

CROSS CREEK VILLAGE HOMEOWNERS ASSOCIATION, INC.



ARCHITECTURAL GUIDELINES (Rules and Regulations)

6/26/2018

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Change Page

6/26/2018 Adopted by the Cross Creek Village Board of Directors

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I. INTRODUCTION

The Deeds of Dedication for properties within Cross Creek Village contain covenants and restrictions that establish basic conditions to ensure residents are able to enjoy the quality of life that led them to purchase a residence.

A. PURPOSE OF THIS DOCUMENT

The procedures contained in this document are intended to implement the covenants contained in the Deeds of Dedication for Cross Creek Village. Specifically, this document is intended to:

- Help maintain a reasonably uniform and architecturally sound appearance for the Cross Creek Village community.
- Increase residents' awareness and understanding of the covenants and restrictions contained in the Deeds of Dedication for Cross Creek Village.
- Provide uniform guidelines for the Architectural Review Committee (ARC) when reviewing applications.
- Assist homeowners in preparing application for submission to the ARC.

In the event of a conflict, the covenants and restrictions contained in the Deeds of Dedication recorded in the land records of Frederick County, Virginia take precedence.

B. COVENANTS

Prior to settlement, Cross Creek Village homeowners should have received a copy of the Deed of Dedication for the section within which their residence is located. The covenants defined in the Deed of Dedication run with the land and are binding on all homeowners. It is incumbent upon all homeowners to read and understand the covenants.

C. ARCHITECTURAL REVIEW COMMITTEE

The Architectural Review Committee (ARC) has the responsibility to review and recommend approval or disapproval of all exterior alterations or modifications to houses within Cross Creek Village.

As part of their responsibility, the Board of Directors has provided a blanket approval for certain exterior modifications (see §III. A). In each case not covered by blanket approval, an application must be submitted and reviewed in order to consider specific implications of location and impact to surroundings.

- Visits the site to obtain all particulars.
- Checks site when work begins and after work is completed. Signs off on final inspections.

- Submits request for ARC work to the Board of Directors at the monthly work session.
- The ARC must present requests together with recommendations within thirty (30) days of receipt to the CCVHOA Board. The Board is required to approve or deny requests within forty five (45) days. If not processed within this time frame requests are automatically approved. The Board of Directors recommends that applicant homeowners attend the meeting when the request is presented in the event questions arise.

Residents who wish to serve as a member of the ARC should forward their name to any presently seated committee member. A member may resign at any time.

D. AMENDING THE ARCHITECTURAL GUIDELINES

These guidelines may be amended. It is anticipated that the changes will be primarily additive and will not involve substantive changes to existing guidelines. However, amendments may be made to reflect changed conditions or technology.

The ARC will periodically evaluate the guidelines to determine if amendments are required. Homeowners may also submit requests for additions or changes to the Architectural Review Committee. Change/Amendments may be accomplished by agreement of ARC and CCVHOA Board Members.

E. MAINTENANCE OF RESIDENCES

It is incumbent upon residents to properly maintain their property, to include the yard, landscaping, and home. During annual community inspections, the Management Agent will evaluate the condition of homes and exterior structures. The Management Agent/CCVHOA Board will provide written notifications to any homeowners whose property is deemed to be in need of corrective action. Affected homeowners will have thirty (30) days to provide a schedule for complying with the notification. If the required work is not completed in accordance with the approved schedule, the Board of Directors, acting on behalf of the Association, shall have the right, through its agents, to take such action as is provided in the Bylaws. The costs thereof and all other fees and/or expenses incurred thereby may be assessed against the lot upon which such a violation occurred.

F. INSPECTION OF RESOLD PROPERTY — DISCLOSURE PACKAGE

Once a property has gone under contract for resale, the Coventry Group Community Management (HOA property management company) will coordinate an inspection of the exterior of the property as required documentation within the selling disclosure packet. The inspection is to identify any variances to the architectural guidelines, and will include landscaping, the lot, and exterior of the house structure. The inspection also includes noting any items to be repaired such as missing siding, etc. Notification of issues or compliance will be provided by the property management company so a letter of compliance, or non-compliance, can be written to the pending buyer(s) of the property. Any non-compliance issues will have to be resolved between the seller and buyer prior to settlement.

