



Avocet Happenings – November 2006

Children's Christmas Party

Please plan on joining your neighbors for a visit with Santa and fun children's activities on Saturday, December 2nd from 9:30 to 11:30 at the clubhouse. Bring you cameras to take pictures with Santa. Also, we will be gathering toys for Toys for Tots. If you can, please bring an unwrapped toy for those children who are in need. RSVP to kids@avocet-hoa.org

Progress at the Entry

Members of the board met with representatives from the county at the entry on Monday, 11-20. The goal was to determine if we could get any additional assistance from the county in rehabbing the area along South Old Peachtree. They will finish clearing the area along SOP to Lou Ivey and will limb up the trees there as well. The storm drain at the corner of SOP and Lou Ivey will be moved away from the sidewalk and raised. In the spring, they will patch any areas where the grass is missing.

We are having a landscape plan drawn up for that area. There is a possibility that we could get a labor crew from the county to install this plan. We would purchase the plant material. The county has agreed to provide pine straw for the mulch in the planted areas. The extent of the landscaping we can do will depend on the amount of help we can get from the county. There is \$15,000 budgeted in the Capital Reserve Analysis for this project.

Your Vote Counts.

Please remember to vote on the Special Assessment. You can print a proxy ballot from the Avocet website <http://www.avocet-hoa.org/Documents/Nov2006specialassessmentproxy.pdf> or you can call Robin Steinkritz at Heritage Property Management, 770 200-8256. This is a new vote. Even if you voted before, you need to vote again to ensure your ballot is counted!

2006 Annual Meeting

Our annual meeting was held at the clubhouse on September 28. Besides the election, there were 2 additional votes. The Spending Limit Bylaw Amendment was overwhelmingly passed. For the first time ever, our Board of Directors will be required to have a vote by the community on capital expenditures exceeding \$5,000.

The community also voted to expand the board to five members when there are sufficient candidates who want to run.

President: Jeanne Aulbach

Self-employed Microsoft Certified Trainer and Solution Developer, developing custom software solutions for clients. Her background is in Accounting and Banking. Jeanne has worked on the ACC, Finance, Landscape and Nominating Committees. Her four cats allow her to share their home as long as she delivers food and scoops litter boxes regularly. She enjoys working in her garden and watching birds.

Vice President: Lara Foreman

This is Lara's third term on the Avocet Board. She is the full time mother of twin 4-year old boys and does web site design and development. She relaxes in her garden and has helped Avocet as a member of the Landscape Committee. She is also involved with Avocet tennis.

Vice President: David Spanjers

Dave has lived on Kittiwake Circle with his wife Kelli and children Janelle and Jack since 1997. He is currently employed at Delta Air Lines. The University of Minnesota was kind enough to give him a diploma. He enjoys running and can often be seen running the streets of Peachtree Corners.

Secretary: Julie Dominguez

Laboratory Manager at St. Joseph's Hospital, responsible for Hematology, Stat Lab and Flow Cytometry. Avid tennis player and quilter. Julie has been worked on the Sports Committee for the last few years and can usually be found at the tennis courts.

Treasurer: Sean Bennett

Sean works for Aaron Rents, Inc. as Real Estate Controller. Sean initially became involved with Avocet as a member of the Finance Committee. He enjoys water sports and can also be found working on improving his golf game which lately has been non-existent.

Committee News

The Avocet Board of Directors will be working closely with our committees. We want to ensure that the committees that support our community have the resources they need and access to the BOD. To that end, we have assigned each member of the BOD to act as liaison with the following committees:

Architecture – Jeanne Aulbach
Finance – Sean Bennett
Information – Jeanne Aulbach - Newsletter and Fliers, Lara Foreman – Web Site
Kids – Lara Foreman
Landscape – Dave Spanjers, Lara Foreman
Nominating – Jeanne Aulbach
Recreation – Julie Dominguez
Security – Dave Spanjers
Social/Clubhouse – Julie Dominguez

In order to achieve some synergy, we have combined the Sports and Pool Committees into a single recreation committee. Each committee will submit an annual budget subject to the approval of the BOD and Finance Committee.

Because of the recent election, we are short on members for the following committees: Architecture and Finance. Please consider helping out with these committees.

