

ARCHITECTURAL GUIDELINES



The Village at Harvest Ridge
Winchester, Virginia
January 2022

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I. INTRODUCTION

The Deeds of Dedication for properties within Village at Harvest Ridge 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. COVENANTS

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

B. ARCHITECTURAL REVIEW COMMITTEE

As established by the Deeds of Dedication, the Architectural Review Committee (ARC) has the authority and responsibility to review and approve or disapprove all exterior alterations or modifications to houses within Village at Harvest Ridge. As part of their responsibility, the ARC has provided a blanket approval for certain exterior modifications.

ARC Membership, Tenure, and Election. The business and affairs of the Architectural Review Committee shall be managed and controlled by a minimum of five (5) and a maximum of nine (9) residents of the Village at Harvest Ridge. All current members will stand for reelection annually at the membership meeting and may serve consecutive one-year terms indefinitely subject only to annual reelection or HOA Board removal. A simple majority is required for votes.

Residents who wish to serve as a member of the ARC should forward their names to any presently seated committee member at least 30 days prior to the Annual Membership Meeting. Ballots will be distributed at the annual meeting.

A member may resign at any time. Vacancies occurring on the committee may be temporarily filled by the committee.

C. PURPOSE OF THIS DOCUMENT

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

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

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.

Changes/Amendments may be accomplished in one of two ways:

1. Majority vote of ARC and/or HOA Board members, or
2. Majority vote at a publicized meeting of the Homeowners Association by attending homeowners with provisions for proxies.

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 ARC will evaluate the condition of homes and exterior structures. The ARC will provide written notifications to any homeowners whose property is deemed to need paint or other 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 and/or enter upon such Lot and take such steps as may be necessary to remove or otherwise terminate or correct such violation; the costs thereof and all other fees and/or expenses incurred thereby may be assessed against the Lot upon which such a violation occurred.

II. ARC APPLICATION PROCESS

Note: If in doubt as to whether your exterior change needs approval, submit an application. Also, it is the responsibility of the homeowner to obtain appropriate building permits from Frederick County on projects that require permits.

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 may obtain a copy of the application form from the Village at Harvest Ridge website (<http://village.hoa.coventrygrp.com/documents>) or the Groups.io email website under "Files" and "HOA Documents." Residents may also contact the ARC chairperson to receive a copy of the form via email or in hardcopy 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 website <http://village.hoa.coventrygrp.com> for a listing of current ARC members.)

Applications must contain a description of the proposed project. ***Include a graphic description such as a site plan, elevations, or sketch to avoid delay in the approval process; photos of the area being changed are also strongly recommended.*** 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 completion dates.

Incomplete applications will be returned.

B. APPLICATION PROCESSING

1. A decision for approval or disapproval of the application or a request for further information will be made on the change request within 10 working days following receipt of the application. A simple majority of the members of the ARC is required for approval of the change request.
2. Work on alterations approved by the ARC shall begin within six (6) months following the date on which they were approved. Work shall be substantially completed within twelve (12) months following the date of commencement. Exceptions must be submitted to, and approved by, the ARC.
3. Upon completion of a project, the ARC or HOA Management Agent may 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.
4. If the homeowner does not correct deficiencies or submit an appeal of the inspector's decision as provided in step 3 above within fifteen (15) days, the Board of Directors will take appropriate action to correct the deficiency.
5. If the homeowner disagrees with the decision of the ARC, the homeowner may, within seven (7) days after the rendering of such decision, make an appeal thereof to the Board of Directors. Failure to submit an appeal in the allotted time will result in forfeiture of the homeowner's right to appeal.

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, the 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. Upon completion of a project, the ARC or HOA Management Agent may 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.

E. NON-COMPLIANCE

The HOA Board of Directors may initiate legal action as permitted by the Covenants and Restrictions and applicable law if a homeowner proceeds with exterior changes disapproved by the ARC and/or the Board of Directors.