II. ARC APPLICATION PROCESS

Note: If in doubt as to whether your exterior change needs approval, submit an application.

Written applications for all exterior changes must be submitted to the ARC in writing using the approved form. Each requested modification or alteration must be specifically approved, even when a similar or substantially identical modification or alteration has been previously approved.

A. HOW TO SUBMIT AN APPLICATION

Residents can get a copy of the application form from the Cross Creek Village web site <http://crosscreek.hoa.coventrygrp.com/documents> or from the clubhouse. Residents can also contact the ARC chairperson to receive a copy of the form via email, or in hard copy via mail. All necessary information should be stated in a clear, concise form to ensure that the ARC will interpret the application as intended by the homeowner. (Refer to the web site <http://crosscreek.hoa.coventrygrp.com> for a listing of current ARC members)

Applications must contain a description of Proposed Project. Include a graphic description such as a site plan, elevations or sketch to avoid delay in the approval process. Be sure to identify proposed materials and colors in the application. A site plan is most easily prepared by submitting a copy of the property plat with the proposed manufacturer's literature or photographs of similar projects. Written material should support and fully document any plans or sketches. All applications must include estimated starting and completion dates. Incomplete applications will be returned.

The homeowner shall be responsible for any damage caused by himself/herself or the contractor while performing work. The homeowner shall also be responsible for cleaning up all construction debris as work progresses.

B. APPLICATION PROCESSING

1. The ARC application, after approval, will be valid for one year. When the work commences on the approved application, the work must be completed within 60 days.
2. Upon completion of a project, the ARC or CCVHOA Management Agent will conduct a final inspection. The homeowner will be given fifteen (15) days to correct any deficiencies noted or submit a written appeal of the inspector's decision.
3. If the homeowner does not correct deficiencies or submit an appeal of the inspector's decision as provided in step 2 above within fifteen (15) days, the Board of Directors will take appropriate action to correct the deficiency.

C. APPLICATION DISAPPROVAL

If the application is disapproved, the homeowner will be notified in writing and informed of the problems in the application. The applicant is free to request that the ARC reconsider its position and is encouraged to present new or additional information that might clarify the request or demonstrate its acceptability. If upon resubmitting the application, it is still disapproved, the homeowner may, within seven (7) days after the rendering of such decision, make an appeal thereof to the Board of Directors. Not less than fifteen (15) or more than sixty (60) days after the noting of such appeal, the Board of Directors shall conduct a hearing thereon. Within fifteen (15) days of such hearing, the Board of Directors may affirm, reverse, modify or remand the decision appealed. Failure to submit an appeal within the allotted time will result in forfeiture of the homeowner's right to appeal.

D. INSPECTION PROCEDURE

The ARC, CCVHOA Management Agent, or a duly designated representative may conduct periodic inspections of the project while it is under construction to ensure compliance with the approved application. The ARC will deal with any deviations from the application. On completion of the project, the homeowner is required to contact the ARC within fourteen (14) days to conduct the Final Approval Inspection. Final Approval requires compliance with the stated specifications of the approved application.

E. NON-COMPLIANCE

The CCVHOA Board of Directors using due process, may initiate legal action as permitted by the Covenants and Restrictions and applicable law if a homeowner proceeds with exterior changes disapproved by the CCVHOA Board of Directors.

If a homeowner fails to make an application and obtain written approval prior to making an exterior modification, the CCVHOA Board of Directors may initiate any appropriate legal action including, but not limited to, seeking fines, and/or injunctive relief as permitted by the Covenants and applicable law.

III. REVIEW CRITERIA

The ARC evaluates all applications on their individual merits. Besides evaluation of the particular design proposal, the evaluation includes consideration of the characteristics of the housing type and the individual site, since what may be an acceptable design of an exterior in one instance may not be in another. The BOD of the Association bases judgments on the harmony of external design and location in relation to surrounding structures and topography and conformity with the design concept for the Property.

1. **DESIGN COMPATIBILITY:** The proposed change must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting.

Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.

2. **LOCATION AND IMPACT ON NEIGHBORS:** The proposed alteration should relate favorably to the landscape, the existing structure, and the neighborhood. The primary concerns are access, drainage, view, sunlight, and ventilation. When a proposed alteration has a possible impact on adjacent properties, it is suggested that the applicant discuss the proposal with neighbors prior to making the application.

