



**RESIDENTIAL
DEVELOPMENT GUIDELINES**

January 2011

TABLE OF CONTENTS

ARTICLE 1.0

LEGAL RESTRICTIONS ON PROPERTY IMPROVEMENTS

- 1.1 COMPLIANCE REQUIRED
 - 1.1.1 Property Owner Responsible
- 1.2 UNIFORM BUILDING CODE - COMMONWEALTH OF VIRGINIA
 - 1.2.1 Regulation of all Buildings
- 1.3 ZONING CODE - HENRICO COUNTY
 - 1.3.1 Regulation of all Property Improvements
- 1.4 DECLARATION OF PROTECTIVE COVENANTS – WEST BROAD VILLAGE MASTER ASSOCIATION, INC. and WEST BROAD VILLAGE HOMEOWNERS ASSOCIATION, INC.
 - 1.4.1 Definition of Association
 - 1.4.2 Legal Agreement between Property Owners
 - 1.4.3 Provides for Architectural Control
- 1.5 RESIDENTIAL DESIGN STANDARDS - WEST BROAD VILLAGE
 - 1.5.1 ARB Policies and Criteria
 - 1.5.2 Interpretation by ARB
 - 1.5.3 Amendments
- 1.6 LIMITATIONS OF RESPONSIBILITY
 - 1.6.1 Association Not Responsible for Other Regulations

ARTICLE 2.0

ARB DESIGN REVIEW POLICIES

- 2.1 DESIGN REVIEW REQUIRED
 - 2.1.1 New Construction
 - 2.1.2 Modifications
- 2.2 RESPONSIBILITY FOR OBTAINING APPROVALS
 - 2.2.1 Property Owner is Responsible
- 2.3 APPLICATIONS AND SUBMITTALS TO THE ARB
 - 2.3.1 Forms Available at Association Office
 - 2.3.2 Purpose of Submittal
 - 2.3.3 Completeness and Accuracy Required
 - 2.3.4 Submittals Not Returned
 - 2.3.5 Construction Changes
- 2.4 ARCHITECTURAL REVIEW BOARD REVIEW PROCESS
 - 2.4.1 Administrative Review
- 2.5 REVIEW BASIS
 - 2.5.1 Criteria Used For Review
 - 2.5.2 ARB Reliance on Submitted Information
 - 2.5.3 Review of Construction Already Completed
- 2.6 ACTIONS OF THE ARCHITECTURAL REVIEW BOARD (ARB)
 - 2.6.1 Definitions

- 2.7 APPEALS**
 - 2.7.1 Appeals to the ARB**
 - 2.7.2 Appeals to the Board of Directors**

- 2.8 COMPLETION OF CONSTRUCTION**
 - 2.8.1 One Year Approval Expiration**
 - 2.8.2 Six Month Construction Period**
 - 2.8.3 Final Inspections**

ARTICLE 3.0

ADDITIONS AND MODIFICATIONS

- 3.1 SUBMITTAL REQUIREMENTS**
 - 3.1.1 Exterior Modification Application**
 - 3.1.2 Required Attachments**
- 3.2 CLEARING, GRADING AND TRASH REMOVAL**
 - 3.2.1 General Policy**
 - 3.2.2 Tree Removal**
- 3.3 LOT DEVELOPMENT FOR ADDITIONS AND MODIFICATIONS**
 - 3.3.1 General Policy**
 - 3.3.2 Siting Requirements**
- 3.4 ARCHITECTURAL STANDARDS**
 - 3.4.1 General Policy**
 - 3.4.2 Room Additions**
 - 3.4.3 Screened Porches**
 - 3.4.4 Storm Doors**
 - 3.4.5 Awnings and Trellises**
 - 3.4.6 Front Porches and Stoops**
 - 3.4.7 Rear Decks & Patios**
 - 3.4.8 Skylights**
 - 3.4.9 Window and Wall Air Conditioning Units**
 - 3.4.10 Dormers**
 - 3.4.11 Detached Structures**
 - 3.4.12 Temporary Structures**

ARTICLE 4.0

PROPERTY IMPROVEMENTS

- 4.1 SUBMITTAL REQUIREMENTS**
 - 4.1.1 Exterior Modification Application**
 - 4.1.2 Required Attachments**
- 4.2 CLEARING, GRADING AND TRASH REMOVAL**
 - 4.2.1 General Policy**
 - 4.2.2 Tree Removal**
- 4.3 LOT DEVELOPMENT FOR PROPERTY IMPROVEMENTS**
 - 4.3.1 General Policy**

