

**ACTION BY DECLARANT ADOPTING THE ARCHITECTURAL GUIDELINES  
FOR THE GROVES AT MYRTLE STREET**

THIS INSTRUMENT is made as of the 28 day of May, 2025, by **BEAZER HOMES, LLC**, a Delaware limited liability company ("Declarant").

WITNESSETH

WHEREAS, Declarant executed that certain Declaration of Protective Covenants, Conditions, Restrictions and Easements for The Groves at Myrtle Street, which was recorded on January 10, 2025 in Deed Book 68584, page 527, *et seq.*, in the Office of the Clerk of the Superior Court of Fulton County, Georgia (hereinafter referred to as the "Declaration"); and

WHEREAS, Article 6, Section 6.3 of the Declaration provides that the Declarant may adopt written architectural and landscaping guidelines (collectively, the "Architectural Guidelines"); and

WHEREAS, Declarant desires to adopt the Architectural Guidelines applicable to the Community, as the same are set forth on Exhibit "A" attached hereto and by this reference incorporated herein;

NOW, THEREFORE, Declarant hereby adopts the Architectural Guidelines set forth on Exhibit "A" hereto and by this reference incorporated herein such that from and after the date of this Instrument, such Architectural Guidelines shall constitute the Architectural Guidelines under the Declaration until the same are amended, modified, repealed or expanded, in whole or in part, pursuant to the provisions of Article 6 of the Declaration. To the extent that all or any portion of the Architectural Guidelines conflict with any provision of the Declaration, the provisions of the Declaration shall control.

IN WITNESS WHEREOF, the Declarant herein hereby executes this Instrument as of the date first above written.

DECLARANT: **BEAZER HOMES, LLC**, a Delaware limited liability company

By: Joey McDonald (SEAL)  
Name: Joey McDonald  
Title: VP of Land Development

EXHIBIT "A"  
Architectural Guidelines

[to be attached]

**The Groves at Myrtle Street Townhome  
Association, Inc.  
Architectural and Community Guidelines**

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**The Groves at Myrtle Street Townhome  
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1. GENERAL CONSIDERATIONS:

These Design Guidelines are intended by The Groves at Myrtle Street Townhome Association, Inc. ("Community Name"), to promote a high standard of exterior architectural appearance throughout The Groves at Myrtle Street Townhome Association. These guidelines and procedures will assist Owners in the planning and construction of improvements on Lots and provide a uniform process for review and approval of construction plans. Your adherence to these Design Guidelines will enhance the marketability of Lots and homes in The Groves at Myrtle Street.

Pursuant to Article 6 of the Declaration of Protective Covenants, Conditions, Restrictions and Easements for The Groves at Myrtle Street Townhome Association, Inc. ("Covenants"), the Board of Directors has reserved the authority to review (and approve or disapprove) plans for any proposed new construction or alteration of any existing structure or Lot within The Groves at Myrtle Street. In making its review, the Board of Directors will consider aesthetic impact of the design, construction and development including architectural style, colors, textures, materials, landscaping, overall impact on surrounding property, and other aesthetic matters. The intent is to promote and assure that all improvements are aesthetically compatible with each other; incorporate a unique yet pleasing discriminating character; and are constructed to reflect the quality and permanence of timeless residential architecture.

These Guidelines do not include all building, use, and other deed restrictions associated with The Groves at Myrtle Street Townhome Association, Inc., and, accordingly, each Owner should familiarize themselves with the provisions of the Covenants and By-Laws of The Groves at Myrtle Street Townhome Association, Inc. ("Association"). The inclusion of any recommendation in these Guidelines shall not preclude the Board of Directors the right to disapprove any proposed matter to the extent of its power to do so under the Covenants. These Guidelines are intended to serve as guidelines only. In the event of a conflict between these Design Guidelines and the provisions of the Covenants, the provisions of the Covenants shall control.

