

TWIN LAKES OVERLOOK COMMUNITY ASSOCIATION

DESIGN GUIDELINES AND STANDARDS

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PURPOSE OF THE HANDBOOK

The primary purpose of this handbook is to familiarize homeowners at Twin Lakes Overlook with the objectives, scope and application of design standards and guidelines which are intended and will be employed to maintain the aesthetic appearance and environmental quality of the Twin Lakes Overlook community.

The handbook enumerates specific design standards and guidelines which have been adopted by the Board of Directors of the Twin Lakes Overlook Community Association. It also explains the application and review process which must be adhered to by homeowners seeking approval for any exterior modifications or changes to their homes or lots which are subject to approval by the Association.

In general, the design guidelines are applicable to all owners at Twin Lakes Overlook. This handbook will serve as a valuable reference source and will assist homeowners in preparing acceptable applications for review by the Association's Architectural Review Board. All homeowners are encouraged to familiarize themselves with its contents and to retain the handbook for future use.

BASIS FOR AND OBJECTIVES OF PROTECTIVE COVENANTS

The legal documents for the Twin Lakes Overlook Community Association contain covenants, including those pertaining to design standards. Legally, these covenants are a part of the deed for each home and are binding upon all initial homeowners and their successors in ownership, irrespective of whether or not these owners are familiar with such covenants.

The primary purpose of design covenants is to maintain environmental and architectural design standards for the entire community. The promulgation and enforcement of design standards is intended to achieve the following objectives:

- Maintain consistency with the overall design concept for the community;
- Promote harmonious architectural and environmental design qualities and features;
- Promote and enhance the visual and aesthetic appearance of the community.

The enforcement of design standards not only enhances the physical appearance of a community but protects and preserves property values. Homeowners who reside in association communities which enforce design covenants are protected from actions of neighbors which can detract from the physical appearance of the community and, in some cases, diminish property values. In fact, surveys of homeowners living in association communities consistently reveal that this was an important consideration in their decision to purchase a home.

ALTERATIONS REQUIRING REVIEW AND APPROVAL BY THE ARCHITECTURAL REVIEW BOARD

Essentially, all changes, permanent or temporary, to the exterior appearance of a building or lot are subject to review and approval by the Architectural Review Board. The review process is not limited to major additions or alterations, such as adding a room, deck or patio. It includes such minor items as changes in color and materials. Approval is also required when an existing item is to be removed.

There are a number of exceptions to this otherwise inclusive review requirement.

1. Building exteriors may be repainted or restained provided that there is no color change from the original. Similarly, exterior building components may be repaired or replaced so long as there is not change in the type of material and color.
2. Minor landscape improvements will also not require an application. This includes foundation plantings, or single specimen plantings. In general, landscape improvements of a small scale which do not materially alter the appearance of the lot, involve a change in topography or grade and which are not of sufficient scale to constitute a natural structure will be exempt from the design review process.

If there is any doubt as to whether or not a proposed exterior change is exempt from design review, and approval, homeowners should first seek clarification from the Board of Directors before proceeding with the improvement.

APPLICATION AND REVIEW PROCESS

Application and review procedures, which will be used by the Architectural Review Board, are detailed below.

1. **Applications.** All applications for proposed improvements must be submitted in writing using the application form authorized by the Architectural Review Board. A copy of this form is included as an exhibit to this handbook. Applications must be complete in order to commence the review process. Incomplete applications will be returned to the applicant with a statement of deficiencies, which must be remedied in order to be considered for review.

Unless notified to the contrary, homeowners should mail applications to the following address:

Architectural Review Board
Twin Lakes Overlook Community Association
Coventry Group Community Management
P.O. Box 2580
Winchester, VA 22604

2. Supporting Documentation. The application must include a complete and accurate description of the proposed improvement(s). In order to permit evaluation by the Architectural Review Board, supporting exhibits will frequently be required. Examples include: a site plan showing the location and dimensions of the proposed improvement; architectural drawings or plans, as applicable; landscape plan; material and/or color samples, etc. The design guidelines and application form provide guidance.
3. Time Frame for Completion of the Review. The Architectural Review Board will approve or disapprove any proposed improvement within sixty (60) days after the receipt of a properly completed application. However, the sixty (60) day review period will only commence upon the receipt of a complete application form, including any required exhibits. It is therefore advisable for homeowners contemplating substantial improvements to first ensure that they are aware of all required supporting documentation prior to submitting a design review application. Any application not acted upon within the sixty (60) day review period will be automatically referred to the Board of Directors for review.
4. Notice of Approval/Disapproval. Homeowners who have submitted design review applications will be given written notice of the decision of the Board of Directors.
5. Appeals Procedure. Homeowners who have submitted design review applications may appeal decisions of the Board of Directors.

