

## **INTRODUCTION**

The Saybrooke-Village of Bristol of Virginia Homeowners Association, Incorporated is organized in accordance with a series of legal documents that specify the organization's structure, the duties and responsibilities of various boards and committees, and the use-restrictions governing the use of both the common and privately owned property in the Saybrooke development.

The Amended and Restated Declaration of Covenants, Conditions and Restrictions, dated 12 October, 1998 (the Declaration), requires that an Architectural Review Board (ARB) be appointed to regulate the external design and appearance of the property in order to preserve and enhance property values and to maintain a harmonious relationship among the structures and the natural vegetation and topography. Among the other duties of the ARB outlined in the Declaration, the ARB is specifically required to adopt procedures and to adopt architectural standards subject to the approval of the Board or Directors (BOD).

This Architectural Procedures and Standards document satisfies the aforementioned requirement and is applicable to all members of the Association. The document is organized into two main sections, Procedural Guidelines and Architectural Standards. The procedures and standards set forth in this document are meant to supplement and clarify specific tenets of the Declaration or applicable state and local laws, and every effort has been put forth to ensure that they are consistent with the governing documents. In the case of any actual or perceived inconsistency, these architectural procedures and standards are subordinate to the Bylaws of the Association, the Declaration, and applicable state and local laws.

If there are questions pertaining to this document or any of the procedures and standards set forth within it, please contact the ARB, and we will be happy to answer your questions. Contact information is available below or at the Association's web site (<http://saybrooke.org>).

## **CONTACT INFORMATION**

The Association's Management Agent can be contacted at the address and phone numbers below:

Saybrooke-Village of Bristol HOA  
c/o Armstrong Management  
3959 Pender Drive, Suite 205  
Fairfax, VA 22030

Voice: (703) 385-1133  
Fax: (703) 591-5785

## **PROCEDURAL GUIDELINES**

### **Changing This Document**

This document was drafted by the ARB and approved by the Association's Board of Directors in accordance with the Amended and Restated Declaration of October 12<sup>th</sup>, 1998 ("the Declaration") and Section 55-513 of the Virginia Property Owners' Association Act. Changes to this document, so long as they are consistent with the governing Declaration, can be drafted by the ARB, subject to a simple majority vote of the Board of Directors. We encourage homeowner input into this document, and welcome any suggestions for change.

At a minimum, the ARB will conduct a biannual (every two years) evaluation of this document to determine if any changes are required. Change proceedings will involve discussions open to the Association's membership.

### **Meetings of the Architectural Review Board**

The Architectural Review Board will meet regularly on the third Wednesday of each calendar month at 7:00 pm in the Community Clubhouse. Meetings will be open to the public. Deviations to the regular meeting schedule and/or special meetings will be posted on the Association's web site.

Public meetings where the ARB conducts any official business will be run according to parliamentary procedure (Robert's Rules or a derivative) and must have a quorum in attendance for motions to be made. A quorum is defined as a simple majority of the appointed members. For a motion to carry, a majority of members in attendance must vote in favor. In the case of a tie vote, a majority is not achieved, and the motion is denied.

### **External Modifications Requiring Review and Approval**

The general conditions for the design review requirements are stated in Article V, Section 1, of the Declaration. If homeowners are changing the exterior appearance of their home or property, they shall submit an Application for Exterior Modification unless specifically excepted in this document.

### **Application and Review Procedures**

The application and review procedures that must be used by all members of the Association, including the ARB, are detailed below:

1. **Applications**: All applications for exterior modification must be submitted to the Managing Agent in writing using the application form authorized by the ARB. A copy of this form is included in Appendix A of this document, and the latest version is always available on the Association's web site.
2. **Supporting Documentation**: The application must include a complete and accurate

description of the proposed improvements, including all plans, drawings and a copy of the surveyor's certificate when applicable. The signatures certifying neighbor acknowledgement of the proposed modification must be on the form, or the form will be returned as incomplete. Specifics of the required supporting documentation can be found in the Architectural Standards section of this document.

3. Application Cutoff: To allow proper logging by the Management Agent and distribution and review by the members of the ARB, homeowners are encouraged to submit completed application as soon as possible. Applications submitted outside of seven (7) calendar days prior to the next scheduled ARB meeting are not guaranteed to make the review agenda.
4. Completed Applications: Homeowners shall mail or fax completed applications to the Management Agent for the Association. Contact information for the Management Agent can be found on page one of this document or on the Association's web site.
5. Review of Applications: The ARB is required to provide notification to the homeowner of the approval or disapproval of any application for exterior modification within sixty (60) days after receipt of a **complete** application.
6. Approval Criteria: The ARB makes an effort to be as impartial as possible when evaluating applications. The ARB reserves the right to deny any application from a homeowner in the event (a) the unit has an outstanding violation of the Design Guidelines which is not under appeal or in litigation (b) the application is lacking, in whole or in part, pertinent information necessary for fair evaluation.
7. Notice of Decision: Upon action of the ARB on any application, the Management Agent will mail written notice to the applicant.