- 4.3.2 Siting Requirements
- 4.4 LANDSCAPING
 - 4.4.1 Review Not Required For Incidental Landscaping
 - 4.4.2 Declarant/Association Not Responsible
 - 4.4.3 Major Landscaping
- 4.5 LANDSCAPE ACCESSORIES
 - 4.5.1 General Requirements
 - 4.5.2 Bird Feeders/Bird Houses
 - 4.5.3 Flower Pots/Flower Boxes
 - 4.5.4 Statuary
 - 4.5.5 Signage
 - 4.5.6 Temporary Structures – Portable Storage Units
- 4.6 PAVEMENTS
 - 4.6.1 General Material Requirements
- 4.7 SPAS
 - 4.7.1 Spas

ARTICLE 5.0

SCREENS AND SCREENING ENCLOSURES

- 5.1 SUBMITTAL REQUIREMENTS
 - 5.1.1 Exterior Modification Application
 - 5.1.2 Required Attachments
- 5.2 FENCES
 - 5.2.1 General Restrictions
 - 5.2.2 Fences
 - 5.2.3 Hedges

ARTICLE 6.0

YARD FURNISHINGS AND ANTENNAS

- 6.1 SUBMITTAL REQUIREMENTS
 - 6.1.1 Submittals Not Required
- 6.2 REVIEW PROCESS
 - 6.2.1 Standards Set for Yard Furnishings
- 6.3 SATELLITE ANTENNAS
 - 6.3.1 Permitted Antennas
- 6.4 SEASONAL DECORATIONS
 - 6.4.1 Display Time Limit

ARTICLE 7.0

APPENDIX A - DEFINITIONS USED BY THE ARB

ARTICLE 8.0

APPENDIX B – EXTERIOR MODIFICATION APPLICATION FORM

1.0 LEGAL RESTRICTIONS ON PROPERTY IMPROVEMENTS

1.1 COMPLIANCE REQUIRED

1.1.1 Property Owner Responsible: Any building, deck, patio, addition, or other constructed site improvement or exterior modification in West Broad Village is affected by certain legal restrictions of the state, county, and West Broad Village Community. Each property owner who is making an improvement or modification to their property is responsible for compliance with these requirements.

1.2 UNIFORM BUILDING CODE - COMMONWEALTH OF VIRGINIA

1.2.1 Regulation of all Buildings: All structures for human use or occupancy are subject to regulations of the State Uniform Building Code for safety. This includes all houses, garages, sheds, additions, porches decks, retaining walls, swimming pools, etc. Interpretation, enforcement and review of structures occur at the local government level – Henrico County Building Department. Property owners are responsible for compliance with this code. It is recommended the building department be contacted directly with specific questions.

1.3 ZONING CODE - HENRICO COUNTY

1.3.1 Regulation of all Property Improvements: All improvements to property in Henrico County must conform to the zoning code with respect to their intended use, building setback requirements, floor area and building height. These requirements vary by zoning district. All applications for building permits are referred to the planning department for zoning review prior to issuance of a building permit. Specific zoning questions should be addressed directly to the Henrico County Planning Department.

1.4 DECLARATION OF PROTECTIVE COVENANTS – WEST BROAD VILLAGE MASTER ASSOCIATION, INC. and WEST BROAD VILLAGE HOMEOWNERS ASSOCIATION, INC.

1.4.1 Definition of Associations: The West Broad Village Master Association is a property owners association established by WBV, LLC, a Virginia limited liability Corporation and includes all commercial and residential property owners in West Broad Village. The West Broad Village Homeowners Association, Inc. is a homeowners association established by WBV, LLC, and includes only the townhouse homeowners of West Broad Village

1.4.2 Legal Agreement between Property Owners: The document, which will be referred to as "the Declaration" is a legal agreement between all property owners in West Broad Village, which provides for a master community association and gives the Association certain powers. It also, by agreement, establishes restrictions on the use and development of all property in West Broad Village to protect the character and environmental quality of the community for the benefit of the members.

1.4.3 Provides for Architectural Control: One essential component of this agreement is the establishment of Architectural Control. This provision is made and described in Article V of the Declaration. It includes establishment of an Architectural Review Board (ARB), as well as requirements for plans review, and establishment of these Standards.

1.5 RESIDENTIAL DESIGN STANDARDS FOR WEST BROAD VILLAGE

1.5.1 ARB Policies and Criteria: These Design Standards are a written composite summary of the ARBs policies and criteria related to architecture, materials and finishes, siting, landscaping and site improvements for all residential properties in West Broad Village.

