

# Belleterre Architectural Review Committee (ARC)

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## What DOES NOT need Belleterre ARC approval

- Pruning/removing dead shrubs and trees including raising canopies of overgrown trees
- Fixing external structures back to the original state, such as repairing steps to a deck, replacing rotted trim, repairing individual roof shingles.
- Tree Removal – ARC approval not needed for diseased or dead trees. Refer to City of Milton Tree Ordinance for requirements on tree removal.

## What NEEDS Belleterre ARC approval

Short answer: changing anything exterior that is visible from the street not listed above. When in doubt, ask or submit an ARC request.

## ARC Standards Summary

**Belleterre Covenants, Article VI Section 3 – Architectural Standards in summary. For complete information, refer to the covenants.**

- No exterior construction, addition, erection, or alteration shall be made unless and until plans and specifications showing at least the nature, kind, shape, height, materials, and location shall have been submitted in writing to and approved by an Architectural Review Committee (“ARC”). Examples of requirements for ARC approval will include an engineer/architect sign off on building code compliance, a diagram showing how the structure will look, list of materials to be used for the exterior and any additional information the ARC may request.
- The ARC shall be the sole arbiter of such plans and may withhold approval for any reason, including purely aesthetic considerations, and it shall be entitled to stop any construction in violation of these restrictions.
- Any member of the Board or its representatives shall have the right, during reasonable hours and after reasonable notice, to enter upon any property to inspect for the purpose of ascertaining whether or not these restrictive covenants have been or are being complied with. Such Person or Persons shall not be deemed guilty of trespass by reason of such entry.
- In addition to any other remedies available to the Association, in the event of noncompliance with this Section, the Board may, as provided in Article XII, Section 1 hereof, record in the appropriate land records a notice of violation naming the violating owner.

**ARC Covenants Summary Belleterre Covenants Sections 4-31. Below is a summary most relevant to current community standards. For complete information, refer to the covenants.**

**Signs.** The following do not need approval as long as consistent with Community Standard:

- one 'For Sale' or 'For Rent', only during time for sale/rent
- security signs
- temporary signs designating special events such as graduations
- short-term/temporary signs during construction or recently installed products

**Vehicles.** (includes automobiles, boats, trailers, motorcycles, scooters, etc.)

- park only in garages, on driveway, or designated parking pads; do not park on grass
- towed vehicles (such as boats, trailers, inoperable automobiles, etc.) except for temporary use (no longer than 48 hours) must be kept in garage or stored out of public view

**Antennas.** No exterior or free-standing antennas of any kind are allowed without prior written consent of the ARC. Satellite dishes less than 1 meter in diameter are allowed (per Telecomm Act of 1996) but requested to be installed out of public view whenever possible.

**Tree Removal.** Approval from City of Milton Arborist is required for certain sized trees. Refer to the latest specifications on the City of Milton website. If approval is required by the city, submit a tree removal permit application first, and if approved, then submit your ARC request along with proof of approval.

No trees shall be removed from any portion of the Community without the prior written consent of the ARC except for:

- a) Trees that are located within ten (10) feet of a drainage area, a septic field, a sidewalk, a residence or a driveway
- b) Diseased or dead trees

This is directly from Belleterre covenants.

ARC notification is not needed if you are only trimming the trees on your property or removing dead or diseased trees.

All requests must have a completed Application for Approval of Exterior Modifications including the property survey/plat/footprint showing the location of all trees on the property. The tree(s) to be removed are to be clearly marked on the property survey/plat/footprint document or a photo(s) that clearly marks the tree(s) to be removed.

Failure to submit a completed Application for Approval of Exterior Modifications document will immediately be subjected to rejection. The form must be filed out in its entirety.

Any changes to the proposed project after receiving Belleterre Architectural Review Committee approval requires a new submission of the Application for Approval of Exterior Modifications document.

**Drainage.** No obstruction or debris shall be placed in areas that could disrupt water flow for drainage swales, storm sewers or storm drains.

**Sight Distance at Intersections.** No fence, shrub or any other planting should be placed where it could create a traffic or sight problem. Growth of an existing tree or shrub should be pruned or cut back to ensure the same.

**Garbage cans, Woodpiles, Etc.** All garbage cans, woodpiles, swimming pool pumps/filters, air conditioning compressors and other similar items shall be located or screened so as to be concealed from view of neighboring streets and property. Garbage shall be regularly removed and not allowed to accumulate. Trash, garbage, debris, or other waste matter may not be burned within the community. Recreational fires must follow City of Milton's Open Burning standards.

**Fences.** No fence or fencing type barrier of any kind shall be placed, erected, allowed, or maintained upon any portion of the Community, including any Lot, without the prior written consent of the ARC. The ARC may issue guidelines detailing acceptable fence styles or specifications, but in no event may a chain link or barbed wire fence be approved.

**Air-Conditioning Units.** Except as may be permitted by the ARC, no window air conditioning units may be installed.

**Lighting.** Except as may be permitted by the ARC, exterior lighting visible from the street shall not be permitted except for (a) approved lighting as originally installed on a Lot; (b) one decorative post light; (c) street lights in conformity with an established street lighting program for the Community; (d) seasonal decorative lights.

