



**Brentwood Estates Homeowner Association (HOA)  
Architectural Control Committee (ACC)**

# **DESIGN STANDARDS & OTHER GUIDELINES**

Effective June 2024

## Table of Contents

<b>Introduction .....</b>	<b>3</b>
<b>Submission of Plans &amp; Specifications .....</b>	<b>3</b>
<b>Application Information .....</b>	<b>4</b>
<b>General Guidelines .....</b>	<b>5</b>
<b>Painting.....</b>	<b>6</b>
<b>Awnings .....</b>	<b>6</b>
<b>Storm Windows &amp; Doors.....</b>	<b>7</b>
<b>Detached Buildings .....</b>	<b>7</b>
<b>Gazebos .....</b>	<b>8</b>
<b>Dog Houses .....</b>	<b>8</b>
<b>Decks.....</b>	<b>9</b>
<b>Covered Porches .....</b>	<b>9</b>
<b>Patios and Walkways.....</b>	<b>9</b>
<b>Decorative Lighting.....</b>	<b>10</b>
<b>Flag Poles .....</b>	<b>10</b>
<b>Exterior Landscaping .....</b>	<b>10</b>
<b>In Ground Sprinkler Systems.....</b>	<b>11</b>
<b>Subsurface Drainage Systems.....</b>	<b>11</b>
<b>Vegetable Plots.....</b>	<b>11</b>
<b>Wood Piles/Firewood/Lumber .....</b>	<b>12</b>
<b>Recreational/Play Equipment.....</b>	<b>12</b>
<b>Basketball Goals .....</b>	<b>12</b>
<b>Children’s Wading Pools.....</b>	<b>13</b>
<b>In Ground Pools .....</b>	<b>13</b>
<b>Hot Tubs .....</b>	<b>13</b>
<b>Fences .....</b>	<b>13</b>
<b>Trash/Garbage Cans .....</b>	<b>14</b>
<b>Vehicles/Parking.....</b>	<b>14</b>
<b>Antennas/Satellite Dishes .....</b>	<b>15</b>
<b>Solar Equipment .....</b>	<b>15</b>

<i>Roofs</i> .....	16
<i>Tree Removal</i> .....	16
<i>Clotheslines</i> .....	16
<i>Mailboxes</i> .....	16
<i>Window Coverings</i> .....	16
<i>Drainage Easements</i> .....	16
<i>Erosion Control</i> .....	17
<i>Signs</i> .....	17
<i>Driveways</i> .....	17
<i>Animals</i> .....	17
<i>Nuisances</i> .....	18
<i>Leasing</i> .....	18
<i>Restriction of Use</i> .....	18
<i>Violations</i> .....	18
<i>Obligation to Act</i> .....	19
<i>Inspection Rights</i> .....	19
<i>Certification of Compliance</i> .....	19
<i>Maintenance</i> .....	19
<i>Solid Waste</i> .....	20
<i>Right of Enforcement</i> .....	20
<i>Right of Abatement</i> .....	20
<i>Assessments</i> .....	20
<i>Purpose of Assessments</i> .....	21
<i>Effect of Non-payment of Assessments</i> .....	21
<i>Solicitation</i> .....	21
<i>Fines/Penalties</i> .....	21

## Introduction

The Declaration of Covenants, Restrictions, and Easements for Brentwood Estates Subdivision provides that the Architectural Control Committee (ACC) shall adopt and promulgate the Design Standards of the subdivision for the purpose of maintaining the harmony and a high standard of quality within the community.

The ACC shall make a published copy of its current design standards readily available to members and prospective members of the Association and to all applicants seeking the ACC's approval. [See Declaration Article V, Section 5.05(b)].

The purpose of the ACC is to assure that any installation, construction, or alteration of any structure on any lot meets with the existing standards of the neighborhood. The ACC shall have all the powers and duties to do everything necessary to approve or disapprove plans for any installation, construction, or alteration of any structure on any lot. [See Declaration Article V, Section 5.02]

The purpose of these Design Standards is to supplement the covenants of Brentwood Estates. Homeowners are encouraged to make themselves aware of these standards as well as the Covenants and restrictions.

Finally, – **REQUEST APPROVAL PRIOR TO BEGINNING ANY IMPROVEMENTS OR MODIFICATIONS!** The majority of the problems occur when a homeowner begins a project without written approval from the ACC. Failure to submit form prior to start of work will trigger a notice of failure to request approval with options: restore to original condition and/or submit a request. [See Declaration Article V, Section 5.11]

*The contents of these guidelines, and any actions of the ACC, are not intended to be, and should not be construed to be an approval of the adequacy, reasonableness, safety, structural integrity, or fitness for intended use of submitted plans, materials, or construction, nor ensuring compliance with building codes, zoning regulations, or other government requirements. Neither the association, the Board, the ACC, nor member thereof shall be held liable for injury, damages or loss arising out of any approval or disapproval, construction or through such modification to a lot.*

*In addition, the requirements under these general guidelines are provided as a cursory overview of the design standards. If a more detailed design standard exists, the complete standard will be made available to the applicant upon request. Please contact the Homeowners Association to obtain more information concerning existing design standards prior to making application to the ACC.* [See Disclaimer as to ACC Approval: Declaration Article V, Section 5.15]

## Submission of Plans & Specifications

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 have been submitted to and approved 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 in the Design Standards, including, without being limited to:

- (a) A site plan showing the location of all proposed and existing Structures on the Lot including building setbacks, open space, and driveways.