1.5.2 Interpretation by ARB: The West Broad Village Architectural Review Board shall judge compliance with these policies in questions of appearance, aesthetics, or infringement by design upon the rights of other residents. The ARB reserves the right to require modifications to proposed designs including deletion, addition, or relocation of design elements in order to achieve compliance with these policies.

1.5.3 Amendments: The ARB reserves, in its sole discretion, the right to modify, add to, or delete from any specific section of the guidelines by adoption of a written amendment at any meeting of the ARB without providing prior notice.

1.6 LIMITATIONS OF RESPONSIBILITY

1.6.1 Association Not Responsible for Other Regulations: It is not the responsibility of the Association, or the West Broad Village Architectural Review Board to obtain any other permits for you, nor to provide any guarantees or waive any legal requirements for compliance with any state or county law, or with the Declaration.

2.0 ARCHITECTURAL REVIEW BOARD (ARB) DESIGN REVIEW POLICIES

2.1 DESIGN REVIEW REQUIRED

2.1.1 New Construction: No improvement shall be constructed, erected, used, placed, altered, repainted a different color, added to, maintained or permitted to remain on the Property until the Plans there for shall have been submitted to and approved in writing by the West Broad Village Architectural Review Board (ARB).

2.1.2 Modifications: No exterior addition, change, or alteration shall be made on any existing structure or on any lot, until the plans and specifications there for showing the nature, kind, shape, color, height, materials and location of the same shall have been submitted to and approved in writing by the ARB (unless otherwise exempted in these Standards). By way of example, exterior additions, changes or alterations shall include the commencement, construction, alteration or replacement of any building, wall, screen, deck, patio, landscaping or other improvements.

2.1.3 Improvements by Declarant: These requirements shall not apply to Declarant or an Affiliate of Declarant with respect to (i) development of Common Areas, (ii) the installation of streets, walkways, utilities and other public facilities to serve the Property.

2.2 RESPONSIBILITY FOR OBTAINING APPROVALS

2.2.1 Property Owner is Responsible: Each property owner within West Broad Village is responsible for his or her property's compliance with these Standards. Any proposed improvements to be made to that property may affect that compliance; therefore, the Declaration requires that the Owner obtain approvals from the Association prior to making the improvements. This is true regardless of whether or not the work is being performed by the Owner directly, by a Tenant, or by a Contractor.

2.3 APPLICATIONS AND SUBMITTALS TO THE ARB

2.3.1 Forms Available from Management Company: Exterior Modification application forms are available from the Association's management office. When making an application, please fill in all information requested and include all plans and drawings as specified on the form.

2.3.2 Purpose of Submittal: Submittals, as described below, are required to allow the ARB to see and visually understand the exact nature and extent of the proposed work. Design review is intended to regulate size, location, appearance, and materials of proposed improvements. To accomplish this, the ARB may require submittals that exceed County submittal requirements for building permits. Submittal requirements may also exceed the level of information that a builder or manufacturer may normally provide to the applicant. The applicant should advise the builder or manufacturer of the WBV ARB's requirements so that they may provide necessary information in a timely manner.

2.3.3 Completeness and Accuracy Required: Submittals prepared for consideration by the West Broad Village Architectural Review Board need to be complete and accurate. Submittals for design review must include drawings prepared as described in each section of these standards. Site plans shall be drawn to scale. Drawings of structures, houses, or other improvements shall be drawn to scale (min. 1/4"= 1'-0") Manufacturer's literature may be required for changes in exterior materials or products. All requested information on the application form must be completed. The ARB, at its discretion, may reject applications that are incomplete or inaccurate.

2.3.4 Submittals Not Returned: Submittals are kept on file for a record of approved designs. Therefore, submitted drawings should be copies of originals, not the originals themselves.

2.3.5 Construction Changes: All construction must be completed in accordance with the application and the plans as approved. Exterior changes to the subject property must receive prior written approval by the ARB. Applicants requesting design change approvals should consult with the ARB to determine if additional plans and specifications are required.

2.4 ARCHITECTURAL REVIEW BOARD REVIEW PROCESS

2.4.1 Administrative Review: Allow up to thirty- days (30) after the submittal to obtain a written response from the ARB. We recommend that you submit for approval at least five weeks prior to your anticipated need for approval (to start work. etc.), in order to provide time for re-submittal in case your request is denied, or if additional information is required. Minor modifications will be reviewed and approved within 7-10 days, if in compliance with the Guidelines.