Any proposed shrubbery that is approved within an easement (drainage, sanitary sewer, water, etc.) is installed at the Owner's risk and may be removed and not replaced by the entity that maintains the easement. No trees will be allowed in any easements. No grading can occur in any drainage easement and no shrubbery can impede the flow of water or block a drainage inlet. If a drainage inlet is contained or partially contained within a lot, the Owner will be responsible to ensure that the inlet does not become blocked and maintain the flow of water to the inlet.

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2. APPLICATION INFORMATION

1. A complete Form must be submitted through to the Manager for all other types of modifications. **THE VERBAL APPROVAL OF ANY SALES AGENT AND/OR NEIGHBORHOOD EMPLOYEE, OR ASSOCIATION REPRESENTATIVE IS NOT SUFFICIENT. ALL MODIFICATION APPROVALS MUST BE IN WRITING.** When plans are required, they must be submitted with the Form. A Form is attached to these Standards. Additional Forms are available from the Manager.
2. The Manager and Covenants Committee typically meets on a regular basis. A response to a modification request must be provided within forty-five (45) days after a complete application is submitted from the Property Manager &/or HOA Board.
3. Any deviation from approved plans must also be submitted and approved.

3. COVENANT ENFORCEMENT

Pursuant to the Covenants, the Board of Directors has broad discretionary powers regarding the remedy or removal of any nonconforming improvement constructed within The Groves at Myrtle Street. In this regard, if the Board of Directors finds that any improvement was not constructed in substantial compliance with the plans and specifications receiving final approval, the Board of Directors may remedy or remove the nonconforming improvement and charge the action to the Owner of the Lot as outlined in Section 6.6 of the Covenants. The Board of Directors also has the right to assess fines for violations of the Covenants and these Design Guidelines. Established fines are as follows:

1. Fines will be assessed if a violation is not corrected within 30 days of written notification.
2. If after the first 30 days, no correcting action has been taken, an escalated fine of \$25.00 per day will be assessed until the violation has been corrected.

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4. ARCHITECTURAL AND COMMUNITY GUIDELINES

**Exterior Decorative Objects, Front Porch Flowerpots, Lighting, etc.**

1. A Form must be submitted for all exterior decorative objects, both natural and man-made, including, but not limited to, items such as bird baths, wagon wheels, sculptures/statuary, fountains, pools, antennas, flowerpots, free-standing poles of any type, flag poles, and items attached to approved structures.
2. A Form is not required to be submitted for a single attached flagpole, not to exceed six (6) feet in length, attached to the front portion of the house or attached to the house in the garage entry area. An owner can display the US Flag, a sports team flag or a seasonal flag from the flagpole. A form is also not required for one (1) additional attached flagpole, not to exceed six (6) feet in length, attached to the front portion of the house or attached to the house in the garage entry area for the display of a US armed services flag.
3. Front doors and front entry area decorations must be tasteful and in keeping with the style and colors of the house. Plants and flowers in pots must always be neat and healthy. Neatly maintained front porch flowerpots, (maximum of two (2) that blend with the exterior color of the house, containing evergreens/flowers do not require the submission of a Form.
4. Objects will be evaluated on criteria such as location, proportion, color, and appropriateness to the surrounding environment.
5. Holiday decorations and lighting may be installed in a reasonable manner for the various recognized holidays There shall be no decorations in the lawn or on the exterior of structures except for decorations specific to generally accepted holidays from a time period of thirty (30) days prior to and fifteen (15) days after said holiday. Holiday decorations and lighting must be placed to have a minimum sensory impact on neighboring properties.
6. Celebratory (i.e. baby, graduation, and birthday) signs shall be allowed for a period of fifteen (15) days.
7. Security signs less than 1 square foot in area shall be permitted.
8. Political signs are limited to 2, measured at a maximum of 18" x 24" each. They may be displayed up to 60 days prior to the election and must be removed within 5 days after the election.

**Garbage**

1. Garbage Bins should be located in the garage except on service day.

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## **Exterior Landscaping and Maintenance**

A modification form is required for any exterior changes of your home.

1. Fencing is not allowed
2. Shrubbery - Shrubbery shall be pruned to accomplish a neatly shaped appearance based on horticultural standards. No tree or bush should be allowed to grow over the street or walkways.

NOTE – No trees are to be planted in a drainage easement.