A homeowner may appeal a decision of the Board of Directors by submitting a written request to the Board of Directors within twenty (20) days after the date of an action. This request should include any new or additional information which might clarify the requested change or demonstrate its acceptability. The Board may, at its discretion, conduct an informal hearing related to the appeal. The Board will respond in writing to an appeal within forty-five (45) days from the date of receipt of an appeal.

ENFORCEMENT PROCEDURES

The Bylaws of the Association empower the Board of Directors to enforce compliance with the Association's Design Guidelines. The following enforcement procedures will be used to ensure compliance.

1. A violation may be observed and reported to the Board of Directors by a member of the Architectural Review Board, the Board of Directors, the managing agent, or a homeowner. In the case of homeowners wishing to report a potential violation, a written notification should be transmitted to the Board of Directors or managing agent.
2. The alleged violation will be confirmed by a site visit by a member of the Board of Directors, or the managing agent.
3. The Board of Directors and/or the managing agent will contact the resident in violation by letter advising them of the violation and requesting appropriate action to remedy the violation. Notice will be sent by certified mail where the violation where the violation is deemed to involve an immediate emergency or where such violation, if not remedied, will increase or enhance with the passage of time.
4. If the violation continues for thirty (30) days after notification to the resident in violation (or if no substantial progress is made in curing the violation, where such remedy would require more than thirty (30) days) a letter will be sent by certified mail to the resident in violation. This letter will provide notice that the violation must be remedied within fifteen (15) days from the date of mailing of the letter (or alternatively, that the resident in violation must submit to the Board of Directors and/or managing agent a written plan, including timing, for the abatement of the violation within a reasonable period of time, where such violation cannot be cured within the fifteen (15) day period).
5. If the violation is not abated within fifteen (15) days from the date of mailing of the certified letter (or if progress is not being made to abate such violation in accordance with a plan agreed to by the resident in violation and the Board of Directors) the Board and/or the managing agent will send the resident in violation a certified mailing informing the resident of the time and place of a formal hearing by the Board of Directors.
6. As a result of this hearing, the Board of Directors shall determine the action to be taken in order to enforce the Association's Design Guidelines in accordance with the provisions of the appropriate Policy Resolution if, as a result of the hearing, it is determined that the violation has either not been abated or that the resident is not making a good faith effort to abate the violation in a timely manner.
7. The above procedures do not preclude the Board of Directors from taking accelerated measures in the case of a violation which constitutes an emergency situation, provided that the resident in violation has been properly notified by certified mailing and that the action is consistent with the provisions of the Association's legal documents. Likewise, the Board of Directors may establish shorter notification periods for the correction of violations of the Design Guidelines where the homeowner shall not be disadvantaged by a shorter notification period for compliance.

8. The above procedures do not apply to the failure of an owner to maintain a lot of good order and repair and free of debris, as required by Article VI of the Declaration. All owners must maintain their lots in accordance with the general maintenance standards detailed below. In the event of non-compliance with maintenance standards detailed below. In the event of non-compliance with maintenance standards, the Board of Directors and/or managing agent may, after fifteen (15) days written notice to the owner (or such shorter notice period as determined by the Board in the event of a condition which constitutes a safety hazard), authorize the Association to enter upon the owner's lot and to perform any required maintenance at the expense of the owner. In the case of persons who fail to mow their lawn or have trash or debris visibly stored on their lot, (other than neatly stored construction materials for an approved improvement of the lot or home) the notice period shall be ten (10) days.

Property Maintenance Standards

- A. All portions of a lot which are not improved by an impervious surface or a structure must be maintained with grass (or other vegetation installed by a builder or approved by the Board of Directors). No bare earth may be exposed on a lot (except for flower beds with appropriate approvals, as required).
- B. All turf areas on a lot must be kept neatly mowed during the growing season. Grass should not be permitted to exceed six (6) inches in height.
- C. Turf areas and other vegetation should be watered during dry periods. Any dead plants, shrubs or trees should be immediately removed.
- D. Turf areas should be kept as weed free as possible. At no time should weed cover exceed more than twenty-five percent (25%) of the total turfed area.
- E. No trash or debris may accumulate or be stored in a visible location on a lot. Construction materials required for the improvement of a home or lot should be neatly stored in as unobtrusive a location on the lot as possible when not in use.
- F. All hedges, trees and shrubs must be neatly trimmed and maintained and their size maintained in proportion to the lot and home through pruning.
- G. The exterior of a home must be maintained in an attractive manner. No significant blistering or peeling of exterior painted surfaces is permitted.