If a homeowner fails to make an application and obtain written approval prior to making an exterior modification, the HOA 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.
5. 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.
6. 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.
7. 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.
8. Conformance with Covenants. All applications are reviewed to confirm that the project is in conformance with the Covenants and Restrictions identified in the Deeds of Dedication.
9. Drainage Easements. Ownership of property with Village at Harvest Ridge 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.
10. The homeowner will be responsible for lawn maintenance on areas where plantings, fencing, or objects impede the flow of lawn maintenance performed under the HOA's landscaping contract.
11. Homeowners will maintain plantings and landscaping that the homeowner plants or creates. The Association will maintain (mulch and prune) original plantings and landscaping that the builder provided and any comparable replacement plantings. "Original plantings and landscaping" generally include foundation materials on the sides and front of the house, the single tree in the front yard, and the utility boxes throughout the Village.

12. Homeowner-provided landscaping, whether additions, modifications, or complete replacement, must be typical and traditional and consistent with landscaping currently in the community. Vegetable plants should be situated on the sides or back of the house out of direct view of the street.
13. In general, community residents may be eligible for community funding for maintenance in common areas behind their homes only for issues of personal and/or structural safety, legal, or community liability reasons, subject to the interpretation of the HOA Board. Since "common area" means "common to us all," any other significant work in common areas behind residences will require an approved Architectural Request Form and will most likely be at the expense of the resident.

A. MODIFICATIONS WITH BLANKET APPROVAL

To facilitate matters for the homeowners, certain structures, alterations, or additions as described below are not subject to the formal approval process. However, the listed restrictions and clarifications must be followed. Any item not listed below must be submitted for approval to the ARC. If in doubt, inquiry to the ARC is recommended.

1. Attic Ventilators:
 - Should be located on the rear of the roof and not extend above the ridgeline.
 - Should be aluminum or galvanized steel, painted to blend with the roof or the house trim.
 - Lattice ventilators or other mechanical apparatus requiring penetration of the roof should be as small in size as is functionally possible.
 - Wind-powered vents are not permitted.
2. Exterior Lighting. No exterior light shall be directed outside the applicant's property. Light fixtures, which are proposed in place of the original fixtures, should be the same as the original fixture. If the original has been discontinued, the replacement fixture must be compatible in style and scale with the applicant's house. ARC approval of different replacement equipment must be obtained prior to installation.
3. Mailboxes. The homeowner is responsible for the replacement of damaged, defective, or deteriorated mailboxes, newspaper holders, and posts. Replacements must be from the same manufacturer and of the same style, color, and material as originally installed, when available. Should original equipment replacements not be available, the replacing equipment must match the style, color, and material of the original as nearly as is practicable. ARC approval of different replacement equipment must be obtained prior to installation.

Installation of newspaper holders is permitted on existing mailbox posts only. Newspaper holders must be from the same manufacturer and of the same style, color, and material as the mailbox and post, when available. Should newspaper holders from the manufacturer of the original mailbox and post not be available, the installed newspaper holder must match as nearly as is practicable the style, color, and materials of the mailbox and post.

4. Gutters and 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.
 - Plastic underground drainage pipe is permitted.
5. House Numbers. The Fire Department encourages the use of large (at least three inches) house numbers. Numbers should be located in an area that is highly visible and in close proximity to the front entrance.

6. House Trim and Color.

- Siding. Replacement of 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 manufacturing and performance standards as found for Norandex Woodsman Select® vinyl, 0.042 in. panel thickness, Double 5” Dutchlap. Any difference in material composition, style, or performance specifications from the above minimum standards will require approval by the ARC prior to installation.
- Front Door. The front doors in the Village are painted with Sherwin-Williams “Manual 167 Bordeaux” custom match, semi-gloss interior/exterior latex paint. The ARC chairperson has a copy of the formula if touchup paint is needed.

7. 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. Minimum standards for replacement roofing include the following: fiberglass/asphalt materials having at least a 30-year limited warranty that are algae resistant. Examples of acceptable replacement shingles include, but are not limited to, CertainTeed Landmark® Series 30-year Architectural Shingles and Tamko AR Heritage® series 30-year Architectural shingles. Any changes to material composition, style, or performance specifications will require approval by the ARC prior to installation.

8. Storm Doors. Storm doors compatible with the architectural style are acceptable provided they match the existing house trim color, front door color, or 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 (1¼) 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 three-quarters (¾) to full-length glass doors (no cross-buck 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 (½) to full-length glass doors depending on the style of the rear door of the house. The glass must be clear safety panels and have no frosting.

9. Seasonal Decorations. These may be displayed on the property but should be removed shortly after the applicable holiday.