3. Garden Tools and Hoses - Outdoor storage of garden tools and hoses must be screened from view from the street.
4. Pressure Washing/Gutter Cleaning - All exterior surfaces of units must be maintained/pressure washed as to not allow mold/algae to grow. Gutters must remain clear of debris and fully functional. Driveways and concrete walking paths must also be kept clean of stains and mold.

## **Exterior Building Alterations**

1. A Form must be submitted for all exterior building alterations, including, but not limited to, storm doors or windows, removal or installation of shutters, construction of driveways or parking pads, garages, carports, porches, attached storage space, and room additions to the home.
2. The original architectural character or theme of any home must be consistent for all components of the home. Once the character is established, whether it is traditional, contemporary, etc., no change may alter that character.
3. A paint color change requires that the following information be submitted along with the Form:
  - a. A paint sample plus manufacture's model and color code of paint you wish to use.
  - b. Area of home to be re-painted.
  - c. Photograph of your home and homes on either side (in most cases, adjacent homes cannot be painted the same color).
4. Storm windows and doors must be made of anodized bronze or anodized aluminum with baked enamel finish compatible with the primary and trim colors of the house. The Form must contain the following information:
  - a. Picture or drawing of all windows or doors on which storm windows or doors will be installed.
  - b. Picture depicting the style of storm window or door to be installed; and color.
5. If County authorities make any changes to the plans as approved by the Covenants Committee or during construction, the owner must submit changes for re-approval, prior to construction.

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6. Detached Buildings, exterior buildings, sheds, etc. are not allowed.
7. Owners are advised that a building permit may be required for certain exterior building alterations.

**Vehicles. Parking, and Traffic**

1. Commercial vehicles are to be parked in homeowner's garage at all times or the advertised writing on any part of the commercial vehicle is to be covered when parked outside in their own driveway. Ladders and or other items may not be stored on or attached to the vehicle when parked outside even if all other commercial markings are covered or removed. No commercial vehicle of a size that will not fit within the homeowner's garage is permitted to be parked in any part of the subdivision including homeowner's driveway.
2. All vehicles parked in open view and not in a garage must be operable and may not be unsightly.
3. No vehicle may be parked on any yard. Parking of vehicles on the street is prohibited. Temporary parking (four (4) hours or less) is allowed if not an impediment to traffic flow. Homeowners are responsible for guest parking and must ensure that guests park in a safe manner and do not impede access to other driveways and traffic.
4. All vehicle operators should observe all local, county and State traffic regulations at all times while in the Neighborhood.
5. Boats, trailers, and RVs are not permitted to be parked in the community.

**Satellite Dishes**

1. No transmission antennas or satellite dishes of any kind, and no direct broadcast satellite (DBS) antennas or multi-channel, multi-point distribution service (MMDS) antennas larger than one (1) meter in diameter, shall be placed, allowed, or maintained upon any portion of the Neighborhood, including any Lot, without the prior written consent of the Board of Directors or its designee.
2. DBS and MMDS antennas and satellite dishes one (1) meter or less in diameter and television broadcast service antennas may be installed per FCC regulations. The Association asks Owners to install them in the least conspicuous area that receives signal.
3. The Board and Declarant and its affiliates reserve the right to (but shall not be obligated to) erect any type and size of master antenna, satellite dish, or other similar master system for the benefit of the Neighborhood. Each Owner and Occupant acknowledges that this provision benefits all Owners and Occupants and each Owner and Occupant agrees to comply with this provision despite the fact that

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the erection of any individual outdoor antenna or similar device would be the most cost-effective way to receive the signals sought to be received.

4. A standard modification Form must be submitted for any installation of more than one satellite.

### **Solar Panels - HOA Guideline**

Solar panels shall not be installed by an Owner without first obtaining the written approval of the HOA Board of Directors in accordance with Article VI of the Declaration.

