



Architectural Committee

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Waverly Park Homeowners Association

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**Committee  
Members**  
*(at last change)*

Ajla Dedic

Steve Dillon

Carol Knapp

Hamp Reid

Tiffany Rowson

David Scott

Robin Walters

# Architectural Guide

October 30, 2003

With changes through April 11, 2021

## About This Guide

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- Purpose**
- The Waverly Park Homeowners Association (WPHA) **Amended Declaration of Covenants, Conditions and Restrictions (CCR)** gives discretion to the Architectural Committee (AC) to decide what architecturally-related projects or uses should be permitted. The CCR also authorize the AC to make such rules or regulations as may be needed to insure the integrity and appearance of the neighborhood.
  - Many CCR sections are clear and leave little room for interpretation. Those are not repeated in the Guide, except for emphasis. Other sections leave determination to the AC. This Guide clarifies these other sections so homeowners will have a reasonable expectation of approval when the AC reviews plans for projects and uses.
  - Most of these guidelines reflect prior actions by ACs since the WPHA was turned over to the homeowners and do not change the CCR.
  - The AC plans review process is detailed.
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From the CCR:

- Authority**
- Article V, Section 1: "...the affirmative vote of a majority of the Architectural Committee shall be required in order to adopt or promulgate any rule or regulation..."
  - Article V, Section 6: The AC "may promulgate rules governing the form and content of plans to be submitted for approval or requiring specific improvements on Lots..."
  - Article VI, Section 6: The AC "may adopt and promulgate rules and regulations regarding the preservation of trees and other natural resources and wildlife..."
  - Article VI, Section 8: The AC may "adopt and promulgate rules and regulations relating to signs..."
  - Article VI, Section 10: The AC "may adopt and promulgate reasonable rules and regulations relating to" garbage/trash cans.

From BOD Resolution 2 of July 16, 2000:<sup>1</sup>

- The AC shall "review the aesthetic impact of the quality of the lawns and landscaping", "send written notice", and "impose fines..."
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This Architectural Guide was originally approved by a majority of the Architectural Committee on October 30, 2003.

**Promulgation**

Changes were approved by a majority of the Committee on the dates noted in the footnotes.<sup>2</sup>

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<sup>1</sup> Added 4/11/2021: Consolidates AC authorities.

<sup>2</sup>Added 7/14/2015: Clarifies that all changes were properly approved.

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**Architectural Committee Procedures**

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**Plans Required <sup>1</sup>**

- A request letter or email from the homeowner explaining the project is required.
  - Additional Information needed as applicable to a project:
    - Copy of site plan with project location and dimensions (including property line setbacks)
    - Colors, materials to be used
    - Trees to be removed
    - Project picture or line drawing when appropriate
  - The Architectural Committee may request other information.
  - Plans should be emailed to [2wpha.ac@gmail.com](mailto:2wpha.ac@gmail.com) or mailed to the address on the letterhead.
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**Plans Review**

- Each member of AC will review plans and decide if they fall within the covenants and are aesthetically correct for the neighborhood.
  - Plans may be distributed to AC members via e-mail.
  - Any AC member can ask for a meeting to discuss the project.
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**Voting**

- Each member of the AC will vote.
  - Plans will be approved/disapproved by a majority vote of the committee—not just those voting. (Board of Directors Resolution 1 of July 16, 2000)
  - Voting may be via e-mail or at a called AC meeting.
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**Notifications**

- Homeowners will be notified of the AC decision in writing.
  - The committee has 30 days to notify homeowner.
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**Appeals**

- Homeowners may ask the AC to reconsider a decision.
  - AC approvals cannot generally be revoked unless
    1. Plans/uses violate specific prohibitions and
    2. Approved plans not followed.
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<sup>1</sup> As amended 2/11/2006: Homeowner request via email acceptable, required information clarified.

**Violations Enforcement Procedure<sup>1</sup>**

- Violation noted.
- Send **Notice of Violation** indicating appropriate correction due date and fines that will be assessed. Standard fine is \$25 per day while violation continues. Appropriate correction due dates:
  - 2 days for easily corrected violations, e.g. signs, vehicles, trailers.
  - 14 days for unapproved construction
  - As AC determines based on the violation.
- If corrected by due date: acknowledge with thank you letter/email, file case; otherwise,
- Send **Notice of Continued Violation and Assessment of Fines**
- Refer to Board of Directors for other legal actions.
- Should the same violation by the same homeowner occur again after correction, the Enforcement Procedure picks up at the point previously reached.

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**Fines and Costs**

- \$50 fine is assessed for a project begun without AC review/approval. AC plan review/approval still required.<sup>2</sup>
- Homeowners who fail to correct violations will be fined to compel compliance.
- A standard daily fine of \$25 will be assessed.
- Fines continue daily until violation is corrected.
- A higher fine may be assessed when considered appropriate.
- Fines assessed will be referred to the Board of Directors for collection or other proceeding at law.