Any exterior building components (i.e. siding, gutters and downspouts, roof shingles, windows and doors) which are missing, broken or otherwise in a state of disrepair must be repaired as quickly as possible.

DESIGN GUIDELINES

The specific Design Guidelines detailed below have been adopted by the Board of Directors.

ANTENNAS AND SATELLITE DISHES. Satellite dishes which are larger than one meter in diameter are prohibited. Satellite dishes which are one meter in diameter or less, television antennas and MMDS (multi-channel, multipoint distribution) antennas are permitted. Antennas and satellite dishes are subject to the guidelines below and do not require prior approval from the Board of Directors.

- Location. Devices should not be installed in the front of the lot or on the front façade of a residence so long as another location exists on the lot or residence from which an acceptable quality signal can be received. They are to be located so as to be as visually unobtrusive as possible, without unreasonably increasing the cost of installation, maintenance and use and without precluding the reception of an acceptable quality signal. Whenever possible, the devices should be located in the rear yard, which can include placement on a deck. If they must be installed at roof level, then they should be situated on the rear side of the roof ridge line, so as to have no, or minimal, visibility from the front of the home.
- Screening. To the extent possible, dishes and antennas should be screened so that they are not visible either from the street or to other lot owners.
- Color. In order to minimize any adverse visual impact, a device which is affixed to a residence should be painted to match the color of the portion of the house to which it is attached, so long as painting the device will not void the manufacturer's warranty.

ATTIC VENTILATORS. Attic ventilators and turbines are permitted if painted to match the color of the roof (if roof mounted) or the color of the house siding or trim (if mounted on a gable end). Ventilators and turbines should be mounted on the least visible side of the ridge line so as to minimize their visibility and should not extend above the roof line.

AWNINGS. In general, exterior awnings are discouraged unless demonstrated to be clearly compatible with the architectural design and qualities of the home, and screened from the view of adjoining neighbors due to the proposed location of installation. Awnings will be approved only if the proposed location is on the rear side of a dwelling unit and not visible from a street.

If approved, awnings must meet the following criteria:

- They should be of a plain design without decorative features such as scallops, fringes, etc.
- Solid colors which are compatible with the color scheme of the house should be used, rather than stripes or patterns.

- They should be consistent with the visual scale of the house.
- Pipe frames or structural supports for canvas awnings (or similar material) should be painted to match the trim or dominant color of the house.

CLOTHES LINES. Clothes lines or similar apparatus for the exterior drying of clothes are prohibited.

DECKS. ALL decks must be approved by the Board of Directors. Homeowner are advised to consider the following factors:

- Location. Decks must be located entirely in rear yards.
- Scale and Style. The scale of all decks shall be compatible with the scale of the house as sited on the lot. Decks, particularly elevated decks, should be of a scale and style which are compatible with the home to which attached, adjacent homes and the environmental surroundings.
- Materials. Decks must be constructed of high-quality pressure treated wood, i.e. #2 southern yellow pine, trex or comparable material.
- Color. Wooden decks may be stained white, clear, a natural wood color, or left untreated. The Board of Directors shall review all colors.
- 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 to minimize adverse visual impacts may be required by the Board of Directors, particularly in the case of high decks.
- Trellises and Screens. Such structural appendages will generally be permitted if consistent with the size and scale of the home, lot and deck.

DOG HOUSE AND DOG RUNS. Dog runs are prohibited. Dog houses will be approved only if they conform to the following criteria. Dog houses must be compatible with the applicant's house in terms of color and material. Dog houses may not exceed sixteen (16) square feet of floor space and may not exceed four (4) feet in height at the highest point. They should be located where least visually obtrusive to adjoining lots. The use of appropriate screening may be required to minimize any visual impacts.

EXTERIOR AIR CONDITIONERS. Individual air conditioning units extending from windows are prohibited. Exterior air conditioning units or heat pumps may be relocated or added if there is no adverse visual impact to adjoining properties. Such relocation or addition must be approved by the Board of Directors.