2.4.2 Delegation of Review to Qualified Professional: The ARB may, for extensive or major structural changes, delegate review activities to a Community Architect or Engineer. The Owner submitting such plans for approval shall pay the reasonable costs actually incurred by the ARB in the exercise of its commercially reasonable discretion in obtaining such professional review.

2.5 REVIEW BASIS

2.5.1 Criteria Used For Review: In reviewing applications, the ARB shall consider such things as aesthetic appearance, harmony with surrounding improvements, compliance with the Declaration, and any additional criteria approved by the Association Board of Directors as part of the Residential Design Standards including purely aesthetic considerations, which at the discretion of the ARB shall be determined to be sufficient.

2.5.2 ARB Reliance on Submitted Information: The ARB bases its review of each application on the graphic and written information presented. Due to time constraints, ARB review of applications normally occurs without personal presentations by the applicants. Therefore, it is incumbent upon the applicant to provide sufficient and accurate information to the ARB for proper consideration. If, in the applicant's opinion, extenuating circumstances exist which would justify a variance from stated guidelines, this information should be presented with the application.

2.5.3 Review of Construction Already Completed: Construction completed without approval of the ARB is automatically in violation of the Association's Declaration by virtue of being completed without required approval, and will be pursued as a violation if the ARB is unable to grant approval. Any work is still subject to review at any time that the Association becomes aware of the improvement. The ARB reviews all submittals based on its interpretation of the Declaration and Development Guidelines only. Approvals are based on the merits of the submittal as it relates to these Guidelines, and is not affected by the status of construction.

2.5.4 Liability for Violations: In addition to other remedies provided for pursuant to Article XII of the Declaration, any person violating the Declaration with regard to ARB review and approval shall be liable for all costs incurred by the ARB to remedy such violation, including, but not limited to, reasonable and actual attorney's fees and court costs.

2.6 ACTIONS OF THE ARCHITECTURAL REVIEW BOARD

2.6.1 Definitions: An application is approved when the ARB or its designated representative gives notice to the applicant in writing. No verbal approvals are given. The ARB may issue any of the following four decisions:

"Approved": means approved as submitted.

"Approved with limiting conditions": means approved only if stated conditions in the approval letter are met.

"Not Approved": means not approved for construction. Reasons for denial will be given in writing. The ARB may also provide suggestions for revisions but does not provide design solutions. A denial action requires a re-submittal by the applicant for review before any approvals can be given.

"Preliminary Review": means a review of early design drawings to give the applicant direction as to what the concerns of the ARB are likely to be regarding that design. Comments are given to the Applicant but no approval to proceed is granted without ARB review of a complete submittal in accordance with the above requirements.

2.6.2 Limitation of Liability: The approval by the ARB of any plans and any requirement by the ARB that the plans be modified, shall not constitute a warranty or representation by the ARB of the adequacy, technical sufficiency or safety of the improvements described in such plans, as the same may be modified, and the ARB shall have no liability whatsoever for the failure of the plans or the improvements to comply with applicable laws or to comply with sound engineering, architectural or construction practices.

2.7 APPEALS

2.7.1 Appeals to the ARB: Should an application be denied, and the applicant feels that the submittal was misinterpreted or that there are extenuating circumstances that should qualify them for an exception from these requirements, they may contact the Architectural Review Board and the application will be placed back on the agenda for the review.

2.7.2 Appeals to the Board of Directors: If an applicant feels that he or she has been unfairly denied approval by the ARB, an appeal may be filed with the Board of Directors by contacting the Property Manager. The appeal will be heard by a committee or hearing panel designated by the Board of Directors and in accordance with current Board policy at the time of the appeal.

2.8 COMPLETION OF CONSTRUCTION

2.8.1 One Year Approval Expiration: If the work has not commenced within one year of the date of approval, said approval shall expire and a re-submittal and approval will be required before work may commence.

2.8.2 Six Month Construction Period: Any improvements to be constructed upon any Lot must be completed within six (6) months after construction has commenced.

2.8.3 Final Inspections: Upon completion of construction, a final inspection may be made by the Association to determine that all requirements of the initial approval and these Standards have been met. Any work that is found to not be in compliance is subject to enforcement action.

3.0 ADDITIONS AND MODIFICATIONS (Room Additions, Porches, Decks)

3.1 SUBMITTAL REQUIREMENTS

3.1.1 Exterior Modification Application: Applications are available from the Property Manager's office. The form must be completed indicating neighborhood, lot number, property owner, street address, home and business phone numbers, material(s), color(s) and manufacturer(s).