Retail Development at the Corner of SOP/PIB

Members of the board, a representative from Apremont and Wayne Knox from the UPCCA met with Mitch Peevy and one of the owners of the property at the corner on November 2. In short, the owners are requesting a Change in Condition (CIC) to put a fast food drive through restaurant on the corner. Apremont & Avocet both expressed concerns about this. Security, noise and traffic were all concerns. There are no tenants at all lined up for the corner, either for the restaurant location or for the retail strip.

Some conditions work against us. The drive through restaurants across the street (Zaxby's and Dairy Queen) set a precedent for a drive through at the corner. Part of the corner property was sold to Bowen Homes for the townhome development. A condition of the sale was that Bowen would not contest any restaurant or other tenant placed on the corner.

Additionally, some of you heard about an issue with a development at the Forum. It seems that a denial was issued by the BOC for an apartment development across from the forum. The court overturned the denial. Now the developer has free rein to do anything they want to with that property and the county has no more authority there. Our commissioners believe that if there is a denial at the corner, this could go the same way. They are recommending that we do something like what was done with the townhome property, allow the drive through, but with very heavy conditions.

These conditions would include a 2-3 window drive through - no ordering through a speaker but directly at the window, limited hours, stringent building requirements, etc.

Because it is unclear just what will happen at that site, Mitch Peevy stated they would request tabling the issue in order to come up with a firmer plan. The Change In Condition request has been tabled until the January Planning Commission meeting. We have requested another meeting to review their plans prior to this meeting.

Volunteer Corner

We will be posting volunteer opportunities as the need arises.

Currently, we are in need of volunteers to pressure wash the clubhouse. We also need to have the window screens washed and replaced in the windows.

We can use some assistance with formatting the newsletter. If you have skills with Publisher or similar software, we can use your talent!

If you want to help with any of these projects, please contact us at bod@avocet-hoa.org.

We would like to thank Jim Seigler and Rob Hiller for securing the part of the pavilion roof that was falling off. Thanks to Rob also for painting over the graffiti on the clubhouse. A special thanks to whoever was kind enough to secure the fence railing by the clubhouse. Rob was going to do that as well, but was pleasantly surprised to see the work was already done.

Avocet ACC Process and Guidelines

The Architectural Control Committee (ACC) is revising the current standards to include the documentation required for the request and links to Gwinnett County web pages related to the request type. You can review the current guidelines on the ACC web page at <http://www.avocet-hoa.org/committees/architecture/architecture.htm>. You can find the ACC Request form there as well.

Just to recap, ACC approval is required for the following exterior changes to your home:

- Adding a fence
- Painting the exterior of your home
- Replacing your current mailbox post with a brick or wrought iron post
- Adding a screened-in porch, deck, room addition, concrete pad, shed or storage building
- Adding hardscape such as a retaining wall or dry creekbed
- Installing playground equipment, including swingsets and basketball goals
- Replacement doors, windows & awning additions
- Any landscaping involving a change of the grade of land or runoff onto other's property, use of substantial mechanical assistance, or any other major restructuring of existing landscape
- Pool and hot tub installations
- Any flags other than the American, official Georgia state or seasonal decorative flags

The members of the ACC appreciate that many times our homeowners need to move quickly to obtain a discounted price. We are committed to turning your request around as quickly as possible. In order to assist us in that goal, we ask that you notify as soon as possible once you decide to move forward on your home improvement project. You can reach us at architecture@avocet-hoa.org. If you prefer, you can contact Robin Steinkritz at Heritage Property Management at (770)-200-8256.

Security Issues

We have experienced a few problems lately in the amenities area. Drug paraphernalia was found there this summer. We also found graffiti painted by the back door of the clubhouse. We have also experienced problems with cars parked improperly in that area. And we have had problems with trespassers on the tennis courts after hours and pool furniture thrown into the pool after hours.

Based on some recommendations from our COPS liaison with the Gwinnett County Police Department and with input from our COPS, the Board has decided to take some steps to enhance security in the area.

First, we will be posting new signs discouraging trespassing and listing the hours of the amenities availability on both tennis courts and at both gates to the pool/clubhouse. We will also be adding no parking signs to discourage overnight parking. The intent is to make the area uncomfortable for those looking for an area to congregate and to make it possible for police to arrest intruders, should it be necessary.