- (b) A foundation plan.
- (c) Exterior elevations of all proposed Structures and alterations to existing Structures.
- (d) Specification of materials, color scheme, and other details affecting the exterior appearance of all proposed Structures and alterations to existing Structures.  
[See Declaration Article V, Section 5.06]

## Application Information

A form for Request for Modification Review (ATTACHED) hereinafter referred to as the “Form”, has been provided to all homeowners. This form should be submitted to the ACC at least 30 days prior to the anticipated start of the project. Any modifications must be approved in writing before any work begins. The ACC has 30 days to review submissions and any modifications to your form restarts the 30 day process. The homeowner is encouraged to contact the Homeowners Association concerning existing design standards prior to making application to avoid resubmission delays. When the form is received it will be stamped with a submission date.

The ACC will review the Form and plans to render a decision. A decision is defined as:

**Approved** – allowing the commencement of the proposed project.  
[See Declaration Article V, Section 5.07]

Copies of approved plans should be kept in a permanent file by the ACC and a copy will be sent to the applicant.

**Disapproved with Conditions** – allowing the commencement of the proposed project with Conditions, if the homeowner accepts the conditions. In any such case, the ACC shall if requested, make reasonable efforts to assist and advise the applicant in order that an acceptable proposal maybe prepared and submitted for approval.  
[See Declaration Article V, Section 5.08c)]

**Denied** – which means the applicant cannot construct or install the proposed project. A denial may also indicate the Application is incomplete, which is grounds for an automatic denial. All denials will be accompanied by the reason for denial. Denials may be appealed in writing to the ACC who may involve the BOD (Board of Directors) if needed.  
[See Declaration Article V, Section 5.08]

The Form attached will clearly indicate who to send it to on page 2 (Email or US Mail). Additional Request for Modification Review forms can be downloaded at [BrentwoodEstatesGrayson.com](http://BrentwoodEstatesGrayson.com).

Email: [mballard@cmacommunities.com](mailto:mballard@cmacommunities.com)

USMail To: Brentwood Estates HOA  
c/o CMA  
1465 Northside Drive, Suite 128  
Atlanta, GA 30318  
Fax 404-835-9120

The ACC will render a decision in writing within 30 days of the submission date stamped on the Modification Review Form. The homeowner should confirm the Form was received. Any member of the

ACC has the right, upon reasonable notice, to use the signed modification review form for permission to inspect and ascertain whether the Restrictive Covenants have been complied with.  
[See Declaration Article V, Section 5.09 & 5.10]

There are modifications that may be completed without ACC approval. The following modifications, and only these modifications, do not require a Form to be submitted if certain conditions are met: (please refer to the appropriate section for the specific conditions)

- Repainting of home utilizing the same color.
- Flag Poles attached to house.
- Garden/Vegetable Plots
- Ornamental Trees and Shrubbery
- Portable Basketball Goals
- Children's Wading Pools
- Swing Sets, Trampolines and Children's Prefabricated Playhouses
- Maintenance and repairs that do not change the architectural features of the home.
- Surface Drainage Systems
- In Ground Sprinkler Systems
- Decorative Lighting (Holiday)
- Pressure Washing Driveways, Walkways and Sidewalk
- Re-sodding the Front & Side Yards with Bermuda or Centipede. Any other sod must be submitted.

**A completed Form must be submitted through the ACC for all other improvements. The approval of any sales agent, developer, builder, or association representative is not sufficient. All approvals must be in writing from the ACC.**

## **General Guidelines**

**A Form must be submitted for all exterior building modifications.** Building modifications include, but are not limited to storm doors and windows, awnings, construction of driveways, garages, carports, porches, decks, and room additions to the home.

All residences shall have either stucco, brick, or stone aggregate fronts, except that cantilevered fronts and wrap-around porches shall be subject to the design standards set by the ACC.

[See Declaration Article VI, Section 6.20(d)]

The original character of the home must be consistent for all exterior components of the home. If Gwinnett County Authorities make changes to the plans as approved by the ACC, the owner must submit such changes for approval prior to commencing construction.

**Vinyl is not allowed. Siding, soffit, and fascia must be Hardieplank, wood, or composite material.**

*Homeowners are advised that a Gwinnett County building permit will be required for certain exterior building alterations.*

## **Painting**

Repainting requires written approval only if the color is changed.

Painting of brick without approval is not allowed.

A change in paint color requires:

- Example of Paint Sample
- Description of the area of the home to be repainted.