### Appeals Procedure

In accordance with the Declaration, any aggrieved party may appeal adverse decisions of the ARB to the Board of Directors (BOD). The following procedures provide detailed guidance for the appeals process:

1. Non-applicant homeowners wishing to appeal the decision of the ARB on an Application for Exterior Modification must submit a written request for reconsideration to the Board of Directors, via the Managing Agent, within five (5) business days after the date that notice of the ARB's decision was mailed pursuant to paragraph 7 of the Application and Review Procedures. This request should include any new or additional information which might clarify the requested change or demonstrate its acceptability, and must be submitted in the same manner as Applications.
2. The Management Agent must notify the ARB that an appeal has been received and provide them with a copy of the complete appeal package. If the appeal has been received from an aggrieved party other than the applicant, the Management Agent must also notify the applicant that an appeal has been received. This notification should make it clear that the applicant should not proceed with any related modifications pending the outcome of the appeal.

3. Upon receipt of the appeals package, the ARB shall forward supporting documentation of its decision to the BOD.
4. The BOD shall make a final decision and provide a written notice to the originator of the appeal within thirty (30) days after the date of receipt of the appeal. The decision shall be forwarded to the ARB and sent by certified mail, return receipt requested to all other involved parties. This decision is final.

\* Non-applicant homeowners should be aware that no official notification of ARB decisions will be made to anyone but the applicant. It is incumbent upon any non-applicant homeowners who may wish to appeal a decision, to actively seek out first-hand knowledge of the decision by attending the ARB meetings, calling the Management Agent, etc.

### Enforcement Procedures

The Declaration and the Virginia Property Owners' Association Act empowers the Association to enforce compliance with the Association's governing documents including these architectural procedures and guidelines. While the Declaration specifically charges the ARB with enforcement responsibility, it is the responsibility of all members of the Association to help maintain the standards in our neighborhood. Any member in good standing who observes a violation of the Association's rules or guidelines can and should take action to report it. The following procedures will be used to ensure compliance:

1. Any member who observes a violation should report it to the Architectural Review Board. Reports can be made anonymously if the reporting member is concerned about creating animosity. Reports can be made verbally or in writing to the Management Agent via telephone, fax, email or postal mail. They can also be made directly to the ARB via the Association's web site. Reports, at a minimum, should include the following:
  - The address of the property where the violation was observed.
  - The date and time of the observation. Please include pertinent recurrence information if it is a recurring violation.
  - A detailed description of the violation.
2. A member of the ARB will confirm the alleged violation report within fourteen (14) calendar days and will inform the Management Agent whether or not the reported complaint of violation appears to be valid.
3. For validated violation reports, the Management Agent will notify the violating homeowner in writing via mail, notifying the homeowner the he or she is being given a ten (10) calendar day correction period to resolve the violation(s).
4. If the homeowner requests an extension of the ten (10) calendar day correction period, the ARB may grant one if adequate justification is provided in writing via the Management Agent. Extension requests will be considered on a case-by-case basis.
5. At the end of the correction period, the ARB will conduct a second inspection to ensure that the reported violations have been corrected. If corrections have not been made, the Management Agent must notify the homeowner, via certified mail, return receipt requested,

that a hearing before the ARB has been scheduled pursuant to Section 55-513 of the Virginia Property Owner's Association Act. The homeowner will be given at least fourteen (14) calendar days notice of the ARB hearing.

6. If the homeowner fails to appear at the ARB hearing, or if the hearing fails to sufficiently resolve the matter, the ARB may refer the case to the BOD. The Management Agent must notify the homeowner, via certified mail, return receipt requested, that a hearing before the Board of Directors has been scheduled. In accordance with the Virginia Property Owners' Association Act, the homeowner will be given at least fourteen (14) calendar days notice of the hearing, and will again have the opportunity to correct the violation during this time.
7. If the violation(s) still exists and no action has been taken by the homeowner by the time of the hearing before the Board of Directors, the BOD may assess monetary charges against the homeowner and/or suspend the homeowner's right to the use of facilities or services. The homeowner will be notified by certified mail of the action or actions taken by the BOD.