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**Communication with Homeowners**

- We will do our best to communicate with homeowners in a timely manner, knowing how important these matters are to them.
- Email may be used for homeowners on the WP Email List.<sup>3</sup>
- AC actions will be published on the [WPHA website AC Actions page](#)<sup>4</sup>.
- Email requests to view AC files to [2wpha.ac@gmail.com](mailto:2wpha.ac@gmail.com)

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**Original Zoning Restrictions<sup>5</sup>**

- Changes to property that would require relaxing zoning restrictions in place when the covenants were adopted will not be approved.

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<sup>1</sup> Amended 7/13/2019: Procedure streamlined to eliminate warning letter, shorten correction times

<sup>2</sup> Amended 7/13/2019: Notes fine effective 10/1/2016 as published in WPPX 9/15/2016.

<sup>3</sup> Amended 7/13/2019: Notes that email may be used.

<sup>4</sup> Amended 7/13/2019: AC Actions now reported on the WP web.

<sup>5</sup> Amended 2/11/2006: Adherence to original zoning restrictions.

**Architectural Guidelines**

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**Approved Types**

- Privacy (no spacing between pickets or stones)
- Semi-Privacy (spacing of no more than 2.75 inches between pickets)
- Three or four rail wooden Ranch Rail<sup>1</sup> (See Location Restrictions below.)
- Black or dark green vinyl covered chain link (See Location Restrictions below.)
- Fence Heights:<sup>2</sup>
  - Privacy or Semi-Privacy: 4 or 6 feet
  - Ranch Rail: 4 feet
  - Chain Link: 4 or 6 feet, but never taller than the required privacy/semi-privacy fence.

**Location Restrictions**

**Fences**

- No fencing may be placed in front of the house line closest to the street.
- Privacy or semi-privacy fence is required on all street-facing sides of a lot. Corner lots have two street-facing sides. May be used on all sides of lot.
- Black or dark green vinyl-coated chain link and three or four rail wooden Ranch Rail<sup>3</sup> may be used ONLY on side and back of lot and ONLY when installed behind an approved privacy/semi-privacy fence.
- Setbacks from property lines should conform to county zoning unless a formal agreement to share a fence exists with adjacent homeowners.

**Materials**

- Wood, vinyl, stone, black or dark green vinyl-coated chain link.
- 2"x4" galvanized wire may be added to the inside of three or four rail wooden Ranch Rail fencing.<sup>4</sup>

**Colors**

- Natural wood, white, various stains or colors consistent with existing colors throughout Waverly Park

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**Satellite Dishes**

- Dishes greater than one meter in diameter are not permitted.
- Safety concerns may restrict placement of smaller dishes.

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<sup>1</sup> Amended 7/14/2015: Adds an approved fence type.

<sup>2</sup> Amended 2/1/2017: Adds approved fence heights.

<sup>3</sup> Amended 7/14/2015: Adds location restrictions for new approved fence type.

<sup>4</sup> Amended 7/14/2015: Allows galvanized wiring as indicated.

**Trees**

- Obviously dead trees may be immediately removed without AC approval.
  - 12-inch diameter or greater (measured two feet from ground) requires AC approval prior to removal.
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No sign or other advertising device of any nature, including flags, banners or other devices, shall be placed upon any Lot, including in windows, except as provided herein:

**Signs, Flags, Banners<sup>1</sup>**  
(continues on next page)

- One standard real estate for sale/lease/rent sign (including information packet pouch) is allowed on any lot that is actually for sale/lease/rent.
- One security system sign, not to exceed one foot by one foot.
- Other approved non-political signs, flags, banners, or devices:
  - One unmodified American Flag, not to exceed four feet by six feet, may be displayed, but not on utility poles, in accordance with the U.S. Flag Code as provided by the Freedom to Display the American Flag Act of 2005.
  - Several smaller American Flags may be displayed along driveways, sidewalks and planting beds for recognized patriotic occasions, e.g. Independence Day, not to exceed seven days.
  - In addition to one American Flag, any one of the following flags or banners, not to exceed four feet by six feet, may be displayed at a time:
    - A U. S. Armed Forces flag, representing one of the armed forces: Army, Marine Corps, Navy, Air Force, Coast Guard, Space Force.
    - POW/MIA Flag
    - School flag
    - Sports team flag
  - Decorative, non-political and non-controversial garden flags not to exceed 18 inches by 24 inches.
  - Small memorial displays by families of KIA/MIA are permitted on their lots.

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<sup>1</sup> Amended 10/23/2020: Clarifies signs, flags, devices approved for display.