Paint must remain in good condition. The ACC and the Board of Directors may require a home to be painted if:

- Thin or faded spots or exposed wood are apparent.
- Touch up painting leaves the home with a visible difference in color, will require the entire home to be painted.
- Visible evidence of rotten wood (which will also require wood replacement)
- Shingles (cedar shake siding) may be required to be re-stained when they show excessive signs of fading, weathering, or show signs of mildew or mold. Missing shingles must be replaced.
- Gutters are required. Damaged or missing guttering must be replaced and painted to match the home.

## **Awnings**

**A Form must be submitted for all awnings.** Awnings or coverings must be either canvas or a structural extension of the home's existing roof. Colors or finish must be compatible with the home's primary and trim colors. Awnings or coverings are permitted only on back porches. The addition of awnings or coverings requires the following information:

- Picture or drawing of all windows/doors on which awnings will be installed and their location.
- Picture depicting style of the awning to be installed.
- Color samples and materials list.

## Storm Windows & Doors

**A Form must be submitted for all storm doors and windows.** It is recommended that the storm windows and doors be made of anodized aluminum with baked enamel finish compatible with the home's primary and trim colors. Other materials may be used with ACC approval. The following information is required:

- Pictures of all windows and doors on which storm windows and doors will be installed.
- Picture depicting style of storm windows and doors to be installed.
- Color

**No window air conditioning units shall be permitted. [See Declaration Article VI, Section 6.20(e)]**

## Detached Buildings

Detached Buildings of a Permanent Nature. Detached garages and other buildings of a permanent nature shall conform in exterior design and quality to the residence on each Lot. Permanent detached buildings placed on any Lot shall be located only behind the residence as such residence fronts on a street. For the purposes of determining compliance or non-compliance with these building line requirements, the provisions of pg. 28, Section 6.22 shall apply. Any such detached building shall be constructed concurrently with or subsequent to the construction of the residence on any Lot. Prior to commencing construction of any such detached building, the Owner shall obtain approval of the plans and specifications therefor from the ACC, as provided herein.

[See Declaration Article VI, Section 6.23]

No building, including tool shed, storage facilities, and greenhouses shall be erected, or placed on any Lot or permitted to remain on said Lot until building plans, elevations, specifications of construction methods, with plans showing location of such building, have been approved in writing by the ACC, as to the conformity and harmony of external finish, color, design and general quality with existing standards of the neighborhood, and as to location of building with respect to topography and finish ground elevations, which approval shall be at the sole discretion of the ACC. After final plans and specifications have been approved by the ACC, no changes may be made in said plans or specifications without the consent of the ACC. [See Declaration Article VI, Section 6.20(c)]

- Detached Garages [See Declaration Article VI, Section 6.22]
- Outbuildings & Similar Structures [See Declaration Article VI, Section 6.25]
- Temporary Buildings [See Declaration Article VI, Section 6.23]
- Tool Sheds, Storage Facilities, Workshops, Greenhouses, Tents, Carports, Porches

All buildings over 120 sq ft require permits. Buildings smaller than 120 sq ft with plumbing or electrical will require a permit also.

**A Form must be submitted for all detached buildings.** The following information is required:



- Size shall not exceed 250 square feet.
- Building must be located in the rear yard within the extended sidelines of the home.
- Building may not be used for any purpose that may be deemed by the ACC to cause disorderly, unsightly, or unkept conditions.
- Exterior materials must match the exterior materials, colors, and architectural design (roof pitch, etc.) used on the original home.
- Brick fronts are not permitted.
- Buildings must be on a poured concrete foundation (no piers or posts)
- Guttering and downspouts are required.

*A Gwinnett County building permit is required. This must be submitted with the ACC request.*

## **Gazebos**

**A form must be submitted for all gazebos.** The following is required:

- Roof pitch must closely match the existing roof.
- Site plan that includes dimensions, location, and materials to be used
- Type & Design: Hard-top, Soft-top, Pop-up
- Shape: Round, Square, Oval, Hexagon
- Color scheme to match existing home/trim color

*A Gwinnett County building permit is required. This must be submitted with the ACC request.*

All buildings over 120 sq ft require permits. Buildings smaller than 120 sq ft with plumbing or electrical will require a permit also.

## **Dog Houses**

**A Form must be submitted for dog houses.** No structure for 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. [See Declaration Article VI, Section 6.17]. Pens are not permitted. Dog houses must be in the back of the house. Dog houses must be located where they have minimal visual impact on adjacent homes or the street. Fencing of the yard is encouraged. The following is required:

- Size – Cannot exceed extra large dimensions (36” wide x 42” deep) For dogs, adequate space will be based on the size of the dog. (see Code of Ordinances Gwinnett, Chapter 10, Animals)
- Materials List and Colors, Picture of the doghouse if purchased.

## Decks

**A Form must be submitted for all decks.** The following is required:

The following requirements apply whether building a new deck or replacing an existing deck.

- Decks must not extend beyond the sides of the home.
- Site plan that includes location, dimensions, and materials to be used
- Stain or color to be used for sealant purposes.
- Vertical supports must be a minimum of 4x6 inch pressure treated wood posts or painted black metal poles.
- Railings (outdoor) may be constructed of aluminum, iron, glass, or wood.