### **General:**

1. A modification request must be submitted for any solar panel installation request, which includes sufficient details to satisfy the requirements as follows in this Guideline. The modification request shall include a site plan with the home outline and the home's roof line shown in plain view and the solar panel layout accurately included on the plan. The site plan shall accurately include all property lines and the street/curb line. Because of the potential negative aesthetics for the community and therefore the need to have such an accurate detailed submittal for review, digitally drawn plans are preferred, and hand sketched plans discouraged. The plans should be drawn to scale with the scale provided on the plans.
2. The quality, style, configuration and location of the proposed solar panels and pertinent accessories must be compatible and visually integrated with the house.
3. The HOA Board will have final determination whether a solar panel modification request satisfactorily conveys the needed information for the Board to determine a decision regarding a requested solar panel installation. Only when the Board and deems to have sufficient information as provided by the homeowner will a review and decision be provided.

### **Legal:**

By applying for approval from the HOA Board to install solar panels, the homeowner agrees as follows:

1. The homeowner represents and warrants to the HOA that the owner has or will obtain all required governmental permits and will otherwise comply with all applicable laws, codes, and ordinances relating to the panels.
2. The homeowner will indemnify the HOA and all other affected owners in the Community against any damage or loss caused by or otherwise relating to the

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solar panels.

**Location:**

Placement of solar panels is subject to approval by the HOA Board and must be situated so as to be concealed from the street.

**Size:**

The size of the solar panel system shall be in scale with the roof of the home to the extent possible.

**Color:**

1. In the interest in preserving high aesthetics for the community, owners are urged to consider the color and quality of the panels to be installed. Black (mono-crystalline) is the recommended color for solar panels. Black mono-crystalline panels with black frames are widely considered to be aesthetically superior to blue poly-crystalline panels.
2. The supports or standoffs shall be black, dark grey or dark brown in color so that they match as closely as possible with the color of the existing roof shingles.
3. All conduits must be colored to match the surface to which it is attached or adjacent.

**5. INSPECTION**

The Association and its designated representatives shall have the right to enter upon and inspect any property at any time before, during, or after the completion of work for which approval is required under these Guidelines or the Declaration. Upon completion

of construction, an Owner shall give written notice to the Association. Upon "Final Inspection" of the improvements by the Association and/or its designated representative and provided that such inspection determines that the improvements were constructed in substantial compliance with the plans and specifications approved by the Association, the Association shall issue a final approval.

Owners are forewarned that the Covenants have reserved The Groves at Myrtle Street Townhome Association, Inc. broad discretionary powers regarding the remedy or removal of any non-conforming improvements constructed within The Groves at Myrtle Street. In this regard, if the Association finds that any improvement was not performed or constructed in substantial compliance with the submittals receiving in approval at its

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recommendation, The Groves at Myrtle Street Townhome Association, Inc. or the Board of Directors of the Association may remedy or remove the non-conforming improvement, and assess all costs of such action against the Owner of the lot and if not timely paid, file a lien against the lot in the county land records.

**6. CONDUCT**

All Owners of Lots shall be held responsible for the acts of their employees, contractors, sub-contractors, suppliers, and any other persons or parties involved in construction or alteration of a Lot. In this regard, the Owner shall be responsible for the following:

1. Ensuring that the construction site is kept clean and free of all debris and waste materials, and that stockpiles of unused materials be kept in a neat and orderly fashion. Keeping The Groves at Myrtle Street roadways free of construction mud or other materials. Enforce the parking of vehicles on the same side of the road of the construction site only. If portable toilets are necessary, the location of such must be included in the plans and specifications submitted and must be approved.
2. Prohibiting the consumption of alcoholic beverages, illegal drugs or other intoxicants that could hamper the safety or well-being of other personnel on the site or other parties within The Groves at Myrtle Street, or affect the quality of workmanship. Profanity or any other unacceptable actions will not be tolerated. The Owner will be required to permanently bar such workers as described above from the job site.
3. Assuring that the aforementioned are properly insured. The Owner or Contractor must carry a minimum of five hundred thousand (\$500,000) dollars liability insurance and provide the Designated Representative with proof of same.
4. Assuring the aforementioned do not commit any violations of the rules and regulations of The Groves at Myrtle Street Townhome Association, Inc. or these Guidelines.
5. Ensuring that all disturbed areas are seeded with a permanent vegetative cover once construction is complete.