10. Pet Doors. If necessary for dogs and cats, pet doors must be located in the rear entrance door of the home, and the door must access a fenced-in yard area, electric or physical. Installation of pet doors in the front entrance door, garage door, or any other exterior portion of the home is not permitted. (The Brighton model, due to its locations and no actual back door, will be considered on a case-by-case basis via an ARC request).

11. Rain Collection Barrels. Barrels can be located only in the rear, next to the house, and must be placed within a mulched area. It is recommended that decorative shrubbery be planted around the barrel to improve the appearance for neighbors’ viewing. The barrels must not exceed 65 gallons in capacity.

12. Radon Abatement Systems. Radon abatement systems should be installed consistent with local and state codes and accepted design practices. Where possible, vents installed on house sides presenting in side yards should be placed toward the back portion of the house rather than a front corner. Internal vent pipes using a roof penetration exit should appear on the back side of the house roof wherever possible. Vent pipes should be white in color consistent with the white color of gutters and downspouts in the community.

13. Invisible Dog Fences. Invisible dog fences should be installed within the homeowner's property lines as shown on the property survey.
14. Satellite Dishes. In keeping with the Federal Communications Commission's 1996 Over The Air Reception Device (OTARD) Rule, the HOA does not require a permit or prior approval for a homeowner to install a satellite dish of less than 1 meter in diameter or an outside digital TV reception antenna for local broadcasts. However, the HOA expects a satellite dish or digital broadcast television antenna to be installed in the most inconspicuous location possible, such as the back (preferable) or side rooftops or eave fascia.
15. Home Electric Vehicle Charging Stations/Outlets. Home electric vehicle charging stations/outlets must be placed inside the homeowner's garage. When not in use, power cords must be stowed inside the garage.

B. PROHIBITED MODIFICATIONS

1. Doghouses, pens, or dog runs
2. Window-mounted air conditioners
3. Permanent clothes lines or similar apparatus for the outdoor drying of clothes
4. Sheds
5. Stand-alone newspaper posts and newspaper holders
6. Stone as a replacement for mulch in landscaping beds is not allowed, with the following exception:
 - Small areas of stone, within the mulched area(s), not to exceed four (4) square feet, located at the base of a downspout where mulch might otherwise wash away, is allowed, provided the homeowner takes the appropriate steps to keep any stones off the lawn to prevent a mowing hazard.
 - The stones must be tan or light brown in color, so as to closely match the mulch.
7. Pools or hot tubs
8. Outside antennas, other than OTARD-compliant antennas specified in the FCC's 1996 OTARD Rule.

C. MODIFICATIONS THAT REQUIRE WRITTEN APPROVAL

Written applications for the items below must be submitted to the ARC for review and approval.

1. Solar-Powered Attic Vents. The solar panel must be part of the vent hood or unit and must remain flat. The solar panel may not be set at an angle.
2. Solar Panels. Solar panels must be flush mounted and must be positioned on the rear roof or back of house. Panels must not cause reflection problems for neighbors or street traffic. Request for approval must include all measurements, style, placement, manufacturer, and installer information.
3. Exterior Air Conditioning Unit or Heat Pump Unit. Written approval is required to install additional units beyond builder-supplied items or to move existing units.
4. Awnings. Awnings must be clearly compatible with the architectural design and qualities of the home. The proposed installation location(s) must screen the awning from the view of adjoining neighbors.
5. Decks. Decks are defined as permanent structures attached to the rear of a house with weather-exposed flooring and railings. Applications for approval must address the following issues:
 - Decks must be constructed of either redwood or pressure-treated outdoor/deck lumber, composite, vinyl, or PVC. This includes the substructure, flooring, railing, stairs, and permanent accessories. The application must include any finishes intended for use on the deck.
 - It is the homeowner's responsibility to ensure required building permits are obtained from Frederick County.