*A Gwinnett County building permit is required for a deck. This must be submitted with the ACC request.*

## Covered Porches

**A Form must be submitted for all covered porches.** The following is required:

- Site plan that includes dimensions, location, and materials to be used
- Roof pitch must closely match the existing roof.
- Hardieplank siding is recommended & is a best selling, most popular material. Other materials may be used with the prior approval of the ACC.
- Shingles must match existing roof color.
- Color scheme to match existing home/trim color.
- Guttering and downspouts are required and must match existing home color.

*A Gwinnett County building permit is required for covered porches. This must be submitted with the ACC request.*

## Patios and Walkways

**A Form must be submitted for all patios and walkways.** The following is required:

- Patios may not exceed 6 inches above ground.
- Walkways must be level with ground.
- Location and dimensions of patio/walkway
- Patios will have expansion joints a minimum of one joint every 10 feet.
- Walkways will have expansion joints every 36 inches.
- Materials such as cement, concrete, granite, brick, flagstone, slate, tiles, or limestone may be used with prior approval of the ACC.

## **Decorative Lighting**

**Any major lighting change will need prior approval.**

Christmas Lights/Holiday Decorations (wreaths, blow-up figures, lawn deer, scare crows etc.) do not need approval. Holiday lights and decorations may not remain up longer than 21 days after the holiday.

## **Flag Poles**

A Form is not required for a single staff flagpole attached to the front portion of the home. The size of any flag shall not exceed 3x5 feet. Freestanding poles are not permitted.

## **Exterior Landscaping**

Landscaping: No construction or alteration of any Structure shall take place without the prior written approval by the ACC of plans and specifications for the landscaping to accompany such construction or alteration. [See Declaration Article VI, Section 6.05]

The following maintenance guidelines apply: [See Declaration Article VI, Section 6.13]

- Each homeowner is responsible for removal of all debris, clippings, etc. from the property line to the center of the street. In addition, all debris, clippings, etc. must be removed from driveway and sidewalk. All planting areas should be properly maintained at all times and after the first frost, all affected materials should be removed. At the end of the growing season, all dead plants should be removed. The dumping of clippings or debris on another person's property, common areas, or easements is strictly prohibited.
- Each homeowner should keep the lot and all improvements thereon in good repair including, but not limited to seeding, watering, mowing, edging, weeding of beds, and pruning of trees and shrubbery. This should be done in a manner and with such frequency as is consistent with good property management. The maintenance required shall also extend from the boundary of a Lot to the curb of the street bordering said Lot.

- Sod must be Bermuda or Centipede. Any other sod must be submitted. If for any reason sod is damaged or a landscaping bed is removed, the vacant or damaged area must be re-sod with the same type grass. Over seeding is not permitted. A homeowner may not mix and match sod types. Example: The front and side yards must be all one grass type and the back must be all one type. A homeowner may over seed the back yard with Fescue seed if Fescue already exists.
- All landscape beds must be covered with suitable mulch such as pine straw or pine bark. Use of any other mulch material must be submitted to the ACC.
- Landscape edging/fancy borders must be submitted.
- No living trees may be cut on any of the Lots in the Subdivision without express consent of the ACC. [See Declaration Article VI, Section 6.05]
- All front yards shall be sodded. All corner Lots shall be sodded on the front yard and side yard facing the street right-of-way. [See Declaration Article VI, Section 6.20(g)]
- Outdoor garden tools must be stored out of view from the street. Storage is not permitted on the sides of the house.

## **In Ground Sprinkler Systems**

### **A Form is not required if the following conditions are met.**

- System must be underground.
- If a trenching technique is used, all sod must be replaced upon completion.
- System must be contained within property boundaries.

## **Subsurface Drainage Systems**

### **A Form is not required if the following conditions are met.**

- System must be contained within the property boundaries.
- System must not drain or increase water flow on neighboring properties.
- All damaged sod must be replaced upon completion of the job.

## **Vegetable Plots**

### **A Form is not required if the following conditions are met.**

- Size of the plot does not exceed 150 square feet and plant size does not exceed 4 feet.
- Plot is located in rear yard and does not extend beyond the extended side lines.

- All plots must be cleared at the end of the growing season.

## **Wood Piles/Firewood/Lumber** [See Declaration Article VI, Section 6.12]

The following guidelines apply:

- Wood must be stacked neatly in rear yard not extending beyond extended sidelines.
- Coverings are permitted but must be earth tone in color.

## **Recreational/Play Equipment** [See Declaration Article VI, Section 6.15]

**Swing sets do not require submission.** The following guidelines must be met:

- Must be in the rear yard within the extended sidelines.
- The equipment must remain in good condition. Damaged or broken swings must be repaired. Swing sets must remain rust free and the paint or stain in good condition.

**Trampolines do not require submission.** The following guidelines must be met:

- Equipment must remain in good condition regarding paint and appearance.
- Torn trampolines must be repaired.

**Prefabricated Playhouses do not require submission.** The following conditions must be met:

- Equipment must remain in good condition regarding paint and appearance.
- Playhouses must not exceed 75 square feet or be greater than 6 feet in height.
- If playhouse is “stick built” a Form to the ACC is required.

