

## **CHIMNEY OAKS RESIDENTIAL OWNERS ASSOCIATION, INC.**

Dear New Homeowner,

Welcome to Chimney Oaks! We are excited to have you as a part of our community in beautiful Banks County. The Board of Directors (“Board”) of the Chimney Oaks Residential Owners Association, Inc. (“Association”) has put together this packet of information for your convenience. This packet is for informational purposes only. Included you will find:

- Important Contact Information
- Frequently Asked Questions
- A Summary of the Chimney Oaks Design Guidelines and ARB Procedures
- Association Rules & Regulations

Chimney Oaks is home to one of the Top 50 Golf Courses in the US. While Chimney Oaks Golf Club (“Club”) is a separate entity from the Association, your membership in the Association affords you access to the following Club amenities: pool (seasonally), tennis & pickleball courts (year-round), fitness center (year-round), and Clubhouse. All Association dues must be current and paid in full in order to access the Club amenities.

If you would like to inquire about a Golf membership, please contact the Pro Shop at Chimney Oaks Golf Club at 706-677-3333 or [golfpro@tjpfllp.com](mailto:golfpro@tjpfllp.com).

As you should be aware, Chimney Oaks is not serviced by a municipal sewer system. Chimney Oaks is on a STEP Sewer System. You should have received an information packet regarding how this system is operated. If not, you can find this information on the Association’s website at: <http://hoa.cincwebaxis.com/co/home/>.

# CHIMNEY OAKS RESIDENTIAL OWNERS ASSOCIATION, INC.

## **Important Contact Information**

### **Association Property Manager**

HOA Services, Inc.

Phone: 706.654.0055

Email: [info@hoaservicesinc.com](mailto:info@hoaservicesinc.com)

Website: [www.hoaservicesinc.com](http://www.hoaservicesinc.com)

### **Association Billing**

Accounting Department at Chimney Oaks

[accounting@tjplp.com](mailto:accounting@tjplp.com)

Phone: (678) 647-6288

### **Association Governing Documents**

<http://hoa.cincwebaxis.com/co/home/>

(Homeowner log-in required – contact HOA Services, Inc.)

Links to: Declaration, Bylaws, Design Guidelines, ARB Forms

### **Chimney Oaks Golf Club**

Pro Shop Phone: (706) 677-3333

Forge Phone: (706) 677-3334

Restaurant Phone: (706) 677-3335

Website: [www.chimneyoaksgolfclub.com](http://www.chimneyoaksgolfclub.com)

### **Community Events Calendar**

<https://www.chimneyoakslifestylehomes.com/events/>

### **STEP Sewer System**

General Inquiries & Billing: (678) 647-6288

Emergencies: (678) 325-0347 or email [maintenance@tjplp.com](mailto:maintenance@tjplp.com)

### **Utility Providers**

Water: Town of Homer – (706) 677-3510

Trash: Town of Homer – (706) 677-3510

Power: Jackson EMC – (800) 462-3691

Internet & Cable TV: Windstream – (706) 335-6640

# CHIMNEY OAKS RESIDENTIAL OWNERS ASSOCIATION, INC.

## FAQ

### **1. What is included in my HOA fees? When are they due?**

Your membership in the Chimney Oaks Residential Owners Association, Inc. (“Association”) includes use of and access to the pool, tennis/pickleball courts, fitness center, and access to the clubhouse. Golf memberships are separate and not included in your annual HOA dues.

Association fees are due annually – bills go out around February each year. Payment must be made in full when due.

Townhomes have additional monthly fees due on the first of each month.

### **2. When is the pool open? How do I get access to the pool or fitness center?**

Generally, the pool is open from 9 am to 9 pm from Memorial Day to Labor Day. You will need to register inside the golf pro shop for access to the pool and fitness center – ask for Mackenzie.

### **3. Can I charge purchases to my account at the clubhouse?**

You can set up a member charge account that will give you a 15% discount on food and beverages onsite, by calling (678) 647-6288 or stopping by the accounting office.

### **4. Can I have an event at the Clubhouse?**

You can contact the Event Coordinator, Kathryn Richardson, at [kathryn@tjpfllp.com](mailto:kathryn@tjpfllp.com) to schedule events at Chimney Oaks Golf Club. Discounts may be available for HOA members for certain event spaces.

### **5. How can I add-on a golf membership?**

Contact the Chimney Oaks Golf Pro, Byron McCall, at (706) 677-3333 or visit the pro shop and tell them you are a Chimney Oaks homeowner.