Homeowners should be aware that the BOD may levy a charge of \$10.00 per day for a continuing violation. For a single, one-time violation, the BOD can levy a charge of up to \$50. In Addition, the BOD may vote to refer the case to the Association's attorney for legal action.

The above procedures do not preclude the Board of Directors from taking accelerated measures in the event of a violation which constitutes an emergency, safety-related situation, provided that the homeowner has been properly notified by phone (when possible) followed up by a certified mailing that the BOD's actions are consistent with the provisions of the Association's legal documents.

### Resale Procedures

The Virginia Property Owners' Association Act (POA) requires that all sellers disclose the existence of a mandatory property owner's association and that the purchaser be provided a disclosure packet covering community's Covenants and Restrictions, Rules, Regulations, Budget and Insurance statements, Financial and Architectural compliance certificate. The Contract Seller should be aware that the sale of the property is dependent upon the purchaser receiving the disclosure documents. For any exterior alterations which have not previously been applied for and approved, the homeowner must seek ARB approval or restore the property to the original state prior to settlement. Please contact the Management Agent's Resale Department to request a resale package.

Note: The completed forms and any applicable fees must be submitted to the Resale Department prior to any inspections taking place. The Resale Department has fourteen (14) business days in which to process the completed package and make it available to the requesting owner or his authorized agent.

## **ARCHITECTURAL AND DESIGN STANDARDS**

The specific guidelines and standards detailed in this section of the document have been voted upon and approved by the Board of Directors. They are enforceable by the Association in the same way as the Use Restrictions found in the Declaration. They are intended to supplement and clarify the verbiage in the Declaration and Bylaws.

When evaluating applications for external modification, the ARB specifically considers design compatibility, location and impact, scale, color and material, workmanship, and timing.

Homeowners should be aware that all modifications must comply with local laws, zoning restrictions, and building code. ARB approval of a project does not eliminate the need to get any necessary Prince William County permits. Likewise, Prince William County permits and zoning approvals do not eliminate the need to submit an Application for Exterior Modification to the ARB.

Specifics of the Prince William County code and zoning ordinances can be found online at the County's web site (<http://www.pwcgov.com>).

### **Antennas And Satellite Dishes**

All antennas for receiving television broadcast signals, video programming via multipoint, multichannel distribution service, and those satellite dish antennae designed to receive direct broadcast satellite signals which measure one meter (39 inches) or less in diameter are permitted, subject to certain restrictions.

Homeowners wishing to install any antenna, including satellite dishes, should submit a written application to the ARB. The application should contain the following information:

- a. size of antenna or dish.
- b. a plan or drawing showing the proposed location and directional orientation of the antenna or dish on the house or on the grounds of the applicant.
- c. the color and description of the method of installation of the antenna or dish.

Any satellite dish antenna must be located upon a lot so that it is not visible from the street which is in front of the house. An exception may be granted pursuant to the FCC regulations. To receive approval for alternative locations, a homeowner must provide as part of his application for exterior modification, a written statement certifying that in order to have adequate reception, installation of the dish or antenna requires an exception to policy. Homeowners will make every effort to chose an alternate location to be as **unobtrusive** as possible.

All wiring will be installed in compliance with prevailing code, and tightly secured to the home in areas where it runs along the exterior of the home. Efforts should be made to run wiring along trim or under the siding to minimize the visual impact. All systems must be grounded to the home's electrical system ground.

## Decks

All decks must be approved by the ARB prior to installation. The following information must appear with the application:

- a. Location. Decks must be located in rear yards. Decks shall not be erected forward of the rear plane of a dwelling.
- b. Scale and Style. Decks, particularly elevated decks, should be of a scale and style which are compatible with the home to which it is attached. The ARB and the BOD shall be the sole arbiters of compatibility.
- c. Material. The vertical support posts, floor joists, floor of the deck and any steps must be constructed of pressure treated lumber, #2 grade or better. The deck may also be constructed of a synthetic material of comparable quality.
- d. Standard Details. Decks must be constructed in accordance with the standard design and details which are illustrated in Appendix A.
- e. Color. The band board, decking, rails, pickets, posts and top rail must be a natural color and, if desired, sealed with clear or natural stain.
- f. Under Deck Storage. Elevated decks have an under-deck area which can have a negative visual impact on adjoining neighbors, particularly when used as an informal storage space. The use of decorative screening or landscaping to minimize adverse visual impacts is encouraged and may be required by the ARB, particularly in the case of high decks.

## Dog Houses/Dog Runs

Per Prince William County code, dog runs are not permitted.