**\*No swing set, trampoline, pre-fabricated playhouse or other recreational/play equipment may be visible from the street and may not be placed in the front yard or side yard.**

## **Basketball Goals** [See Declaration Article VI, Section 6.15]

**Portable Basketball goals do not require submission.** The following conditions must be met:

- May not be kept on public right of way.
- No metal nets.
- Goals must remain in good condition regarding paint (no rust, flaking or peeling), nets (torn nets must be replaced), and posts must be black in color.

**\*If approved by the ACC, Basketball goals may be placed adjacent to driveway but may not be attached to a residence without prior approval of the ACC. Permanent goals are not permitted.**

## Children's Wading Pools

**A Form is not required for Children's wading pools if the following conditions are met:**

- Should not exceed 18 inches in depth.
- Should not exceed 36 square feet.
- Must be stored out of sight when not in use.

**Above Ground Pools** [See Declaration Article VI, Section 6.15, 6.20(i)]

**Above ground pools are not permitted.**

## In Ground Pools

**A Form must be submitted for all in ground pools.** The following information is required:

- Privacy fencing must meet fence guidelines.
- Site plan must include, square footage of proposed pool, colors of liner or walls, and location of pumps and filters.
- Glaring light sources that may disturb neighbors may not be used.
- Landscaping enhancements may be required.

## Hot Tubs

**A Form must be submitted for all hot tubs.** Tubs must be screened from adjacent properties.

## Fences

 [See Declaration Article VI, Section 6.09]

Replacement of an existing fence (that has no variance from the existing fence) does not require submission of a Form.

**A Form must be submitted for all new and redesigned fences.** A request for fencing must include:

- Exact dimensions of fence
- Intended color of stain with sample
- A site plan denoting the location of the fence together with information as to existing fences erected on adjacent properties.
- On a corner lot, the fence may not be closer to the street than the building line of the house.

**The following guidelines have been adopted for fences in Brentwood Estates:**

- All fences are for enclosure of the rear yard only.
- All fences must be wood; cedar or pressure treated pine.
- No chain-link fences are allowed.
- All fences must have a positive scallop, be 6 feet in height, smooth side must face out, fence may not extend beyond the rear corner of the house, and gates must be single 4-foot gates, unless a variance has been applied for and granted by the ACC.
- 4X4 Pressure treated posts every 8 linear feet and set in concrete at a minimum of 12 inches deep.
- A minimum of two 2x4 rails per 8-foot section
- Picket dimensions must be 1x6.
- All hardware on gates must be maintained in good working condition.
- Gates must be able to fully close and are required to be closed and latched at all times when not in use.
- Fence must remain in good condition. Homeowner may be required to repair or replace any visible deterioration.
- It is the homeowner's responsibility to ensure that the fence does not encroach on neighboring property. A survey is recommended.
- Permission to join other fences must be included with submission.
- Prefabricated panels are not permitted.

**Trash/Garbage Cans** [See Declaration Article VI, Section 6.12]

**As stated in the Brentwood Estates Covenants: "Garbage cans may be placed in the open on any day that a pickup is to be made" [See Declaration Article VI, Section 6.18(d)]. Trash cans should be placed on the curb no earlier than 3:30pm the day before pickup. (Gwinnett County Residential Code 82-56 a.6.c) Trash cans should be removed by 7am the day after. At all other times trash cans must be stored (in the garage of the home) or in the rear yards, out of view from the street. They may be stored on the sides of the home if they are screened from view by adequate planting or fencing to conceal them from view by neighboring residences and streets. Screening must be submitted to the ACC.**

**Vehicles/Parking**

The following guidelines apply:

- (1) Parking in yards (front or back) is not permitted.
- (2) Street parking may not impede traffic at any time.
- (3) The Association requests the courtesy of all Homeowners to avoid street parking for security and safety reasons, to prevent traffic obstruction and ensure the smooth passage of school buses and emergency vehicles as needed. Garages and driveways should be used whenever possible.
- (4) No parking of any vehicle that is non-operative or under repair shall occur on any street for more than a 48-hour period. [See Declaration Article VI, Section 6.14]
- (5) Said vehicle must be removed by vehicle owner within 48-hour period. If not, any lot owner may have vehicle removed at owner's expense.  
[See Declaration Article VI, Section 6.14]
- (6) No commercial vehicle, house trailer, mobile home, motor home, recreational vehicle, camper, truck with camper top, boat, or boat trailer or like equipment other than passenger vehicles having a capacity of less than nine passengers will be permitted on any lot or street on a permanent basis but may be allowed on a temporary basis no more than 48 hours. [See Declaration Article VI, Section 6.14]
- (7) No house trailers or mobile homes or other habitable motor vehicles of any kind are permitted. School buses, trucks, or commercial vehicles over one ton capacity shall not be kept, stored, or parked overnight either on any street or lot.  
[See Declaration Article VI, Section 6.14]
- (8) Junk vehicles shall not be kept, permitted, parked, stored, or maintained on any premises or public right of way. A junk vehicle is defined as any vehicle that does not appear operable and/or does not display a valid tag and decal.  
(Gwinnett County Residential Code 14-287)
- (9) Abandoned Vehicles are not permitted: Any vehicle left unattended on the street for a period of at least five days is considered abandoned and may be subject to towing.  
(<https://dor.georgia.gov/abandon>)

## **Antennas/Satellite Dishes** [See Declaration Article VI, Section 6.11]

### **Antennas are not permitted.**

Satellite dishes do not require submission. Dishes are not permitted on the front of any homes.