3. **Scale:** The size of the proposed alteration should relate well to adjacent structures and its surroundings.

4. **Materials:** Continuity is established by use of the same or comparable materials as were used in the original house, except where so noted in the guidelines.

5. **Contractor/Homeowner Responsibility:** No material used for building purposes can be stored on any lot more than a reasonable time for construction to be completed nor can any contractor store trailers on roadways or driveways of homeowner overnight during construction. Construction trailers, trucks or equipment may remain only during working hours. Portable toilets may only remain on the property while work is actively in progress. Dumpsters may only be located in the driveway and must be removed after demolition. The homeowner is responsible for removal of all construction debris and restoration of premises upon completion of work. Construction debris may not be deposited nor buried on the Common Areas.

6. **Workmanship:** The quality of work should be equal to, or better than, that of the surrounding area. Poor workmanship can be visually objectionable to others, and can cause safety problems. The Association, ARC, and BOD assumes no responsibility for the safety of new construction by virtue of approval of design, workmanship or otherwise. Contractors need to be licensed, certified, and bonded before work commences.

7. **Building Permits:** Obtaining appropriate permits does not eliminate the requirement that you obtain approval, nor does the ARC approval eliminate the need for a building permit. The ARC, (at its discretion) may ask that a copy of the building permit(s) be submitted.

8. **Utility Lines:** You should be aware that various types of utility lines are buried in the ground in your property and that you are prohibited from building permanent structures over those easements. You must contact "Miss Utility" or any local utility companies to determine the location of these easements and the steps that you must take to prevent cutting into utility lines.

9. **Conformance with Covenants:** All applications are reviewed to confirm that the project is in conformance to the Declaration of Covenants.

10. **Drainage Easements:** Ownership of property within Cross Creek Village is subject to certain drainage easements, which cannot and must not be obstructed in any way. Failure to observe the restrictions imposed by the drainage easements could result in serious water damage problems for you and others near you and legal action against you by your neighbors or the Association.

NOTE: The homeowner will be responsible for lawn maintenance on areas where plantings, fencing or objects impede the flow of lawn maintenance performed under the CCVHOA's landscaping contract.

A. MODIFICATIONS WITH BLANKET APPROVAL

To facilitate matters for the homeowners, alterations or additions as delineated below need not be formally approved. If in doubt, inquiry to the ARC, and BOD is recommended.

1. Exterior Lighting:

Replacement of existing outside wall light fixtures is permitted. The replacements must be commercially manufactured units sold as decorative outdoor wall light fixtures. No other additional outside mounted lights are allowed without approval from the CCVHOA Board of Directors.

2. Gutters & Downspouts

- The drainage patterns on adjacent property shall not be adversely affected, and no direct drain onto common areas or neighboring sidewalks is allowed.
- Gutters and downspouts shall be white only.
- A factory applied finish is required.
- Black plastic underground drainage pipe is permitted.

3. House Numbers:

The Fire Department encourages the use of large (at least three (3) inch) house numbers. Numbers should be located in an area that is highly visible and in close proximity to the front entrance.

4. Vinyl Siding and Brick Veneer Damage & Repair Procedures:

- If you are replacing vinyl siding or brick, they must match as closely as possible to the existing style, type and color.

5. Roofing Shingles Damage & Repair Procedures:

- If you are replacing roofing shingles, they must match as closely as possible to the existing style, type and color.

6. Seasonal Decorations:

May be displayed on the property, but should be removed after the applicable holiday. The decorations should not be in place more than 45 days.

7. Rain Collection Barrels :

Rain Collection Barrels can only be located in the rear, next to the house, and must be placed within a mulch area. The barrels must not exceed 65 gallons in capacity.

8. **Surface Applications** of paint, epoxy, or other sealer on front and back porches, and front walkway is permitted without prior approval. Such applications should not significantly alter the natural color of the concrete.

B. PROHIBITED MODIFICATIONS

- In accordance with the CCVHOA Deed of Dedication, Article VI, #14 NO structure or improvement, including fences, shall be built in the landscape easement as said easement is applicable to lots 14 through 20, Section 1 and lots 21 through 26 Section 2 of the Cross Creek Subdivision.
- Exterior pet houses, pens, dog runs, pet doors, animal/pet crates or carriers are not permitted.

