

BRANNON ESTATES AT SUGAR PIKE HOMEOWNERS ASSOCIATION, INC.

ARCHITECTURAL / IMAGE GUIDELINES

Introduction

One of the purposes of the Brannon Estates at Sugar Pike Homeowners Association, Inc. and its elected Board of Directors (the Board) is to maintain a high standard of architectural and aesthetic quality in the Brannon Estates subdivision. The Board is concerned not only with the design of a specific project but also with the effect it will have on the entire community.

The Board has established an Architectural Review Committee (ARC) having jurisdiction over all exterior changes or modifications to homes and properties in Brannon Estates. The Board is pleased to present a summary of the architectural guidelines for exterior alterations and maintenance standards for Brannon Estates. The Architectural Guidelines are designed to provide parameters for alterations to the exterior appearance of homes and properties. Furthermore, they establish acceptable maintenance requirements. The intent of these Guidelines and the Covenants, upon which they are based, is to ensure that the appearance of our community is maintained while allowing residents the fullest enjoyment of their property.

This set of Guidelines should provide answers to your questions. Any exterior home or property alteration must be approved by the ARC and may also be subject to the laws and regulations of Cherokee County. It is the homeowner's responsibility to ensure compliance with all applicable restrictions.

Why Do We Have Architectural Controls?

Many people who have lived in communities without architectural controls have seen or experienced a well maintained, well decorated house next to one which has been allowed to deteriorate or has a lawn strewn with junk. These are extreme circumstances, but none of the Brannon Estates residents wants to live near or have to look at an eyesore. The architectural controls in the Brannon Estates Covenants are designed to prevent excesses and abuses, while affording flexibility in property use. The use of these guidelines and standards will help to establish that Brannon Estates is a desirable community which will maintain its home equities well into the future.

If you want to make any exterior alterations, including landscaping, or find out if there are restrictions governing the use and location of outdoor recreational equipment, your first step is to consult the Architectural Guidelines.

How Does the Architectural Process Work?

The ARC reviews the homeowner's requests per the Brannon Estates Covenants. The Covenants require that all homeowners obtain written approval from the ARC **prior** to beginning any modification to the

exterior of your home or property. No exterior constructions, 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 the ARC. The ARC may, from time to time, delegate any of its rights or responsibilities to one or more duly licensed architects or other qualified Persons, which shall have full authority to act on behalf of the ARC for all matters delegated.

If the ARC fails to approve or disapprove submitted plans and specifications within forty-five (45) days after the plans have been submitted, they will be deemed to be approved. Once deemed approved those plans must be adhered to and not be modified to be in violation of the Covenants.

PLANS AND SPECIFICATIONS ARE NOT APPROVED FOR ENGINEERING OR STRUCTURAL DESIGN OR QUALITY OF MATERIALS, AND BY APPROVING THE PLANS AND SPECIFICATIONS NEITHER THE ARC, THE BOARD OF DIRECTORS, ANY OF ITS MEMBERS OR THE ASSOCIATION ASSUMES LIABILITY OR RESPONSIBILITY FOR ANY DEFECT IN ANY STRUCTURE CONSTRUCTED FROM SUCH PLANS AND SPECIFICATIONS (Please review page 10, paragraph 4 of the Declaration of Protective Covenants for Brannon Estates at Sugar Pike for a detailed description of this liability waiver).

How Do I Submit a Request?

You must submit a written request. Your request should include the following at a minimum:

- Description of your project including dimensions, all materials to be used, and color/stain samples must be provided.
- Picture or photo or drawing of the project.
- Copy of your plat/survey that clearly shows the location of the project (if applicable). For fences, and decks, please see those sections in the Guidelines.
- Name of the company or person installing the project.

Please provide any additional information that you feel might help the ARC to make a well-informed decision.

Send the information package to:

< Add Address Here >

The ARC will review your request/application and you will receive a written decision for your records.

What if I Don't Wait for Approval?

If you start an alteration without first getting written approval of your plans, you do so at your own risk. If you fail to submit an application or if your application is modified or turned down, you may face the cost of removing the alteration in addition to legal costs. The Covenants provide means for placing such costs as a lien against your property. These circumstances may also arise if your property has been altered without approval. In cases such as these, every effort is made to work out a reasonable solution to the problem. The best solution, however, is pre-approval.

What is the Process for Covenant Enforcement?

Enforcement of the Brannon Estates Covenants is the job of each and every resident. When complaints are brought to the attention of the ARC and the Board, they are kept confidential and investigated as soon as possible. If a violation is confirmed, the property owner is contacted and asked to correct the problem, either by removal or submission of an application or, in the case of a maintenance problem, by repair. It is hoped that most problems are corrected at this stage.

If this contact does not result in any action, the property owner will receive a formal notification requesting action and if the problem is not corrected within the stipulated time, fees will be assessed and legal action may be initiated.

Repairs and Maintenance

Routine repairs and maintenance do not require the approval of the ARC if the work uses the existing and matching materials and design. Existing architectural details, including trim, shutters, columns, porches, and other elements shall be retained. If certain elements have deteriorated beyond the point where they can be retained, they shall be replaced in kind. Any modification or deletion of existing exterior architectural details requires the approval of the ARC. Examples of typical maintenance items are as follows:

RE-pointing: Mortar used to re-point existing brick or stone shall match the color of the mortar on the existing building; the width and profile of the mortar joints shall also match the existing condition. This would not require ARC approval.

Roofs: Areas of deteriorated shingles can be replaced without replacing the entire roof if the new shingles match the material, color, texture, and profile of the existing roof. This would not require ARC approval.

Porches, Shutters, Doors, Windows, Columns, Steps, Patios, and Decks: These items must be maintained and/or repaired exactly as they were originally installed. This would not require ARC approval. Any repair requiring demolition and significant material removal and replacement will require ARC approval.

Any variation from these standards will require approval from the ARC.