Dishes shall be permitted on the roof or side of the house facing the rear yard.

## **Solar Equipment** [See GA Code Section 44-3-221)

Solar equipment is permitted but requires prior approval from the ACC concerning specifications, location and design.



## **Roofs** [See Declaration Article VI, Section 6.20(b)]

Replacement of an existing roof (with no changes from the existing roof color or design) does not require submission of a Form. Black roof shingles are preferred. Any change in color or design requires approval of the ACC.

Roofs must remain in good condition. Damaged or missing shingles must be replaced. Replacement shingles must match existing roof. Partial replacement must be submitted.

## **Tree Removal**

**No trees living may be cut/removed on any of the lots in the subdivision without express written consent of the ACC.** [See Declaration Article VI, Section 6.05]

Removal of dead trees requires the approval of the ACC.

## **Clotheslines** [See Declaration Article VI, Section 6.11]

Clotheslines are not permitted without prior written approval by the ACC.

## **Mailboxes** [See Declaration Article VI, Section 6.24 & 6.20(f)]

The current style of mailboxes must be maintained. Box must be Metal with black numbers and white background. Poles must remain in good condition – no peeling or flaking paint.

## **Window Coverings**

Window coverings must remain in neat condition. Those visible from the street must have white or off-white backing. Bed sheets, towels or any other type of material is not permitted.

## **Drainage Easements** [See Declaration Article VII, Section 7.01]

All drainage easements, whether fenced or not, must be maintained by the property owner. Weeds and other non-landscape quality vegetation must be removed on a regular basis.

Fences may not impede the natural water flow. A fence may not obstruct a drainage ditch, catch basin, drainage swale, storm sewer, or storm drain. To fence a drainage easement, written approval from Gwinnett County is required. The letter from the County granting permission must be attached to the Application when submitted.

## **Erosion Control** [See Declaration Article VI, Section 6.04]

No activity which may create erosion or siltation problems shall be undertaken on any Lot without the prior written approval of the ACC of plans and specifications for the prevention and control of such erosion or siltation. The ACC may, as a condition of approval of such plans and specification, require the use of certain means of preventing and controlling such erosion or siltation. Such means may include (by way of example and not of limitation) physical devices for controlling the run-off and drainage of water, special precautions in grading and otherwise changing the natural landscape, and required landscaping as provided for in Section 6.05.

## **Signs** [See Declaration Article VI, Section 6.15]

- (a) No signs whatsoever (including, but not limited to, commercial and similar signs) shall, without the ACC's prior written approval of plans and specifications, therefore, be installed, altered to maintain on any Lot, or on any portion of a Structure visible from the exterior thereof, except:
  - (I) Such signs as may be required by legal proceedings and for display of all building permits:
  - (II) 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 use of Owners, the signs made available by the Association must be used:
  - (III) Not more than one lot identification sign in accordance with plans and specification approval by the ACC.
  - (IV) Directional signs for vehicular or pedestrian safety in accordance with plans and specifications approved by the ACC.
- (b) In no event during approved construction of any Structure shall more than one job identification sign be approved by the ACC. (For addition information on signs see Code of Ordinance, Gwinnett – Chapter 10)

NOTE: The display of celebratory/occasion signs in front yards is permitted on a temporary basis and do not need approval (for birthdays, graduations, school sports, yard sales, tributes to veterans or law enforcement, etc.). Signs should not exceed 2x2 feet and should be removed promptly when the occasion had ended. Signs must not contain offensive language, political or religious statements. In addition "No Solicitation" and Alarm Protected" signs are permitted. This policy aims to foster a sense of community while maintaining a visually appealing and respectful neighborhood environment.

## **Driveways** [See Declaration Article VI, Section 6.10]

No driveway shall be constructed or altered on any lot without the prior written approval of the ACC of plans and specifications for such driveways. Guidelines relating to the design and location of driveways may be included in the Design Standards of the ACC but shall conform to local governmental requirements and codes.

## **Animals** [See Declaration Article VI, Section 6.17]

No agricultural animals may be kept on any Lot and 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. (See Gwinnett County Code Section 10-8, Public Nuisance Animal) 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.

PLEASE. NOTE: Gwinnett County makes it unlawful for a dog owner or possessor to fail to keep a dog under control. A dog is restrained if it is on a leash and under the control of a competent person or off a leash and obedient to the voice command of a person who is nearby. A dog is considered unrestrained when it is roaming at large, whether wearing a collar or not. (See Gwinnett County Code Section 10-71, Restraint of Dogs) To request a leash law letter be sent call 770-339-3200.

