational vehicles, the parking of which within the neighborhood would tend to degrade the appearance and values of the community.
- E. Parking a vehicle of any sort on dirt or grass areas, whether private property or common area **is Strictly Prohibited**.
- F. Vehicles cannot be parked so that they obstruct public walkways.

**Patio and Patio Extensions** - **Require HOA Approval**. The metal for the screening must match the fascia of the home. Only single story screen enclosures are permitted

## **Pets**

- A. Leash rule - In accordance with Gwinnett County code and HOA regulations, cats and dogs outside of the home must be leashed unless they are confined in a fenced rear yard. Pets may not be leashed unattended except in a fenced rear yard.
- B. Fish and household birds may be kept, provided that they are indoors and do not become a nuisance to neighbors.
- C. Pet excretions - Owners are responsible for the immediate clean-up of pet solid waste.
- D. The keeping of livestock including pot bellied pigs, reptiles, wildlife or poultry for any purpose is Strictly Prohibited.
- E. Dogs – must not bark excessively and annoy neighbors.

**Pools (swimming), Spas, Hot Tubs** - The setback lines are the maximum boundaries of such attachments. Screening metal supports must be white or bronze and can only be single story. **All pools MUST be in-ground and Require HOA Approval.** Pools, Spas and Hot Tubs may not be visible from the front street and must either be fenced or within a screened cage. *(It is suggested that child safety fencing also be used)*. Privacy screening for spas and hot tubs must be mounted within the screened enclosure. It must be painted white or tinted to match the metal of the cage. All electrical utilities, pumps and piping must be screened from view.

## **Porch, (front)**

- A. Homeowner Option - May contain furniture designed for outdoor use. Flowerpots intended for outdoor use are also permitted.
- B. Screening front porch - Strictly Prohibited

**Rentals** - There are several very specific requirements that must be met prior to leasing your property. They relate to lease agreements and registration with HOA (See "General Statement D" for Rental requirements).

**Sheds, (Storage) Auxiliary buildings - Require HOA Approval.**

**Shutters - Require Modifications Committee Approval**

- A. Decorative shutters must match or contrast with the color of the house.

**Sidewalks** - (public) - Changing material or color is **strictly prohibited** unless a continuation of the driveway. HOA is responsible for repairs to all sidewalks. HOA responsible for cleaning all common area sidewalks. Owner responsible for cleaning sidewalks in front of the home.

**Signs** - All signs are **strictly prohibited**.

**Solar Panels - strictly prohibited**

**Spas and Hot Tubs** - See "Pools"

**Swing Sets and Children's Playground Equipment** - Play equipment and playhouses must be installed, setup, and stored in backyard at all times.

**Tents** - Tents for celebrations or for children's overnight activities may stay up for a twenty four-hour period

**Walkways** - Changing Materials and Color - **strictly prohibited.**

**Yard lamps** – **Allowed in backyard only** and they must be maintained and in good working order. Repairs are the responsibility of the homeowner.