Dog houses will be considered after the submission of a complete application for exterior modification. The application shall clearly show the proposed size of the dog house and provide evidence that the proposed dog house is within reasonable proportion to the size of the pet. Dog houses should closely match the colors of the house or be made from natural wood.

## Doors (Entry, Garage, And Storm/Screen)

An application for ARB approval is required for all entry and garage doors that are a different style, color or material than the original door.

An application for ARB approval is required for all storm/screen doors and windows unless the homeowner is replacing an existing feature that is identical in color and style.

- a. Screen doors must be full view and frames must match either the entry doors behind them or be painted to match the trim color.
- b. Scallops, scrolls or imitation gate hinges are not compatible with Saybrooke home designs and will not be approved.

An application for ARB approval is required for kick plates and door knockers only when they do not meet all of the following criteria:

- a. Brass kick plates at the base of the entry door or storm door.
- b. Brass door knockers located on the entry door or storm door.

### Driveways

An application for ARB approval is required for changing the materials used for an existing driveway, expanding a driveway, or creating a parking pad.

### Edging

An application for ARB approval is required for all man-made landscaping materials more than three inches above grade (e.g. concrete, plastic or metal edging). An application is also required for natural material if it is over twelve inches high. All materials used should be earth tone in color.

- a. All edging styles must be consistent (one style, one color) in the front and side yards.
- b. Edging must be properly installed, including partial burial of scalloped edging so that only the scalloped portion is visible above ground level.

### Exterior Decorative Objects

Approval will be required for all exterior decorative objects, other than temporary holiday decorations (see below), whether natural or man-made which were not part of the original construction.

Examples include (but are not limited to) bird houses, bird baths, driftwood, weather vanes, sculptures, fountains, house address numerals and any items attached to approved structures.

These items will be evaluated in terms of their general appropriateness, size, location, compatibility with the architectural and environmental design qualities, and visual impact on the neighborhood and the surrounding area. Sculptures, garden statues, bird houses and similar items are restricted to rear yard locations and should not be visible from the front yard or street.

### Exterior Painting

Curb address painting specifications: The background shall be painted a high gloss white and measure +/- 15" wide by the height of the curb. The address numbers shall be painted high gloss black, centered and evenly spaced inside the white background. Numbers to be +/- 4" in height. Standard detail illustrated in Appendix D.

An application is not required in order to repaint an object to match the original color. However, all exterior color changes must be approved. This requirement applies to siding, doors, shutters, trim and other appurtenant structures.

## Fences

Fences shall be erected only in the rear yard of any Lot and shall not extend beyond the rear building line of a dwelling. Fences may not be erected on any Lot without the express written permission of the Architectural Review Board.

Chain link fences are prohibited, with the exception of the Community Center Recreational Area.

Material for all fences should be pressure treated lumber, #2 grade or better. Other materials may be approved by the ARB on a case-by-case basis.

The following represent ARB/BOD approved fence styles that are consistent with the architectural look and feel of the community. See fence detail illustrated in Appendix C.

- a. Four Board Paddock Fence – 4’ high.
- b. Five Board Estate Fence – 4’ high.
- c. Spaced Picket Fence - 4’ high w/dip, 5’ high w/dip, and 4’ high with no dip.
- d. Board on Board – 4’ or 6’ high with flat cap board or Mount Vernon dip
- e. Decorative Board on Board - 5’ high main fence w/ additional 1’ boxed lattice top

## Firewood

No application for the storage of firewood is required, provided firewood is kept neatly stacked, located to the rear of the residence and in such a manner as to avoid adverse visual impacts for adjoining properties. Screening may be required in certain cases. If a homeowner/occupant has a rear fence, the firewood pile must be inside that fence.

## Flagpoles

No flag or flagpole of any size, shape, or form, temporary or permanent, shall be permitted on the exterior of any portion of a home or lot or improvements thereon, except that the ARB may grant written approval for a reasonable and aesthetic house mounted pole which is attached to and extends from the façade of the house. One housemounted pole may be attached to and extend from the façade of a house without the prior written approval of the ARB as long as the pole does not exceed 6 feet in length and the flag displayed on the pole does not exceed 4 feet by 6 feet.

## Garages

Plans for structural alteration of a garage must be submitted to and approved by the ARB.

### Holiday Decorations

Holiday decorations do not require an ARB application but must meet the following criteria:

- a. Decorations for a holiday may be displayed thirty (30) days prior to the holiday and remain on display for thirty (30) days after the holiday. Lights or other decorations that appear to be hanging or falling off a home will be deemed a violation.