**7. LIMITATION OF LIABILITY**

Plans and specifications are not approved for engineering or structural design, quality of

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materials or for compliance with applicable building codes, permitting requirements, zoning conditions or other applicable laws and ordinances governing construction in the Community and by approving such plans and specifications the Declarant, the Association and their respective directors, officers, members, representatives, agents or employees assume no liability or responsibility therefor or for any defect in any structure or improvement constructed from such plans and specifications or for any violation of applicable building codes, zoning conditions or applicable laws and ordinances governing construction within the Community.

Neither Declarant, the Association, nor their respective officers, directors, members, employees and agents shall be liable in damages to anyone submitting plans and specifications for approval or to any Owner of property affected by these restrictions by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve or disapprove any such plans or specifications. Every Person who submits plans and specifications and every Owner agrees that such Person or Owner will not bring any action or suit against the Declarant, the Association or their respective officers, directors, members, employees and agents to recover any damages and hereby releases, remises, quitclaims and covenants not to sue for all claims, demands and causes of action arising out of or in connection with any judgment, negligence or nonfeasance and hereby waives the provisions of any law which provides that a general release does not extend to claims, demands and causes of action not known at the time the release is given.

These guidelines do not apply to the activities of the Declarant, or anyone acting on behalf of the Declarant.

**REQUEST FOR MODIFICATION REVIEW FORM**

**Please visit [www.fieldstonerp.com/TheGrovesatMyrtle  
Street](http://www.fieldstonerp.com/TheGrovesatMyrtleStreet)**

# GROVES AT MYRTLE STREET REQUEST FOR MODIFICATION REVIEW

**PER ARTICLE 6.2, THIS APPROVAL MAY TAKE UP TO 45 DAYS FOR APPROVAL AFTER ALL REQUIRED INFORMATION IS RECEIVED**

Name	Date
Address	Lot and Phase
City, State Zip	Phone Number
Email(s)	

Please provide the Architectural Control Committee with all information necessary to evaluate the request thoroughly and quickly. Requests must include, without limitation, the following information: site plan (including all dimensions), color chips (if applicable), detailed description of request, list of materials, pictures (if applicable), and any other information as specifically required below or as required by the Design Guidelines approved for the community. Modifications without approval from the Committee are a violation of the Covenants and may result in fine and legal action by the Association.

Description of Modification Requested

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Estimated Start Date	Estimated Completion Date
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Acknowledgment of Adjacent Homeowners (*all homeowners sharing common boundary line, or those with a direct view*) will be considered by the Architectural Control Committee but will not be binding upon the Committee. No application will be considered unless this section is completed, or the Applicant Homeowner has made a reasonable effort, in the sole discretion of the Board, to have this section completed.

Lot	Signature	In favor of	Not in favor of
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

Under each of the most common categories below, all the items listed must be submitted. Please refer to the Covenants for other necessary information required for modifications such as detached structures, etc.

**LANDSCAPING, including gardens, landscape blinds, landscape edging**

- Asbuilt/HLP/Lot Plat/Survey  
*\*identify location of landscaping modification*
- Description: \_\_\_\_\_
- Photo(s) of the requested location(s) to be modified
- Plan denoting hardscape/plant materials, location and quantities

**EXTERIOR LIGHTING, including exterior and landscape lighting**

- Description: \_\_\_\_\_
- Number of lights: \_\_\_\_\_
- Photo(s) of the requested location(s) of the lighting
- Photo of the lighting

**EXTERIOR DECORATIVE OBJECTS, including planters, statues**

- Description: \_\_\_\_\_
- Photo(s) of the requested location(s) of the object(s)
- Photo(s) of the object(s)

**FENCING, including fenced blinds**

- Fencing must conform to the standards stated in the Design Guidelines
- Fence type: \_\_\_\_\_
- Height and maximum width of spans: \_\_\_\_\_
- Color/stain: \_\_\_\_\_
- Fence beams must be inside facing (*interior*), not visible to streets or lots
- Asbuilt/HLP/Lot Plat/Survey  
*\*identify location of fencing and existing neighboring fencing*
- Permit (*if applicable*)
- Materials: \_\_\_\_\_
- All nails, screws or fasteners shall be aluminum or hot-dipped galvanized
- All posts shall be anchored in concrete; ground clearance must be 2 inches