3.1.2 Required Attachments:

- a. Site Plan (Additions, Porches, Decks, Patios, Fences, Major Landscaping, Awnings, Landscape Lighting) - showing the location of the improvement or modification, distances to property lines and any changes in landscaping.
- b. Floor plan(s) (Additions, Porches, Decks, Awnings)
- c. All Exterior Elevations of Additions, Porches, or Decks, or of modification to exterior materials or colors (i.e. change in door style and/or color, shutter type and/or color, any exterior painting that alters the existing color palette, etc.). Include existing house or portion where work will be done. (Indicate exterior finish materials and colors).
- d. Location, height, intensity and fixture type of any proposed exterior lighting.
- e. Manufacturers' brochures, spec sheets, color chips and/or samples of materials to be used.

3.2 CLEARING, GRADING AND TREE REMOVAL

3.2.1 General Policy: Approval for clearing and alteration of existing lots shall be made only for approved structures, site improvements, landscaping, and access, and may not be performed in a manner that will result in erosion of soils, excessive water runoff, discharge of wastes into the soils or waters, stagnation or standing water, or substantial removal of vegetation.

3.3 LOT DEVELOPMENT FOR ADDITIONS AND MODIFICATIONS

3.3.1 General Policy: Each structure or site improvement shall be sited to create a proper setting within each lot, consistent with the density and setbacks of the community, so as not to unduly restrict the view, light, or breeze to or from neighboring properties, and so as not to compromise the privacy of any other lot below the general level enjoyed by other members of the community.

3.3.2 Siting Requirements: The ARB will judge the acceptability of proposed siting of additions, on the criteria listed below.

- a. No addition shall extend beyond the setback limits established for the house.
- b. In general, the siting of additions shall not significantly reduce the privacy between neighboring houses. Where this is unavoidable, the ARB may require screening of the view by the Applicant.
- c. New windows or access created by the addition or modification shall not significantly reduce the privacy between neighboring houses. The ARB reserves the right to reject certain openings or require screening by the applicant in situations where, in the opinion of the ARB, it is required.

3.4 **ARCHITECTURAL STANDARDS**

3.4.1 General Policy: All structures shall be of a size and use that is consistent with the standards of the community. All improvements shall be designed in styles, shapes, sizes, massing, and colors to be of good proportions, well balanced, and appropriate to this community.

3.4.2 Room Additions: To insure consistency in the design of the house and minimize visual disruption of the neighborhood, additions must match the design characteristics of the house. Specifically:

- a. The architectural style shall match the style of the house.
- b. The massing of the addition shall be similar in the use of shapes to that of the house, but proportionately smaller so as not to overpower the house.
- c. Roof styles and slopes shall be similar. Roof materials shall match the house roof. Attic ventilators and other roof penetrations shall be low profile designs and shall be pre-finished to match the adjacent roof color.
- d. Openings shall be required in additions, including windows and doors, in a similar fashion and extent (minimum) as in the original house.
- e. Windows and doors in additions shall be of matching material as those in the house. Windows and doors' should match the style of those in the existing house. Exceptions may be granted at the discretion of the ARB for sunrooms or other specially glazed areas.
- f. Architectural elements such as corner and rake boards, soffits, eaves, window and door trim, and shutters shall match the style of the same elements on the house. Gutters and downspouts shall be pre-finished to match the adjacent building material color.
- g. All exterior finish materials and colors shall match the existing house and trim. Matching colors on dissimilar materials is not acceptable.

3.4.4 Storm Doors: Storm doors shall be visually compatible with the doors that they cover and with the style and color of the door, and they will be full light. Excess ornamentation not consistent with other ornamentation on the house is prohibited.

3.4.5 Awnings and Trellises: Sun control devices such as awnings and trellises must be compatible with the architectural style, character, and color of the house. These devices are not permitted on the front of the house with the exception of front-facing rooftop terraces.

3.4.6 Rear Decks/Balconies: Decks or balconies shall be located only on the rear of houses. Treated *southern* pine may be used for decks in West Broad Village. This decay resistant product is generally left unfinished, although periodic preservative treatment is recommended. Painting or staining of decks must be approved by the ARB.

- a. Railings shall be a minimum of 36" high and shall utilize 2x2 vertical powder coated black aluminum or white vinyl balusters set 4" on center and 4" square posts of the same material.
- b. Imitation decking boards constructed of synthetic materials are allowed and will be considered on a case-by-case basis to review for architectural compatibility.
- c. Metal decking, and untreated wood, is not permitted.