EXTERIOR DECORATIVE OBJECTS. Approval will be required for most exterior decorative objects, whether natural or man-made, which were not part of the original construction design, either as a standard or optional feature except as noted below. Examples requiring prior approval may include but are not limited to: bird houses, bird baths, driftwood, weather vanes, sculptures, fountains, free standing poles of all types, house address numerals, and any items attached to approved structures.

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

Objects not requiring prior approval may include garden statuary of animals placed on the ground that are either plain concrete or of an earth tone and do not exceed 18" in size may be displayed in a planting bed in either a front, side or rear yard location without an application. Front entrance door welcome signs and/or wreaths also do not require an application provided they are appropriate in size and color, which would be consistent with the house.

EXTERIOR LIGHTING. Lighting which is part of the original structure may not be altered without prior approval of the Board of Directors. Proposed replacement or additional fixtures must be compatible in style and scale with the applicant's house.

No exterior lighting shall be directed outside of the applicant's property. Proposed additional lighting shall not be approved if it will result in an adverse visual impact to adjoining neighbors due to location, wattage or other features. Approval is not required for small landscape/walkway lighting provided there are no more than 8-10 lights installed. Lights should be properly maintained and should not become visually obtrusive.

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

FENCES. General guidelines for the construction and approval of fences are provided below.

1. Chain-Link and Barbed Wire Fences. Chain link and barbed wire fences will not be approved under any circumstances. Chain link or barbed wire fencing material will not be permitted for any use.
2. Lot Lines Fences

- a. Lot-line fences for single-family detached units shall be an “open” style of fencing which shall be a maximum of 60 inches in height measured from the ground to the uppermost part of a horizontal or vertical fence member (depending upon the style of fence). Two rail and three rail split-rail, and spaced picket fence styles are encouraged. Other fence styles will be considered on a case-by-case basis.

Wire mesh which is not visible from adjoining properties may be used with such fences to enclose the lot for small children and pets.

Lot-line fences may be constructed only to enclose the rear yard and may not extend beyond the rear plane of the home to enclose any portion of the side or front yard. Consideration will be given on a case-by-case basis to fences which extend forward of the rear plane of the home, no further than the mid-point of the home.

The construction of a lot-line fence may not be permitted where the location of a home vis-à-vis one or more adjoining homes would result in the construction of a rear yard fence for the applicant’s lot which would extend forward of the front plane of the home(s) for the adjoining Lot(s). In such cases, the Board of Directors may require the specific written approval of any adjoining lot owner(s) who would be affected.

3. General. All fences must be constructed of pressure-treated wood and left in a natural condition, except as permitted below. They also can be stained, but the stain color must be approved by the Board of Directors beforehand. The finished side of the wood fence must be exposed to the exterior of the lot. Vinyl fences are prohibited. Aluminum picket fences are permitted.

FIREWOOD. Firewood stored on a lot shall be kept neatly stacked and shall be 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.

Firewood should be stacked in piles which do not exceed eight feet in length and four feet in height for both aesthetic and safety considerations.

Other than a limited quantity of firewood intended for immediate use, firewood shall not be stacked on patios or decks.

FLAGPOLES. Permanent, free standing flagpoles are prohibited.

Temporary flagpole staffs which do not exceed six feet in length and are attached at an incline to the wall or pillar of the dwelling unit do not require approval by the Board of Directors.

HOT TUBS/SPAS. Exterior hot tubs or spas must be located in the rear yard adjacent to the dwelling unit. The incorporation of hot tubs as a design feature of a deck or patio is encouraged. The exterior finish of an elevated hot tub or spa should blend with the exterior finish of the home, deck or patio to which attached or most closely related.

LANDSCAPING. All major landscape installations must be approved in advance. In general, a design review application is not required for minor landscape improvements with the following exceptions:

1. Approval is required for plantings intended to form a hedge or natural screen and which will attain more than two feet in height.
2. An application is required for the installation of all landscape timbers, stone walls or similar structures to be located in front yards. The use of railroad ties is prohibited.
3. A proposed improvement which is of such a scale or type as to be inconsistent with the existing design features of the home, adjacent units and the surrounding area will require approval. Examples include the substantial or total removal of turf and replacement with another material, such as mulch or gravel.
4. Vegetable gardens in excess of 64 square feet require an application. Vegetable gardens must be located behind the rear plane of the home.

PATIOS. All patios require approval. Patios must be located in rear yards. Any adverse drainage requirements which might result from the construction of a patio should be considered and remedied. The use of a partially porous patio surface or the installation of mulch beds adjacent to the patio are ways to eliminate drainage concerns.

