

Loophole in Design Guidelines Triggers Retaliation

"Does My House Look Good in Polka Dots?"

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Now kids, don't try this at home! From the Chicago Tribune comes a story out of Avondale Estates, Georgia.

Avondale Estates is an older planned community of homes just outside Atlanta, consisting of about 2,600 residents. This town is wrestling with a controversy many California common interest subdivisions face on a daily basis; namely, how do you preserve the existing community while still allowing people to change and update their homes?

After being placed on the National Register of Historic Places in 1986, Avondale Estates formed a Historic Preservation Commission, consisting of a six-member panel to approve alterations to homes in the community in accordance with the enacted design guidelines (sound familiar?!). Any resident who wishes to

change or modify his or her home must first go through this commission. Then, if the applicant disagrees with the commission's recommendation, they may appeal to the City.

Mr. Stan Pike appears to be one of several residents that have taken exception to the decisions made by the town's "preservation commission" with regard to his 1950's home. In the May 5, 2003 Agenda for the Commission, Mr. Pike's project was listed. It consisted of a rear addition, replacement side windows, and a redesigned entrance. When the commission rejected his request to make changes to his home, he retaliated. Mr. Pike took advantage of a loophole in the design guidelines that does not specify what color a house may be painted, and painted his house bright lime green with purple polka dots. Of course, just as with any community, supporters rallied to his defense and painted polka dots on trees, garages and a church to protest the commis-

sion. Now, instead of one application, the denial has "mushroomed" into a larger community dispute.

This story illustrates a continual problem with enforcement of the CC&Rs and architectural rules in a community, whether it be condominium or planned development. On one hand, stifling individual creativity can promote community dissension and lead to some unexpected results (like garishly painted houses). On the other hand, a homogenous community is preferred by some. In reality, boards of directors and architectural committee members need to keep in mind that their work in preserving the neighborhood is to protect and enhance property values for the benefit of all residents. With that in mind, allowing a little individual creativity will probably lead to a greater satisfaction in the community and overall civic betterment. ■