**DRIVEWAY, PATIO or WALKWAY**

- Asbuilt/HLP/Lot Plat/Survey  
*\*identify location of driveway/patio/walkway modification*
- Photo(s) of the requested location(s) to be modified
- Materials: \_\_\_\_\_

**PLAY EQUIPMENT, including basketball goals**

- Asbuilt/HLP/Lot Plat/Survey  
*\*identify location of play equipment modification*
- Location must have minimum visual impact
- Photo example of modification, requested location
- Materials used should match existing materials of home

**PRIVATE SWIMMING POOL, including hot tubs**

- Asbuilt/HLP/Lot Plat/Survey  
*\*identify location of pool, pool deck and pool equipment*
- Pool type: \_\_\_\_\_
- Dimensions (maximum size 1,000 sq ft): \_\_\_\_\_
- Color (must be white or blue): \_\_\_\_\_
- Lighting (if any): \_\_\_\_\_
- Permit
- All pool related landscaping modifications must meet requirements of the Landscaping category

**DECK or PORCH, including screened porches**

- Asbuilt/HLP/Lot Plat/Survey  
*\*identify location of deck/porch modification*
- Photo of the location of the deck/porch
- Design rendering or scope of work
- Dimensions: \_\_\_\_\_
- Color must be clear or stained to match existing color scheme
- Color code: \_\_\_\_\_
- Materials must be Cedar, Cypress or No. 2 grade or better PT-wood
- Permit

**STORM DOORS and WINDOWS**

- Description and photo example of the storm door/windows including color
- Color must be compatible with existing primary and trim colors
- Photo(s) of the requested location(s) to be modified

**EXTERIOR BUILDING ALTERATIONS, including painting and roofing**

- Colors/Materials to be used that are different than those existing
- Paint Brand, color name(s) and color code(s)
- Photos of your home and the homes on either side and those facing (in most cases adjacent/facing homes cannot be painted the same)
- Permit (if applicable)

**BUILDING ADDITIONS**

- Asbuilt/HLP/Lot Plat/Survey  
*\*identify location of building addition*
- Photo(s) of the requested location(s) to be modified
- Photo(s) from the location of the area to be modified of adjacent lots
- Scope of work from contractor
- Size, color, and detailed architectural drawing of addition
- Exterior materials used must match existing exterior materials of home
- Permit

**\*\* Submit this form and all documents to the Association Manager in one email/file \*\***

Owner Acknowledgement: I understand and agree that no work on this request shall commence until written approval of the Covenants Committee has been received by me. I represent and warrant that the requested changes strictly conform to the community Design Guidelines and that these changes shall be made in strict conformance with the Design Guidelines. I understand that I am responsible for complying with all city and county regulations.

Neither Fieldstone Realty Partners, LLC, the Association Board of Directors, the Association Advisory Committee or the Association Architectural Control Committee nor their respective members, Secretary, successors, assigns, agents, representatives or employees shall be liable for damages or otherwise to anyone requesting approval of an architectural alteration by reason of mistake in judgment, negligence or nonfeasance, arising out of any action with respect to any submission. The Architectural Review is directed toward review and approval of site planning, appearance and aesthetics. None of the foregoing assumes any responsibility regarding design or construction, including, without limitation, the structural integrity, mechanical or electrical design, methods of construction, or technical suitability of materials. I hereby release and covenant not to sue all of the foregoing from/for any claims or damages regarding this request or the approval or denial thereof.

Owner Signature \_\_\_\_\_

Date \_\_\_\_\_

<b>ARCHITECTURAL CONTROL COMMITTEE USE</b>		Approved <input type="checkbox"/>
Date Received _____	Reviewed by _____	Approval stipulations <input type="checkbox"/>
Approval stipulations or comments _____ _____ _____		Not approved <input type="checkbox"/>