**Signs, Flags, Banners<sup>1</sup>**  
(continued from previous page)

- In addition to signs and flags allowed above, one of these temporary signs may be placed at a time, not to exceed time indicated:
  - Yard sale – not to exceed 7 days
  - Birthdays/Anniversaries/Welcome Home – not to exceed 7 days
  - Graduation – not to exceed 30 days (Also see Entrance Sign Displays)
  - Small contractor sign – during time work is in progress.
- Only one political sign not to exceed 18 inches by 24 inches or one garden flag not to exceed 18 inches by 24 inches may be displayed for 30 days before the date of a primary, runoff, general, or special election, subject to these restrictions:
  - This singular display must relate to a candidate or issue that appears on the Official Ballot for that election that Waverly Park residents will vote on.
  - Display must be removed by sundown on the day after the election.
- Entrance Sign Displays
  - All U. S. Armed Forces and MIA/POW flags may be displayed during the weeks of Memorial Day and Veterans Day.
  - Small memorial displays placed by families of KIA/MIA are permitted during the weeks of Memorial Day and Veterans Day.
  - Multiple American Flags may be displayed during Independence Day week.
  - A Graduation Banner recognizing WP graduates may be displayed not to exceed 30 days. Location must not block the entrance sign.
  - HOA Announcements may be displayed.
- Holiday Decorations and Displays may be displayed no more than 30 days prior to and 14 days after a holiday.

Homeowners who wish to display signs, flags, banners or devices not specially covered above, must seek approval before displaying.

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**Shutters**

- Shutters may be repainted with a different color so long as that color appears on another Waverly Park home.

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<sup>1</sup> Amended 10/23/2020: Clarifies signs, flags, devices approved for display.

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**Refuse and Trash Cans**

- No lumber, metals or bulk materials shall be stored or allowed to accumulate on any lot.
- Any materials used for home maintenance shall be stored so that they are not visible from adjacent or surrounding property.
- Materials used for construction of approved structure are allowed for the duration of the construction.
- Trash containers or other refuse may be placed at the curb only on collection company designated pick up days.
- Trash containers must be stored at all other times so that they are not visible from the street.

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**Driveways**

- All driveways shall be constructed of either concrete or asphalt.

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**Vehicle Parking**

- All vehicles regularly parked on a property must have an approved parking space.
- Approved parking spaces for non-commercial vehicles are on the paved driveway and not “on the grass” or in the street.
- Exceptions are permitted for occasional short-term gatherings.
- Parking space for commercial vehicles with business-related equipment or materials visible on the outside or oversized vehicles will not be approved within the subdivision, including on the streets.
- All vehicles may be parked and<sup>1</sup> utility trailers may be stored off paved surfaces so long as they do not violate the covenant requirement of “not visible from the street.”

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**Swimming Pools**

- Must be located in the rear of the lot.
- Must be in ground and surrounded by approved fencing.
- Design and location must be submitted to the AC prior to clearing or grading.

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**Tennis Courts**

- Must be located in the rear of the lot.
- Design and location must be submitted to the AC prior to clearing or grading.

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**Home Businesses**

- Home business of all kinds is not permitted without prior written approval from the AC and is to be compatible with a high quality residential neighborhood.

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<sup>1</sup> Amended 7/14/2015: Resolves conflict with the covenant allowing vehicle parking so long as the vehicle is not visible from the street.



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**Property Maintenance<sup>1</sup>**

- Lawns should be completely mowed regularly during the growing season.
- Street curbs should be edged to present a neat appearance.
- Grass clippings should be blown from the street.
- All landscaping, shrubs, flower beds, etc. should be neatly maintained free of excessive weeds and nuisance overgrowth as to not detract from the overall appearance of the neighborhood.
- Landscaping shrubs around mailboxes should not exceed the height of mail box.
- Mulch, pine straw and landscaping materials should be spread out within two weeks.
- Home exterior walls should be periodically washed to remove algae, mildew etc.
- Trim and shutters should be repainted or replaced when faded or discolored.
- Steps, fascia boards, porches and railings should be maintained as to not detract from the general neighborhood appearance.
- Exterior of the home including fences and out buildings should be kept in good repair. The outside of the home and the property should be maintained in a neat, orderly fashion and free of debris and clutter.

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**Tree Houses/Play Structures**

- The AC must approve the location, structure, construction and color scheme of tree houses and play structures.

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**Project Commencement and Completion**

- Projects must be started within six months and completed within nine months of the AC approval date.
- Failure to start or finish the project within this time frame voids the approval.

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**Mailboxes**

- Mailboxes and posts must closely resemble the originals.
- Brick or stone structures are not permitted (county ordinance.)

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<sup>1</sup> Amended 4/11/2021: Combines **Yard Maintenance & Regular Home Maintenance** into **Property Maintenance**; clarifies.

**Utilities**

- All utilities on a lot must be underground from the source in or near the right-of-way.
  - Utilities to detached buildings/garages must be underground from the source.
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**Roofing<sup>1</sup>**

- Replacement roofing must be of the same material and colors as originally approved and found throughout the neighborhood
  - Homeowners may replace existing roofing with the same materials and colors without further reference to the Architectural Committee.
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**Materials, Colors**

- No concrete blocks shall be used above ground elevation unless blocks are covered with brick veneer, stucco, or stone.
- Colors and materials should match existing colors and materials found in Waverly Park.

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<sup>1</sup> Amended 2/11/2006: Clarifies replacement roofing