### Landscaping

Landscaping that replaces more than twenty-five percent (25%) of the existing turf with plant materials, and/or walls, gardens, rock gardens, pools, etc., requires ARB approval. If the landscaping involves altering the existing drainage patterns, the applicant is responsible for drainage results.

### Lighting

An application for ARB approval is required for all exterior and security lighting additions and changes. Exterior and security lighting should be directed so that light intensity creates minimum impact outside the applicant's property. Ground level lights must be unobtrusive in design and be black or dark green in color. There shall be no exposed wires.

### Mailboxes

No decorative mailboxes or permanent covers for mailboxes will be permitted.

Mailbox support post should be sealed clear or a natural finish. Numbers are to be placed only on the mailboxes. Newspaper boxes may be attached to the existing mailbox without approval, but every effort should be made to keep them neatly positioned and securely fastened.

### Patios

An application for ARB approval is required for installation or alteration of all patios. Patios should be located in the rear yard. Site plan showing dimension, location and materials used must be submitted with application.

### Recreation and Play Equipment

An application for ARB approval is required for all installed recreation and play equipment/structures and all basketball goals, portable or fixed.

All basketball goals are required to be 15' from the front of the property and 12' from the side of the property line. Portable goals are not permitted on common ground or on the streets. Fixed basketball goals attached to the dwelling or the garage are prohibited.

Play equipment must be placed in the rear yards. Location in the front yard is prohibited. Permanently installed play sets shall not exceed 15' feet in height.

### Signs

No signs may be placed on a lot except real estate signs advertising a property for sale or rent.

### Spas And Hot Tubs

An application for ARB approval is required for installation or alteration of all spas and hot tubs. Details of decking and/or screening must be submitted with application. As are **all** exterior additions to the home, all spas and hot tubs must be in compliance with state and local building code.

### Storage Sheds

An application is needed for all sheds.

Townhouse owners may construct a rear yard storage shed which conforms to the standard detail illustrated in Appendix B. Sheds must be constructed of siding, trim and shingles which match the townhouse in both material and color. Doors must be centered in the wall facing the lot interior and be painted or stained the same color as the entry to the townhouse or match the color of the siding.

Owners of single-family homes may construct a rear yard storage shed. Materials used in construction of exterior shed walls may be siding that matches that of the home, paneling or other wood siding painted to match the home's siding or trim, natural wood, or wood that is stained to match fences or decks. Roof shingles of the shed shall match the shingles of the home. The shed design and architecture should be simple in nature so as not to stand out any more than is necessary. Unnecessary adornments and decorations are not permitted. The shed may not exceed 8 in height at the ridge of the roof, and the foot print may be no larger than 10' x 12'.

All structures must be in accordance with all applicable government codes and regulations to include height and size restrictions, property line setbacks, etc. It is also the responsibility of the homeowner to obtain all required permits.

### Swimming Pools

Swimming pools are permitted for detached single-family homes only. All pools must be approved by the ARB prior to installation.

Only in-ground type swimming pools will be considered. Above ground pools, (defined as pools with steel, wood, stone or plastic walls above the ground) are not permitted. Applications for the construction of in-ground pools must include the following:

- a. A site plan showing location and dimensions of the pool and related elements, and fences relative to the applicant's house, property lines and adjacent homes.
- b. Detailed drawings and plans of the pool, deck area, lighting arrangements, walkways, fences, and pertinent information concerning the location of water filtration and circulation systems, drainage, and water disposal.

c. Landscaping plan for outside (exterior) of fencing.

Pools must be located in the rear of the house with all pool equipment located between the rear of the house and the pool. A fence or appropriate screening, compatible with the design style of the house, will be required to enclose a pool and the related pool equipment. Approval of the fence is contingent upon the finished pool meeting the fencing criteria of these Guidelines and Prince William County requirements - especially with respect to property line set back and landscaping.

Trash Containers

All trash containers must be stored out of view at all times. Storing trash cans in the front of a dwelling or garage is prohibited. All refuse containers shall be prohibited upon any lot, unless obscured from view of adjoining lots and streets by a fence or appropriate screen approved by the Review Board.

Trash/recycling receptacles should be placed on the curb no earlier than 6:00 pm the night before the day of scheduled pick-ups, and retrieved/stored no later than midnight of the day of scheduled pick-ups.

Heavy duty lawn and garden trash bags will only be allowed for leaves and grass clippings. All household trash must be in a closed container.

Tree Removal

No hardwood trees measuring in excess of six (6) inches in diameter at a height of two (2) feet above the ground shall be removed from any Lot without written approval of the ARB.