3.4.7 Clotheslines: No clotheslines will be allowed on any deck, balcony, and rooftop terrace or anywhere on a structure or lot. The hanging of clothes, laundry or other materials from any balcony, deck or rooftop terrace rails is prohibited.

3.4.8 Skylights: Skylights and roof windows will not be approved for the front roof plane of houses. They may be approved for other roof areas. Skylight frames shall be pre-finished metal in a muted color to blend with the roof color.

3.4.9 Window and Wall Air Conditioning Units: Window and through-wall air conditioning units are not permitted in West Broad Village.

3.4.10 Dormers: Dormer windows and eyebrow windows are permitted as consistent with the style of the home. All materials and finishes shall match the house.

3.4.11 Detached Structures: Detached, appurtenant structures are permitted only on rooftop terraces and decks/balconies. These may include small storage sheds. Such structures must be in strict compliance with Article 3.0. Balconies, decks or rooftop terraces may not be used for household storage unless within an approved container or containers. Dog pens or kennels are not an authorized detached structure and therefore are not permitted on balconies, decks or rooftop terraces at West Broad Village.

4.0 PROPERTY IMPROVEMENTS (Landscaping, Landscape Accessories, Pavements, Spas, Exterior Lighting)

4.1 SUBMITTAL REQUIREMENTS

4.1.1 Exterior Modification Application: Applications are available from the Property Manager's office. The form must be completed indicating lot number, property owner, street address, home and business phone numbers, and the type of improvement requested.

4.1.2 Required Attachments:

- a. Site Plan - showing location of improvement, existing structures, distances to property lines, tree(s) if any, to be removed.
- b. Plan of Improvement (ex: patio, etc.).
- c. Exterior Elevations of structures (Indicate finish materials).
- d. Catalogue information and illustrations of pre-manufactured products.

4.2 **CLEARING, GRADING AND TREE REMOVAL**

4.2.1 General Policy: Approval for clearing and alteration of existing lots shall be made only for approved structures, site improvements, landscaping, and access, and may not be performed in a manner that will result in erosion of soils, excessive water runoff, discharge of wastes into the soils or waters; stagnation or standing water, or substantial removal of indigenous vegetation.

4.2.2 Tree Removal: Only the Association's Board of Directors is permitted to remove trees. Please notify the Association concerning any tree removal.

4.3 **LOT DEVELOPMENT FOR PROPERTY IMPROVEMENTS**

4.3.1 General Policy: Each structure or site improvement shall be sited to create a proper setting within each lot, consistent with the density and setbacks of the community, so as not to unduly restrict the view, light, or breeze to or from neighboring properties, and so as not to compromise the privacy of any other lot below the general level enjoyed by other members of the community.

4.3.2 Siting Requirements: Unless noted otherwise in this section, the ARB will judge the acceptability of proposed siting of property improvements based on the criteria listed below.

- a. In general, the siting of structures or activity areas shall not create a breach of privacy between neighboring houses, nor shall it create a visual nuisance to neighboring houses or yards. Where this is unavoidable, the ARB may require relocation of the proposed improvement or screening of the view or the improvement by the Applicant.

4.4 **LANDSCAPING**

4.4.1 Review Not Required for Incidental Landscaping: The ARB does not review normal incidental landscaping decisions of the homeowner, such as adding plants to additional beds, or pruning and grubbing of existing plant material.

4.4.2 Declarant/Association Not Responsible: The Declarant/Association is not responsible for maintaining landscaping installed by individual unit owners.

4.4.3 Major Landscaping: Major landscaping decisions that affect the character of the lot and thus the community, however, must be approved by the ARB. The following items are requirements:

- a. All foundation planting beds and all other planting beds shall be mulched.
- b. New trees shall be correct in form for their species, have normal growth habit, have well developed branches, densely foliated, and be planted with the proper space to allow growth to maturity. All trees shall be adequately planted and staked.
- c. Artificial vegetation is prohibited.

The following items will require review:

- a. Construction of landscape structures such as screens, walls, trellises, arbors, etc.
- b. Implementation of any formal landscape plan requiring replacement of existing vegetation with new varieties, clearing of lawns, gardens or other major landscape features.
- c. Any earthwork creating changes in topography or site drainage. Such earthwork creating changes in topography and site drainage will be reviewed on a case-by-case basis. Exterior fountains and ponds are not permitted in front yards.

4.5 **LANDSCAPE ACCESSORIES**

4.5.1 General Requirements: Landscape accessories including arbors, trellises, benches, flagpoles, signs, decorative objects, etc. must be approved by the ARB as to design and location.