C. MODIFICATIONS THAT REQUIRE WRITTEN APPROVAL

Written applications for any changes other than those with blanket approval must be submitted to the ARC for review and approval. Homeowner must notify the ARC at the beginning of installation and at completion to allow for follow-up inspection. Specific criteria for some modifications are listed below.

1. **HVAC**- Add (not replace) or move an exterior HVAC unit.

2. Awnings

- Awning units must be installed by a licensed professional over a pre-existing patio or deck. The awning must be made of synthetic material with arms and hood having an automatic wind control, remote control operation, a back-up hand crank for emergency use (i.e., power outage, motor failure), and a hood cover when awning is closed.
- The request should include a copy of the lot plat with awning location and measurement, a swatch of the awning material to indicate color, the color of the arm and hood (NOTE: The color must blend with the house siding and be a conservative solid color or stripe.)
- No lights, shades, plants, ornaments, etc., are to be hung from awnings.

3. **Patios and Rear Walkways** — defined as a low flat surface; applications for approval must address the following:

- A patio is a flat area not more than 256 square feet made of brick, poured concrete, or other stone material at ground level in the rear of the home. The finished patio will be square or rectangular in shape and cannot exceed the width of the home. Patios require the submission of Request for Approval forms to the ARC and approval of the Board of Directors.
- Patios may be constructed using reinforced concrete, bricks, blocks, or flagstone. If bricks are used, a sturdy barrier must surround the perimeter of the patio unless the brick is at ground level.
- One edge of the patio must abut the rear of the house.
- The patio may not be wider than the house.
- It is the homeowners responsibility to ensure required building permits are obtained from Frederick County.

4. **Porches** NOTE: Existing front porches may not be screened or enclosed.

- Side and Rear porches may be enclosed. The enclosure MAY NOT exceed the original footprint of the porch.

5. **Vinyl Siding and Color**

- Replacement of vinyl siding on a residence for any reason should be with equal or better quality than that being replaced. Whenever possible the replacement siding will be of the same composition, style and color as that being replaced. At a minimum, replacement siding should meet the current manufacturing and performance standards. Any difference in material composition, style or performance specifications from the minimum standards will require approval by the ARC prior to installation.

*Addendum A: Refer to New Vinyl Siding Colors sheet.

6. **Roofing Materials**

- The replacement of roofing materials on a residence, for any reason, should be with materials of the same composition as those being replaced, whenever possible. Replacement shingles should be of equal or better quality than those being replaced. Any changes to material composition, style or performance specifications will require approval by the ARC prior to installation.

*Addendum B: Refer to New Roofing Shingles Colors sheet.

7. Exterior Shutters — Front porch windows ONLY.

- Style - raised panel vinyl exterior shutters
- Size - appropriate to window size
- Color - must match the front door.

*Addendum C: Refer to New Door and Shutter Colors sheet.

8. Exterior Doors: Front, Side, and Rear

- Replacement doors must be of equal or better quality than the doors installed by the builder. Hardware should meet the same specs.
- Front Doors - full panel and half beveled etched glass are the ONLY approved choices
- Rear and Side Doors - sliders with either glass panes or full glass, and French doors and/or double door with only half glass.
- Service Doors- Half Panel doors as used in the community.
- Rear and Side Screen Doors — Victorian style screen doors.
- Colors - Color choices were approved by the Board of Directors 2017/ 18. NOTE: Shutter and Door colors must match.

*Addendum C: Refer to New Door and Shutter Colors sheet.

9. Storm doors are acceptable provided they are white.

The following restrictions apply:

- Raw or galvanized metal or clear anodized aluminum storm doors are not allowed.
- Storm doors must be at least one and one—quarter (1 1/4) inches thick rustproof screening and frame.
- No decorative grillwork and/or bars may be attached over the glass portion of the door.
- Storm doors must be attached flush to the original door jamb.
- Storm doors installed on the front door must be full-length glass doors (no crossbuck doors). The glass must be clear safety panels and have no frosting. The storm door may have interchangeable glass.
- Storm doors installed on the rear door, or side garage door, must be one half (1/2) to full length glass doors. The glass must be clear safety panels and have no frosting.

10. Windows — Replacement of windows should substantially match the type originally installed by

the homebuilder, in color, style, and trim.