- Construction must meet Frederick County building codes and be able to pass an inspection by Frederick County building inspectors. Ensure that concrete footers are large enough and deep enough to pass code requirements and to support the structure throughout its lifetime without sinking or settling.
 - A safety rail is mandatory if any point on the deck is more than twelve (12) inches above grade. Porch swings suspended below the decks, partial trellises, and similar accessories should be included in the application for architectural change.
 - The deck must be located at the rear of the house. Placement of a deck should not require the removal of any trees of more than six (6) inches in base trunk diameter. No deck should wrap around the side laterally or protrude beyond the rear edge of the home. All property boundaries and easements must be considered in placement.
6. Patios. Patios are defined as a low flat surface. Applications for approval must address the following issues:
- Patios may be no higher than six (6) inches above the ground and extend no further than twelve (12) feet from the back of the house, provided this does not exceed the building restriction line.
 - 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 homeowner's responsibility to ensure required building permits are obtained from Frederick County.
7. Porches. Porches are defined as permanent structures attached to the rear of a house with railing and a roof (screening is optional). Applications for approval must address the following issues:
- Materials: Porch substructures should be constructed of pressure-treated lumber. Because much of the porch is protected from direct exposure to the weather, standard building materials may be used in the roof, side structure, and flooring. Gutters are required around the perimeter of the roof to avoid water damage to the structure.
 - Building Codes: All construction must meet applicable building codes. It is the homeowner's responsibility to ensure that the structure will pass an inspection by Frederick County building inspectors. Care should be exercised to ensure that concrete footers are large enough and deep enough to support the structure throughout its lifetime without sinking or settling.
 - It is the homeowner's responsibility to ensure required building permits are obtained from Frederick County.
 - Design: All porches must have a side railing and a roof. The roof must be an exact match to the existing house's roof in terms of color, style, and physical connection. Porch designs are not suitable in cases where the floor would be above grade by more than three (3) feet.
 - Finish: The porch must be painted to exactly match the color scheme of the house. As with the house itself, porches must be maintained and periodically repainted.
8. Fencing.
- Fencing may only be constructed in the rear of a house and may not be erected forward of the rear foundation wall. Such fencing shall extend from rear corners of the house forming a straight line with the sides of the house. Fencing must be picket style with the exception of privacy fences which may be board-on-board.
 - All fences must be located a minimum of two (2) feet inside property. Under no circumstances shall fences, mulch beds, or landscaping materials be constructed that impede the maintenance of the areas between properties/fences.
 - All fencing must be white vinyl or PVC.
 - Fences must be installed beauty or smooth side out. No double/backing of fences is allowed.
 - Plans must address proximity to existing easements and rights-of-way, to include those impacting buried utilities. A call to "Miss Utility" to mark potentially affected underground utilities is required.

- *Enclosure fencing* must be picket style and four (4) feet in height. Maintenance of any area enclosed by a fence, to include mowing the grass, is the responsibility of the homeowner.
 - *Privacy fencing*, board-on-board style up to twelve (12) feet in length, extending back from the rear corners of the house, with one (1) foot of lattice at the top not to exceed six (6) feet in total height is allowed. Privacy fencing may not enclose the entire yard; however, privacy fencing may be used in conjunction with other fencing.
 - *Decorative fencing* is allowed up to four (4) feet in height. Fence tops may be concave, convex, or tapered, not flat. Decorative fencing may consist of corner accents which may not extend more than ten (10) feet in length with one additional section no more than ten (10) feet in length perpendicular to the first section, OR a fence may extend across the back of the yard with up to a six (6) foot long perpendicular section allowed at each end. Decorative fencing may not be used when a back yard in enclosed.
9. Decorative Landscaping Materials. Materials such as unpainted brick, landscaping timbers (rear beds only), landscaping stone, or fieldstone used around landscaping beds are allowed in the yard to the height of no more than fifteen (15) inches. If used, these materials must not impede the maintenance of the property. Any new landscaping beds or structures must be approved by the ARC.
- All yard art such as bird feeders, bird baths, statues, flag poles, accent lighting, etc., must be placed in existing landscaping beds or in enclosed areas in order not to impede the yard maintenance.
10. Skylights. Skylights must be located such that they are not visible from the front of the dwelling unit.
11. Driveways. Any change, alteration, or modification of the original driveway requires ARC review. Residents are encouraged to provide proper routine maintenance for their driveways.
12. Trees. Removal of any tree on homeowner's property requires prior ARC review. If there are no plans to replace the tree, approval will be contingent upon the homeowner grinding the stump and resodding/reseeding the area.
13. New or Replacement Trees. The ARC must approve any plans to plant new or replacement trees.
14. Trees and Shrubs in the Common Areas. The addition or removal of any tree or shrub located within the Village at Harvest Ridge common area property requires prior approval by the ARC.