All homeowners/pet owners should be considerate of neighbors and neighbor's property:

- Do not allow your pet to run unleashed on any neighbor's property.
- Do not allow your pet to relieve itself on a neighbor's property.
- If your pet does relieve itself on a neighbor's property, you must remove your pet's waste and dispose of it in the proper manner.
- See Gwinnett County requirements for possession of dangerous or vicious dogs. (Gwinnett County Code Section 10-106)

### **Nuisances** [See Declaration Article VI, Section 6.19]

No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done thereof which may be or may become an annoyance or nuisance to anyone in the Development. To report any unlawful activity to the Gwinnett County Police Department, call 770-513-5700.

### **Leasing** [Second Amendment to the Declaration Article VI, Section 6.26]

Leasing is prohibited. No Exceptions. However, upon written application, the Board shall be empowered to allow reasonable leasing of a Lot to avoid undue hardship. In such a case, certain leasing provisions must be followed, and the Lot owner may be required to reapply every year for renewal of the hardship exception. See amendment for full details concerning leasing due to undue hardship.

### **Restriction of Use** [See Declaration Article VI, Section 6.02]

Lots may be used for single family residences only and for no other purpose. No business or business activities shall be carried on upon any Lot at any time except with the written approval of the ACC.

### **Violations** [See Declaration Article V, Section 5.11]

If any structure shall be erected, placed, maintained, or altered upon any Lot, otherwise than in accordance with the plans and specifications approved by the ACC pursuant to the provisions of this Article, such erection, placement, maintenance or alteration shall be deemed to have been undertaken in violation of this article and without the approval required herein. If in the opinion of the ACC such violation shall have occurred, the ACC shall notify the Association and the Board shall take appropriate measures to correct the violation; the board shall provide written notice to the Owner by certified mail, setting forth in reasonable

detail the nature of the violation and the specific action or actions required to remedy the violation. If the Owner shall not have taken reasonable steps toward the required remedial action within thirty (30) days after the mailing of the aforesaid notice of violation, then the Association shall have the Right of Abatement as provided in Section 8.02(a).

In the event of a continuing violation, each day the violation continues or occurs again constitutes a separate offense, and fines may be imposed on a per dime basis without further notice to the violator.  
[See Amendment to Bylaws Article VII, Section 2(a)]

If a written request for a hearing is received from the violator within ten (10) days of the date of the violation notice, then the Board shall schedule and hold in executive session a hearing affording the violator a reasonable opportunity to be heard. Failure to request a timely hearing as provided herein shall result in loss of the right to challenge and request reconsideration of the fines.  
[See Amendment to Bylaws Article VII, Section 2(a)]

*\*If you receive a letter from CMA (Community Management Associates) and do not correct the violation within 30 days, you will be subject to a daily fine. Please notify CMA or the Brentwood HOA if circumstances will require you to need more than 30 days to correct the violation or remedy the condition in question.*

## **Obligation to Act** [See Declaration Article V, Section 5.09]

The ACC shall act on any plans and specifications submitted as herein provided within thirty (30) days after receipt thereof. Failure by the ACC to act within thirty (30) days after receipt of plans and specifications submitted for approval shall be deemed approval of such plans and specifications.

## **Inspection Rights** [See Declaration Article V, Section 5.10]

Any employee or agent of the Association or the ACC may, after reasonable notice, at any reasonable time or times, enter upon any Lot and Structure thereon for the purpose of ascertaining whether the installation, construction, alteration or maintenance of any structure or the use of any Lot or Structure is in compliance with the provisions of this Declaration; and neither the Association, nor the ACC, nor any such agent shall be deemed to have committed a trespass or other wrongful act solely by reason of such entry or inspection, provided such inspection is carried out in accordance with the terms of this Section.

## **Certification of Compliance** [See Declaration Article V, Section 5.12(a)]

Upon completion of the installation, construction or alteration of any Structure in accordance with plans and specifications approved by the ACC, the ACC shall, upon written request of the Owner thereof or upon the ACC's own initiative, issue a Certificate of Compliance, identifying such Structure and the Lot upon which such Structure is placed, and stating that the plans and specifications have been approved and that such Structure complies with such plans and specifications. A copy of said Certificate shall be filed for permanent record with the plans and specifications on file with the ACC.

## **Maintenance** [See Declaration Article VI, Section 6.13]

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 (1) the repairing and painting (or other external care) of all Structures, (2) the seeding, watering and mowing of all lawns, and (3) the pruning and trimming of trees, hedges and shrubbery so that the same are not obstructive of a view by motorists or pedestrians of street traffic. Notwithstanding the foregoing, the maintenance required here under shall also

extend from the boundary of a Lot to the curb of the street bordering said Lot. If in the opinion of the ACC, any Owner shall fail to perform the duties imposed by this Section, the ACC shall notify the Association. If the Board shall agree with the determination of the ACC with respect to the failure of said Owner to perform the duties imposed by this Section, 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 take reasonable steps to remedy the condition within thirty (30) days after the mailing of said written notice by certified mail, then the Association shall have the Right of Abatement as provided in Section 8.02(a) hereof.