### **6. Does Chimney Oaks offer lawn maintenance services?**

Yes, you can opt-in to our Chimney Oaks’ lawn maintenance program. Inquire about rates by emailing the accounting office at [accounting@tjpfllp.com](mailto:accounting@tjpfllp.com) or by calling (678) 647-6288.

### **7. What does the accounting office do? Where is it located?**

The accounting office handles general inquiries and billing for the sewer system, Golf Club billing, HOA billing, and optional lawn maintenance programs. The accounting office is located at 491 Scales Creek Road right across from the Chimney Oaks main entrance.

### **8. Do you have autopay?**

You can contact the accounting office to set up auto-pay for your monthly sewer fees, lawn maintenance fees, and club charges. Additionally, the monthly townhome association fees can be set up on auto-pay.

### **9. When is trash collected?**

Trash is collected by the Town of Homer on Thursdays.

### **10. What is a STEP Sewer System and how does it work?**

A STEP Sewer System, or septic tank effluent pump sewer system, is a community wide wastewater system. Please see the attached information packet for a more detailed explanation and important information regarding the system.

# CHIMNEY OAKS RESIDENTIAL OWNERS ASSOCIATION, INC.

## 11. Whom do I contact about home warranty questions or issues?

Any applicable home warranty would be covered by your builder or whom you purchased your house from. Their contact information should be in your closing documents.

## 12. Am I allowed to have a home business?

Yes, but there are some restrictions. Home businesses are only allowed if the business use is ancillary to a primary residential use and:

- The existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from the exterior of the dwelling;
- The business activity conforms to all zoning requirements;
- The business activity does not increase traffic around the Community; and
- The business activity does not constitute a nuisance, a hazardous or offensive use, or threaten the security or safety of other residents, as may be determined in the sole discretion of the Board.

## 13. What are the parking rules?

**Common Parking Areas:** The recreational area parking lot is intended for the use of Chimney Oaks' members (in good standing) during their use of the recreational area, pool, tennis courts, and clubhouse facilities. Cars parked overnight without permission may be towed at the owners' expense.

### **General Parking Guidelines** (Declaration Article XI Section 16)

- Vehicles kept or maintained within the Community for periods longer than 24 hours must be kept in an enclosed garage to the extent that garage space is available.
  - If garage space is unavailable, vehicles must be parked on the driveway and not on the street.
  - Garages shall not be used for storage or in any manner so that they become unavailable for parking vehicles.
- No vehicle may be parked along any street for any period longer than twenty-four (24) hours.
- All cars parked in open view must be operable, may not be unsightly, and must have current license plates and registration.
- No vehicle may be parked on any yard or sidewalk.
- 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 (i.e., park only on one side of the street).

## 14. What if a golfer hits a golf ball into my yard or if a golf ball hits my house?

Chimney Oaks Golf Club golfers have an easement for the purpose of retrieving errant golf balls. Additionally, the Association is not responsible for disputes between Owners and golfers. By purchasing a home on a golf course within Chimney Oaks, you expressly assume all risks associated with errant golf balls, which includes any physical or property damages. (Declaration Art. V, Sec. 15.)

# CHIMNEY OAKS RESIDENTIAL OWNERS ASSOCIATION, INC.

## Summary of Design Guidelines & Architectural Review Board Procedures

The Chimney Oaks Design Guidelines (“Design Guidelines”) are available online through your member portal: <https://hoa.cincwebaxis.com/co/home/>.

All ARB applications must comply with the Association’s the Declaration of Covenants, Conditions & Restrictions for Chimney Oaks, the Bylaws, and the Design Guidelines (“Governing Documents”).

For requests that need ARB approval, you will need to submit a completed ARB application through the member portal. This includes, but is not limited to, requests to install play equipment, fences, or repaint any portion of your exterior, etc.

Because reviewing and approving ARB requests costs the Association, an application fee must be paid at the time your application is submitted and before it will be reviewed by the ARB.

The current review fee schedule is as follows:

New Construction: \$500.00

Revisions to Existing Structures: \$300.00  
(*such as additions, sheds, or other exterior structures, pools, etc.*)

General Request: ~~\$150.00~~<sup>\*</sup>  
(*projects that do not require major engineering or site development changes such as fence installation, play equipment, exterior repainting, etc.*)

\*The Board of Directors is not currently requiring an application fee for general requests, but reserves the right to collect this fee in the future without further notice.