We are also going to install motion sensor lights on timers along the back and side of the clubhouse facing away from the road. This will discourage those who may be tempted to break in or further deface our property.

Maintenance Issues

Completed:

Replaced breaker box for tennis courts - circuits corroded: \$693

Repaired water line leak at the clubhouse: \$761

Replaced broken garbage disposal in clubhouse: TBD

In Process:

Replace fire suppression system in clubhouse (required by Gwinnett County Fire Marshall), old system no longer working, less expensive to replace than to repair: \$1,100

Rehang French doors properly in clubhouse

Remove rats from clubhouse and prevent future incursions

Treat clubhouse for bugs

Communications

To get the most current information about our community, please check our website regularly, www.avocet-hoa.org. We also post information and updates to the Avocet forum. This is a great way to stay current, with postings delivered right to your inbox. The Avocet Information Committee is revising guidelines for posting to the forum to ensure that an atmosphere of civility and decorum is maintained. If you are not already a member, please click the links on our web site to join!

Message from Commissioner Bert Nasuti, on the Town Home Development Next to Avocet

The Board approved the rezoning request 3-0, with Chairman Bannister abstaining (not sure why), and Commissioner Kenerly out (he had already told me he was in favor of what I recommended and he would support the motion) - with some changes/additions to the Planning Commission Conditions – generally, here is what I did –

The staff recommended approval at 86 units- the applicant wanted 86 units, the opposition wanted 65 or 66 – I approved the request for a maximum of 75 units – I'm not sure if that many can be built given the additional buffer I put on the property, but in any event, no more than 75 units can be built. This is a final net density over 6, but under 7 units per acre. I left the minimum square footage at 1800 sq ft. I did this for several reasons – our staff has almost no way to inspect or control interior elevations without having inspectors onsite with tape measures – our staff does not favor or want to see interior height conditions – also, I felt if we get much over 1800, it encourages school age children. The target market here is young professionals or folks without kids who don't want to maintain yards. I am told by the applicant that the units run from the low 1800s up to around 1900 but no larger – and that the third bedroom is usually pretty much just an office. I am comfortable with this and believe it will minimize impact on schools.

I increased the buffer against residential properties from 30 feet, to 40 feet – this will pull the units further away from Avocet and will orient them more to the commercial property. I included very detailed landscaping conditions requiring tree save fencing, and specimen trees being saved in and around the buffer. I also have required that all sparsely vegetated areas be heavily planted with evergreens that are minimum 8 feet tall at the time of planting. There will be a landscape plan that will have to be approved by the director of planning insuring the planting conditions are complied with.

I left the 4 sides brick condition with the proviso that trim, gables, etc., on the rear, could be fiber cement or stucco or stone – but all construction is primarily brick – this will make them look different on the back than what you see across the street – and it keeps the 4 side brick condition there.

I added a condition that the county director of transportation had to review the project and personally approve everything related to entrance and exit to see that we were doing the best we could, given the traffic on S. Old Peachtree.

I included a condition that no more than 10% of the units could ever be rented – there are Federal Fair Housing Standards problems with this type of condition, but I believe it is worth putting this condition on and staff supported me in doing it - My goal is pride of ownership and nothing that will ever get run down – there were other conditions that mandated a homeowners association and that required common areas be kept up. So, the overall final conditions are more detailed and stringent than the ones on the property across the street, facing PIB.

As you may appreciate, zoning is probably the toughest thing we do – there are good arguments on all sides, and I can tell you, that the Courts usually side with applicants as the general state of the law is, that folks can do with their land what they want, subject to reasonable limitations. I am comfortable that I did the best possible thing I could with this one – a “turn down” would have only brought back something else down the road, something that may not be as nice as this – apartments, or who knows what – the courts don't seem to care about apartment saturation – remind me to tell you the story about the property across from the Forum sometime –

I also felt we are better off not having commercial or office property there, and I preferred a high end town house development as a transition to Avocet – staff felt that way of course and also recommended a higher density and less conditions that I placed on the project – at the end of the day, the applicant was disappointed the conditions were as strict as they are, but its representative told me they would do a good job, and uphold the spirit of, and requirements of the conditions – I will watch things closely and see that staff does as well.

I appreciate all your time and efforts on this and I will e mail you a final set of the conditions as soon as I have them – feel free to share this and the conditions with your friends and neighbors.

Regards,
Bert