4.5.2 Bird Feeders/Bird Houses: Birdhouses are not allowed in any yard. Bird feeders may be located in the rear of structures only.

4.5.3 Flower Pots/Flower Boxes: A maximum of three (3) flowerpots and/or boxes shall be allowed in the front of any dwelling and shall be placed on a hard surfaced area such as a stoop, steps, or walkway. In addition to three flowerpots and/or boxes, two (2) hanging planters are allowed. Hanging planters may only be located on the stoop or porch of the dwelling and may not be hung on shepherd's hooks or other devices within the front yard. A wall-mounted planter may count as a hanging planter.

4.5.4 Statuary: Decorative yard statuary placed within the front yard of a dwelling shall be located within a landscape bed contiguous to the dwelling, shall be earth tone in color and shall not exceed 30" in height.

4.5.5 Signage: Homeowners are allowed one (1) For Sale or For Rent sign no larger than 18"x24" to be placed inside a window in the townhouse. No other signage is authorized in the residential section of West Broad Village.

4.5.6 **Flags:** ONE (1) flag no larger than 30"x44" and the required pole (no longer than 5') may be hung on the front of a townhouse unit. ALTERNATIVELY, ONE (1) garden style/sized flag and stake may be placed in a landscape bed of a townhouse unit. The ARB must approve the location of the flag prior to its installation.

4.5.7 Temporary Structures - Portable Storage Units - Portable Storage Units for moving from one household to another require approval by the Architectural Review Committee as to location, size and duration of use. In general, a PSU must be placed within a parking space in front of the resident, which it serves, or as near as possible within an on-street parking space and cannot remain for more than 7 consecutive days in one calendar year unless the ARB approves an extension based on extenuating circumstances. PSUs may not be placed within an alley at any time.

4.6 **PAVEMENTS**

4.6.1 General Material Requirements:

- a. Front walkways may not be modified.
- b. Where space permits, patios are permitted within front yards but must be of hard-surfaced materials compatible with the front walkway of the residence, i.e. brick, concrete pavers, aggregate or stamped concrete, broom-finished concrete or stone. Landscape accessories to be placed upon such patio must be reviewed and approved in accordance with Article 4.5 above.

4.7 **SPAS**

4.7.1 Spas: Spas may only be constructed or installed on a rooftop terrace, and then only if structurally sound (i.e. weight may be adequately supported), and must be located close to the house. Screening may be required around spas. An engineering load letter specific to the style and capacity of requested spa verifying the structural capacity of the terrace to support the spa shall be provided to the ARB.

4.8 **GRILLS**

4.8.1 Grills: The Virginia State Fire Prevention code policy states that cooking devices (grills, smokers, etc.) shall not be located on, above or below balconies or within 10 feet of combustible construction unless the balcony or terrace is served by the unit's sprinkler system. LP gas cylinders shall not be stored, used or located on, above or below any balcony of multi-family dwellings.

5.0 FENCES AND SCREENING ENCLOSURES (Picket Fences, Privacy Screens, Hedges)

5.1 SUBMITTAL REQUIREMENTS

5.1.1 Exterior Modification Application: Applications are available from the Property Manager's office. The form must be completed indicating lot number, property owner, street address, home and business phone numbers, and the type of fence requested. Manufacturer brochures are preferable.

5.1.2 Required Attachments:

- a. Site Plan - showing location and extent of fence with gate location identified.
- b. Drawing of fence with heights, materials and sizes identified.

5.2 FENCES

5.2.1 General Restrictions: Only the fence types described in this section are permitted in West Broad Village. Fences may be constructed in front yards only - no farther forward than the back of the common sidewalk. Exceptions may be granted for discontinuous lengths of decorative fence incorporated as part of an overall landscape plan.

5.2.2 Homeowner Fences:

- a. Black aluminum or black wrought iron fences, (as depicted and described in Illustration 5.2.2) are permitted in front yards and must be constructed up to the rear of the common walk, and back along the side property lines to the front façade of the house. Fences on corner lots will be reviewed for the side location requirement on a case-by-case basis.
- b. The design and product selected for your fence must be approved by the ARB. Height of fences shall not exceed 32" to the top of the fence. All fence submittals shall include a gate location to be specified at the time of submittal to be approved by the ARB. The gate location shall be at the intersection of the fence with the lead walk to the house.

5.2.3 Hedges:

- a. Requests for approval of any type of hedge shall be reviewed on a case-by-case basis.
- b. Hedges shall be constructed of a plant material indigenous to this region and as approved by the ARB. Hedges shall be maintained such that the height shall not exceed 32" above ground.