## The ARB Application Process

1. Review the Design Guidelines.
2. Submit a completed ARB application. Applications can be submitted online through the member portal on the Association’s website. The application must include: a description of the work, drawings/pictures, measurements, start/completion dates. Some applications may require additional information such as material samples and paint colors.
3. Once the application is submitted online, it will be forwarded to the ARB Advisory Committee (“ARB”) for review. Once a fully completed application is received, the ARB has 30 Days to review and respond. Three things could happen at this point:
  - a. Approved. If approved, you have one year to complete the work. If the work is not completed within the permitted time, the approval will automatically expire and you will have to resubmit your ARB application. Once the work is complete, you must inform the ARB so that a final inspection can occur.
  - b. Denied. If denied, the work you are requesting to do is not approved. If you complete the work without approval, you will be in violation of the Association’s governing documents and subject to fines and other enforcement actions as set forth in the governing documents.
  - c. Need More Information. If your application is missing information, or if more information is needed for the ARB to consider your application based on the specific circumstances of your request, you will be asked to provide the additional information within a specific time. If the additional information is not provided your request will automatically expire. Once the additional information is received, the ARB will have 30 days from the receipt of the additional information to review and respond.

## CHIMNEY OAKS RESIDENTIAL OWNERS ASSOCIATION, INC.

If any changes are made to plans that have been approved by the ARB, a new application must be submitted seeking approval of such changes prior to executing/commencing with the changes.

*Submitting an ARB request or seeking verbal approval from any sales agent, developer, builder, board member, ARB member, or association representative is NOT sufficient and will delay the ARB application approval process and or cause the application to be lost or rejected or cause initiation of fines for non-compliance if work is executed prior to ARB approval.*

It is the responsibility of the homeowner to confirm if a building permit is required by the Town of Homer. The ARB and the Board of Directors do not have the authority or the ability to inform homeowners if the Town of Homer requires a building permit for your request.

The homeowner is fully responsible for obtaining the necessary permits as required by the government agencies having jurisdiction over the proposed improvement. The homeowner is solely responsible for compliance with the codes and ordinances of all government agencies having jurisdiction over the construction.

The ARB and the Board of Directors shall not be held responsible for any modification or alterations constructed by or on the behalf of homeowners who do not obtain the proper permits. This is regardless of whether the structure is approved by the ARB, as the Board makes decisions based solely on the Design Guidelines.

**The contents of these guidelines, and any actions of the ARB or its agents, 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 governmental requirements. Neither the Association, the Board, the ARB, nor any member thereof shall be held liable for injury or damages or loss arising out of any approval or disapproval, construction or through such modification to a lot.**

### **Fines**

The Board of Directors ("Board") or Board designated authority shall impose fines on members who execute architectural and or landscape modifications without receiving written approval prior to start of work; whether the modification is aligned with the current Design Guidelines or not. Failure to meet conditions as set forth in the governing documents could result in a fine if not corrected within the appropriate time frame. Fines can range from \$100 - \$500 per occurrence – plus a possible \$25 per day until corrected.

Members are financially responsible for any modifications required to bring their property into compliance with the Design Guidelines

If you have not received a response to your ARB application after 20 days after it was properly submitted, contact the property manager in writing asking for disposition of your ARB application.

After 30 days; if the ARB fails to either approve or disapprove your ARB application it is presumed approved. Any homeowner applying this rule must be able to prove in writing that all plans and specifications were accurate when received by the ARB.

Decisions of the ARB can be appealed to the Board of Directors. Members must bring all documentation to substantiate their ARB request. The Board's decision is final.

# CHIMNEY OAKS RESIDENTIAL OWNERS ASSOCIATION, INC.

## **Quick Reference Guide to Design Guidelines**

This is not an exhaustive list of the Design Guidelines, but just a quick reference to frequently requested modifications.

### Decorative Objects (Design Guidelines 8.06)

All decorative objects placed on the property are subject to ARB approval, including: birdbaths, sculptures, fountains, lawn ornaments, etc.

### Doors (Entry, Garage)

General Garage Guidelines (Design Guidelines 6.03):

Carports are not allowed

A raised panel garage door with lights is required for all garage doors

General Door Guidelines (Design Guidelines 6.05):

Exterior doors shall be appropriate to the architectural theme

### Exterior Painting (Declaration Article XI Section 4 and Design Guidelines 4.08)

An ARB application must be submitted whether the color is changing or not. The form must include:

The name and number of all colors to be used along with the existing colors.

The company the paint is coming from (Ex. Sherwin Williams, Benjamin Moore, etc.) The ARB must be able to view the colors online or a paint chip must be included with the application.