**Artificial Vegetation, Exterior Sculpture, and Similar Items.** No artificial vegetation shall be permitted on the exterior of any property. Exterior sculptures, fountains, and similar items must be approved by the ARC.

**Energy Conservation Equipment.** No solar energy collector panels or attendant hardware of other energy conservation equipment shall be constructed or installed unless they are an integral and harmonious part of the architectural design of a structure, as determined in the sole discretion of the ARC.

**Swimming Pool.** No swimming pool shall be constructed, erected, or maintained upon any Lot without the prior written consent of the ARC and in no event shall any above-ground swimming pool be permitted.

**Gardens, Play Equipment and Pools.** No vegetable garden, hammock, statuary, play equipment or pool shall be constructed, erected, or maintained upon any Lot unless the type and location thereof has been previously approved by the ARC.

**Mailboxes.** The ARC has designated replacement mailbox and mailbox parts which must be used. Mailboxes must be kept in working order and maintained according to ARC standards.

**Exteriors.** Any change to the exterior of house or any improvement located on a Lot, that is visible from the street, must be approved by the ARC. Common examples (but not limited to) include:

- House/trim painting – even if painting the same color, all paint projects must be submitted and approved. When determining approval, ARC will consider overall neighborhood color schemes and style, balanced with need to ensure differentiation from neighboring homes.
- Windows – replacing and/or tinting of windows requires ARC approval.
- Roofing – major repair or entire replacement of shingles requires ARC approval if there is a change in color or type of shingle being installed that differs from the original.
- Decks/patios/porches – changes to or installation of new deck, patio, porch, etc. requires ARC approval.

## ARC Process

**To maintain the high standards, integrity and home values of our neighborhood, procedures have been established, and ARC requests and issues are recorded to ensure neighborhood control and continuity. Below are steps to follow before a project has started and instructions on how to submit your request:**

- Before starting any project, please reference the neighborhood Declaration of Protective Covenants for Belleterre (“Covenants”). The applicable provision for architectural issues is article VI, Use Restrictions and Rules. The ARC will be using this section to guide their decision process.
- ARC approval is required before project commences. Homeowners are advised to prepare and include all relevant materials with their request such as: a site plan, scale drawings, pictures, sample materials and colors, contractor(s) scope of work, building permit if required, tree removal approval from city if required, etc.
- ARC also recommends you speak with adjacent neighbors to inform them of your plans.

## How to Submit Your ARC Request

1. The preferred approach for submitting an ARC request is accessing the online AMG form on the Documents page on the American Management Group website.

([https://portal.accessmgt.com/Homeowner\\_v2/Documents/21172](https://portal.accessmgt.com/Homeowner_v2/Documents/21172)).

The Modification Request Form is the document you will be working with. After filling out the form, including all relevant attachments and submitting, the information will be forwarded to our AMG contact. The contact will review the document for all requirements and will forward to the ARC for review.

There is also a ‘manual’ ARC form if you prefer to print, fill out and turn over to an ARC member.

2. The ARC committee will process your request and get back to you generally within a week; larger projects will likely take longer. It is your responsibility to file the request in a timely manner to avoid delaying the start of your project. If the ARC committee determines more information is necessary, you will be notified.
3. Your project must be resubmitted for approval if there is a change in the scope and/or materials being used.

## Violations and Fines

### **Article XII, Section 1 of Belleterre Covenants allows the HOA to impose fines if a homeowner is in violation of maintenance:**

Lots must be maintained “in a manner consistent with the Community-Wide Standard.” The Community Wide Standard is defined in the Covenants as the, “standard conduct, maintenance, or other activity generally prevailing in the Community” (see Exhibit A, Definitions).

### **Violations**

Common community-wide standards that will be routinely enforced include, but are not limited to:

- Lawns – routinely cut, fertilized, and treated for weeds
- Edged routinely
- Mulch beds kept fresh
- Mailboxes in working order with standard address letters

**Per the City of Milton, Sec. 48-584 – Obstruction of Right-of-Way.** No person shall place or cause to place in any right-of-way: debris, rubbish, irrigation water, boxes, displays, signs, poles, goods, merchandise, or any object so as to impede or endanger traffic on streets and sidewalks. This includes sidewalks blocked due to over grown shrubs, bushes, etc.

Homeowners will be notified in writing if they are in violation of a community standard. A homeowner will have 10 days to resolve and/or respond to a violation letter. If after 10 days there is no resolution or response, one or more of the following may occur:

- In all cases, the ARC first prefers to communicate and work with a homeowner to resolve any issues.
- If there is lack of resolution or communication, the ARC may impose a fine to the homeowner and/or commission work to be performed on behalf of the homeowner, that the homeowner will be responsible to reimburse the HOA.

### **Fining (as defined in Article 3, Section 21):**

The ARC will follow procedures described in Article 3, Section 21 of the Covenants, whereas a violating homeowner will be notified in writing and will have an opportunity to challenge the fine by requesting a hearing.