REAL ESTATE SIGNS. Only one sign, not to exceed four (4) square feet in area, advertising a property for sale may be displayed on a lot. Signs advertising a property for rent are not permitted. Signs may only be placed in the front yard of available properties. The installation of directional signs on lots, common areas or street rights-of-way within the property is prohibited. Owners must provide a minimum of seven (7) days advance written notice to the Board of Directors prior to the installation of a real estate sign which conforms to these standards.

RECREATION AND PLAY EQUIPMENT. Semi-permanent play equipment which either constitutes a structure or is appurtenant to an existing structure requires approval. Examples include sandboxes, play-houses, swing-sets, etc. The following factors will govern approval of such equipment.

1. Location. Such equipment must be placed in rear yards.

2. Scale and Design. The equipment should be generally compatible with the lot size. The design and any visual screening are additional considerations in evaluating whether or not there will be an adverse visual impact.
3. Color and Materials. Equipment constructed of wood and left in a natural condition to weather is encouraged. Metal play equipment should be painted solid earth tones (i.e. brown, tan, dark green) to blend with the natural environment.
4. Basketball Backboards. Only portable basketball backboards are allowed and must be located with the hoop over the blacktop of the driveway and must be located so as to minimize the impact of their appearance and noise on neighboring properties.
 - A. Only one basketball backboard is permitted on any property
 - B. The preferred location is on the side of a driveway, and hoop must remain over blacktop.
 - C. Metal poles should be painted black, brown or left in a galvanized finish.
 - D. Backboards should be clear plastic, but white and gray is acceptable.
 - E. No basketball playing between the hours of 10 pm and 8 am.
 - F. When not in use, every attempt should be made to store backboard, hoop and pole in a non-conspicuous area.
 - G. Portable basketball hoops are not allowed to be erected in the street and/or public right away.

SECURITY BARS. In general, the use of security bars or grates on windows and doors will be prohibited. Exceptions may be made where the security apparatus will not be visible from the street and from adjoining properties. Homeowners concerned about the security of their residences are advised to consider alternatives, including alarms and sophisticated lock systems.

SECURITY SIGNS. Two security signs, each not exceeding a total of sixty-four (64) square inches may be posted on the property. Only one such sign may be posted forward of the front plane of the home. The approved location shall be at the front door. A second sign may be posted in the rear yard.

SKYLIGHTS. Skylights should be located such as they are not visible from the front of the dwelling unit or a street. Consideration will be given to skylights on the front side of the roof ridge line only if constructed flush with the roof.

SOLAR PANELS. Solar panels and solar collectors are not permitted.

STORAGE SHEDS. Storage sheds of any type are prohibited by zoning restrictions.

STORM/SCREEN DOORS. Only full view storm doors, defined as doors where the glass covers seventy five percent (75%) of the door surface, are permitted. Provided that this criterion is met, there is latitude for a number of door styles, including doors with side lights, doors with a horizontal bar (used with self storing screens), and doors with mullions (creating the appearance of widow panes). Doors with other decorative treatment, such as grills, are not permitted. Doors must either be white or painted the same color as the unit entry door or the adjacent trim. ***Provided the storm door matches this description exactly, prior approval is not required.***

SWIMMING POOLS. In-ground swimming pools may be approved if the size of the pool is consistent with the scale of the home and lot. Pools must be located in the rear of the property. Above ground swimming pools are prohibited.

1. Pool filtration equipment must be shielded from adjacent properties by the use of mature shrubbery.
2. Comments from the owners of adjacent properties may be solicited prior to the Board of Directors making a decision.

TRASH CAN RECEPTACLES. Trash shall be collected and stored in trash receptacles only and not solely in plastic bags. Trash and garbage receptacles shall be stored so as not to be visible from the street in front of the homeowner's residence and not to be viewed from an adjacent property front porch except on days of trash collection (this does not apply to those receptacles designed for trash accumulation located in the Common Areas and/or new homes under construction). No accumulation or storage of litter, new or used building materials or trash of any kind shall be permitted on the exterior of any Dwelling Unit.

TREE REMOVAL. No live trees with a diameter in excess of four (4) inches, measured twelve (12) inches above ground, nor flowering trees in excess of two (2) inches similarly measured, no live vegetation on slopes of more than twenty percent (20%) gradient or marked "no cut" areas on approved plans, may be cut without the prior approval of the Board of Directors.