### Fences (Design Guidelines 8.03)

Golf Course Lots: Golf course lots must have 4' black aluminum fences.

Non-Golf Course Lots: Non-golf course lots can have 6' pine, unfinished board on board style with a cap on the top of the fence.

Green Space Lots: Lots that back up to green space shall be determined on a case-by-case basis

All ARB applications for fences must include the following information:

A site plan denoting property lines, location of the dwelling, and proposed location of the fence

Picture of fence type

Height of fence

*For Wood Fences: Crossbeam structure must face inside towards homeowner's yard and the fence must remain natural color or be stained with a clear sealant.*

### Flags/Flag Poles (Design Guidelines 8.04)

An ARB application is not required; however, the following rules must be followed:

No in-ground flagpoles.

One decorative/seasonal flagpole will be allowed to be displayed from each house.

Flags shall not be hung from trees, deck railings, or overhangs.

### Garbage Cans (Declaration Article XI Section 11)

Outdoor storage of garbage cans/trash bins/recycling bins visible from street is prohibited. They must be stored in rear of house or on the side of the house if screened from street view.

# **CHIMNEY OAKS RESIDENTIAL OWNERS ASSOCIATION, INC.**

## Garden Plots (Declaration Article XI Section 5)

No gardens of any type may be planted or maintained in the front or side yard of any Lot.

## Landscaping

### Tree Removal & Trimming (Declaration Section XI Article 25)

An ARB application is required for tree removal & severe trimming.

### Installation & Design Changes (Design Guidelines 5.01.2)

An ARB application is required for the installation of landscaping or substantive changes to existing landscaping.

### Maintenance (Declaration Article V Section 6)

Each homeowner shall keep their lot and all improvements thereon in good order and repair including, but not limited to, seeding, watering, mowing, edging, the pruning and cutting of all trees, shrubbery and weed control.

## Mailbox & Numbers (Design Guidelines 8.10)

The member is responsible for maintaining mailbox numbers and mailbox.

Mailboxes should be ordered and installed during the construction process.

No other type of mailbox is permitted; except in the Reserve, which may compliment the house.

## New Construction & Additions (Declaration Article IX)

An ARB application must be submitted for all new construction and additions. The ARB shall review and have final input into all new construction design. All renovations, additions, or improvements to existing structures must be approved by the ARB.

## Decks and Patios (Design Guidelines 6.07)

Detailing of all patios and decks must be architecturally compatible with the home

## Play Equipment/Playhouses/Tree Houses (Declaration Article XI Section 6; Design Guidelines 8.09)

An ARB application must be submitted and approved for all play equipment including seasonal, temporary and permanent fixtures including but not limited to, trampolines, playhouses, basketball goals, etc. Any play equipment must be natural unfinished wood and/or painted in a neutral color to blend with the natural surroundings.

## Pools & Hot Tubs (Declaration Article XI, Section 15; Design Guidelines 8.05)

Above ground pools are prohibited. In ground pools & hot tubs require ARB approval and must comply with the Design Guidelines and Declaration. Pools & hot tubs on golf course lots may be subject to additional screening requirements.

All plans must be submitted and approved prior to start of construction or any preparation or clearing of land.

# CHIMNEY OAKS RESIDENTIAL OWNERS ASSOCIATION, INC.

## Porches (Screened & Open) (Design Guidelines 6.07)

An ARB application must be submitted for all porches and porch additions, including the screening of existing porches. The ARB considers location, size conformity with design of the house, relationship to neighboring dwellings, and proposed use.

The form must include the following:

- A site plan denoting location, dimensions, materials, and color.
- If rails are part of the design, rail description and picture
- Stain or paint color with link or picture to see it
- Layout with dimensions of porch as it relates to the rear and front view of the home

## Retaining Walls (Design Guidelines 8.03)

An ARB application submission and approval is required prior to installing a retaining wall.

## Roofs (Design Guidelines 4.08)

An ARB application must be submitted for replacement of roofing/shingles. The form should include: a picture of the shingles and the style and color that will be used.

## Satellite Dishes (Design Guidelines 7.02)

Satellite dishes are permitted but must be approved by the ARB prior to installation. The maximum diameter of satellite dishes is one meter and it should be placed on or attached to the exterior of the residence when possible and located in the least visible spot, where dish is still functioning.

## Walkways (Design Guidelines 4.08)

An ARB application submission for a walkway is required. All walkways shall be constructed using materials consistent with the driveway or the prominent architectural features of the house. Maximum of 4 feet wide.