## **Solid Waste** [See Declaration Article VI, Section 6.18 (a), (b), & (c)]

- (a) No person shall dump rubbish, garbage, or any other form of solid waste on any Lot or on Common Property or within the right-of-way of any street in the Development.
- (b) No person shall burn rubbish, garbage, or any other form of solid waste on any Lot or on Common Property or within the right-of-way of any street in the Development.
- (c) Except for building materials employed during construction of any Structure approved by the ACC, no lumber, metals, bilk materials 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.

## **Right of Enforcement**

The Board of Directors shall have the authority to make, modify, repeal and enforce reasonable rules and regulations governing the conduct, use, and enjoyment of Lots and the Common Property.  
[See Amendment to Bylaws Article VII, Section I]

This Declaration and the Restrictions contained herein shall inure to the benefit of and shall be enforceable by the Association. [See Declaration Article VIII, Section 8.01]

Every Owner and Occupant shall comply with the Declaration, Bylaws, and rules and regulations of the Association, and any lack of compliance shall entitle the Association to take action to enforce the terms of the Declaration, Bylaws or rules and regulations.  
[See Amendment to Bylaws Article VII, Section 1]

## **Right of Abatement** [See Declaration Article VIII, Section 8.02(a)]

In the event of a violation or breach of any Restriction contained in this Declaration the Association shall give written notice by certified mail to the Owner setting forth in reasonable detail the nature of such violation or breach and the specific action or actions needed to be taken to remedy such violation or breach. If owner shall fail to take reasonable steps to remedy such violation or breach within thirty (30) days after the mailing of said written notice, then the Association shall have the right of Abatement.

## **Assessments** [See Declaration Article IV, Section 4.01]

Each Owner of a Residence, by acceptance of a deed for Residence, agrees as follows:

- (a) To pay to the Association the annual assessments, any Parcel assessments, and any specific assessments which may or shall be levied by the Association pursuant to this Declaration against all Residences owned by him.
- (b) To pay to the Association any special assessments for capital improvements and other charges which may or shall be levied by the Association pursuant to this Declaration against all Residences owned by him.
- (c) That there is hereby created a continuing charge and lien upon all residences owned by him.

## **Purpose of Assessments** [See Declaration Article IV, Section 4.02]

The assessments levied by the Association shall be used exclusively for the purpose of providing for the common good and general welfare of the people of the Development, including, but not limited to, security, the acquisition, construction, improvement, maintenance, and equipping of Common Property, the enforcement of the Restrictions contained in this Declaration, the enforcement of the Design Standards of the ACC, the payment of operating costs and expenses of the Association, and the payment of all principal and interest when due on all debts owed by the Association.

## **Effect of Non-payment of Assessments** [See Declaration Article IV, Section 4.09]

Any Assessment which is not paid on or before the Due Date shall bear interest after the Due Date at the lower of the highest legal rate of interest which can be charged or the rate of twelve (12%) percent per annum.

## **Solicitation**

Residents that are annoyed by solicitors may place a small “No Soliciting” sign at their front door to help prevent these visits from salespeople. This sign may not be larger than 4” x 10”.

## **Fines/Penalties**

The Board shall have the power to impose reasonable fines, which shall constitute a lien upon the Owner’s Lot, and to suspend an Owner’s right to vote or to one the Common Property.

[See Amendment to Bylaws Article VII, Section 1]

### **Fines begin after 30 days unless a hearing is requested.**

Failure to request a timely hearing as provided herein shall result in loss of the right to challenge and request reconsideration of the fines. [See Amendment to Bylaws Article VII, Section 2(b)]

If any assessment, interest, cost or other charge is not paid as required by this Declaration, the Association may bring either an action at law against the Owner personally obligated to pay the same, or an action to foreclose any lien created by this Declaration against the Lot or Lots subject to the lien, or both, for the purpose of collecting such assessment, cost or charge, plus any interest there on and costs of collection, including reasonable attorney’s fees. [See Declaration Article VIII, Section 8.04(a)]

Notwithstanding anything to the contrary herein contained, the Association, acting through the Board, may elect to enforce any provisions of the declaration, the Bylaws, or the rules and regulations by self-help.

All costs of self-help or of otherwise enforcing the Declarations, Bylaws or Association rules, including reasonable attorney's fees, shall be assessed against the violating Lot Owner. Additionally, the Association shall have the authority to record in the Gwinnett County land records a notice of violation identifying an incurred violation of the Declaration, Bylaws or rules and regulations regarding the Lot.

[See Amendment to Bylaws Article VII, Section 3]

*The Brentwood Estates Homeowner Association, Architectural Design Standards and Guidelines and Declaration of Covenants, Restrictions and Easements can be found at our website; [BrentwoodEstatesGrayson.com](http://BrentwoodEstatesGrayson.com) or at the [CMACommunities.com](http://CMACommunities.com) site under documents.*

*If you have any questions, comments, or need clarification, please contact the Association at [BrentwoodEstatesGrayson@gmail.com](mailto:BrentwoodEstatesGrayson@gmail.com).*