11. Fencing

General

- All fencing, new or repaired, is subject to review by the ARC and approval by the CCVHOA Board of Directors prior to installation. No fencing shall be constructed on any of the common areas. Requestors need to take care that a fence does not encroach on a neighboring lot.
- Homeowners are responsible for maintenance and repair of fences and shall repair or remove any damaged or excessively worn fence on their property when properly requested to do so by the CCVHOA Board of Directors. Missing gates, pieces, or panels; leaning posts; or deteriorated materials may be sufficient cause to consider a fence as damaged or excessively worn under this paragraph. The owner shall be permitted a reasonable amount of time after notification to appeal the decision or correct the situation.
- A request must be submitted to the ARC for Board approval to replace all, or sections of a fence. Emergency repairs can be made without approval of the ARC.
- If fencing totally encloses any portion of the yard, it is required that the enclosed portion be maintained by the homeowner in accordance with the regular maintenance schedule for the Village.
- Fencing materials will be constructed of white vinyl.

Privacy Fencing

- Privacy fencing may only be installed in the rear yard of the home, not to exceed the width and depth of the patio. Privacy fencing cannot exceed six feet in height and must always have the finished side out or may be double-faced. A twelve inch path of gravel must be placed beneath the fence to make mowing by the homeowner and/or landscaper easier.
- Fencing material will be constructed of white vinyl.

Other Fencing

- Fencing may only be installed in the rear yard of the home and may not extend beyond the width of the house. Fencing can be up to four feet high. A twelve inch path of gravel must be placed beneath the fence to make mowing by homeowner and/or landscaper easier.
- Fencing materials will be constructed of white vinyl.

Invisible Fences

- Requests for approval of invisible fences require specific measurement details included on a lot plan. It should only be in the rear of the home. Invisible fences must not encroach on any of the Common Areas. A licensed contractor must install an invisible fence.

12. Exterior Antennas:

This item requires prior approval because the Covenants require ARC approval.

Satellite antennas that meet the requirements of the F003 1996 Over the Air Receiving

Devices (OTARD) require an application, and must meet the following criteria:

- The installation of the device should not adversely affect the view, lifestyle, safety, or right of enjoyment of neighboring homeowners.
- The system should not emit electromagnetic radiation that is harmful, or that interferes with the operation of any appliance or biomedical device in close proximity to the antenna.
- The antenna, once erected, should not be visible from the street or right-of-way in front of the property.
- Cables related to the satellite antenna should hidden from view.
- Satellite antennas no longer in use for their intended purpose must be removed.

New Vinyl Siding Colors



Original	Gray	Sand	Cream	Champagne	Sierra	Beige
Woodsman Select	Silver	Tan	Cream	Champagne	Sierra	Beige
Hearttech	Gray	Sandalwood	Cream	Antique White	Clay	Birchwood
Autumnwood	Gray	Sand	Cream	Antique White	Prairie	Birchwood
Great Barrier	Silver	Tan	Cream	Champagne	Khaki	Almond
Mill Creek	Silver Grey	Desert Sand	Classic Cream	<i>no match</i>	<i>no match</i>	<i>no match</i>
Mastic*	Silver Grey	Almond	Classic Cream	Linen	Pebblestone Clay	<i>no match</i>

*Note: Mastic is a 4 ¼ " Dutch Lap

New Roof Colors



NEW Roof Replacement Guide

Original tile color on all roofs at time of construction:

Architectural Slate Gray

Roofing Companies & New Color Choices

- **Landmark:**
Colonial Slate
- **Tamko:**
Antique Slate
- **Timberline:**
Oyster Gray

Houses with NEW replacement Roofs:

- 204 Butterscotch – (Landmark – Colonial Slate)
- 206 Butterscotch – (Landmark – Colonial Slate)

New Door Colors



Original Cross Creek Door Colors (Sherwin Williams Paint) When HOA was built.

CURRENT Cross Creek Door Colors (Sherwin Williams Paint Samples)

Original	BORDEAUX	TUXEDO GRAY	CLASSIC BLUE	MIDNIGHT GREEN	MIDNIGHT BLUE	BLACK
New	SALUTE	LABRADORITE	TURKISH TILE	VOGUE GREEN	DRESS BLUES	TRICORN BLACK

Note: All paint suppliers can match the Current Sherwin Williams paint samples.