6.0 DECK, BALCONY, TERRACE FURNISHINGS, ANTENNAS, SEASONAL DECORATIONS (Furniture, Satellite Antennas/Dishes, Seasonal Decorations)

6.1 SUBMITTAL REQUIREMENTS

6.1.1 Submittals Not Required: See statement below.

6.2 REVIEW PROCESS

6.2.1 Standards Set for Furnishings, Antennas, and Seasonal Decorations: Furnishings, Antennas and Seasonal Decorations are not buildings, fences or landscape elements; consequently, they do not fall under a typical set of architectural control requirements. They are often highly visible, however, and depending on their design and application, they may defeat many of the aesthetic and environmental goals that the community has sought to achieve. Therefore, this article has been developed to provide minimum standards for controlling the size, appearance, and placement of such equipment in order to minimize the impact on neighboring properties.

6.3 FURNISHINGS

6.3.1 Permitted Furnishings: Outdoor tables, chairs, lounges, etc. are allowed on balconies, decks, rooftop terraces and porches/stoops provided they be of a color and style, which is compatible to the structure, and are maintained in good repair.

6.4 SATELLITE ANTENNAS/DISHES

6.4.1 Permitted Antennas: No satellite dish, television antenna, radio receiver, or sender or other similar device shall be attached to or installed on the exterior portion of any building or structure on any site except as follows:

- a. No satellite dish in excess of one meter in diameter will be allowed on any site.
- b. The preferred location and installation for a component will be in the rear of the site structure or in the rear portion of the site. If this preferred location precludes an acceptable quality of reception on any site, then the Owner will notify the Association in writing, through the ARB, of such concern before installation. Notification must include the appropriate documentation related to preclusion of reception and identify other locations on the site upon which the owner wishes to locate and install the component.
- c. A component will be reasonably screened from view from any other site or common areas.
- d. A component will be painted in a fashion that will not interfere with reception but will blend into the background against which it is mounted.

6.5 SEASONAL DECORATIONS

6.5.1 Display Time Limit: Seasonal decorations are encouraged and allowed. They may be installed no earlier than thirty-days (30) prior to the holiday and must be removed no later than fifteen (15) days after the holiday.

7.0 APPENDIX A – DEFINITIONS USED BY THE ARB

ARCH

A structural method of spanning an opening, usually with masonry, whereby curved, pointed or flat upper edges of the opening are formed.

ARCHITECTURAL DRAWINGS

A set of detailed drawings, which are used by the contractor to build a house or addition. The drawing set includes floor plans, elevations of all sides of the house, building sections to identify all building materials and details. The plans are usually drawn at a $1/4"=1'-0"$.

BUILDABLE AREA UNITS

Area of a site where building is permitted as defined by the setback lines.

CASEMENT WINDOW

A window, which is hinged on one side and swings open outward. A crank handle typically opens this window

CLEARING

Complete removal of natural vegetation from the area of construction.

COMMON AREA OR OPEN SPACE

Areas within the community, other than those owned by individual homeowners, that are held in common by homeowners associations and maintained by these associations.

CONSTRUCTION SETBACK AREA

Required distance inside all property lines, which cannot be built in as determined by County zoning ordinances or the Restrictive Declaration of the neighborhood.

CORNICE

Exterior trim of a structure at the eave, usually consists of bed molding, soffit, fascia and crown molding.

CORNER BOARDS

Vertical boards installed on the corners of wood-sided homes to cover the ends of the siding.

DIMENSIONAL COMPOSITION SHINGLE

Asphalt/fiberglass roofing material manufactured in laminated layers to achieve the depth and dimension variation that simulates the look of wood shingles or slate. The material is imbedded with the color grain to provide a variety of roofing color schemes.

DORMER WINDOW

Vertical window which projects from a sloping roof, placed in a small gable enclosure projection.

DOUBLE HUNG WINDOW

Window with two vertically operating sashes sliding in two directions to enclose the opening

EASEMENT

A right afforded a person to make limited use of another person's real property such as a right-of-way through a lot established for utilities access.

EAVE

The lower edge of a sloping roof that projects beyond the wall.

ELEVATION (HOUSE)

Exterior face of a structure. Front, side, and rear.

EVERGREEN SHRUBS

Shrubs, which do not shed their leaf growth seasonally.

FACADE

Exterior face in a building that is the formal front

FINISH

A coating applied to a material on the job site, such as paint or stain.

FINISHED FLOOR AREA

Amount of space within a structure that is conditioned (heated/cooled) area and in which all construction is completed to a finished state. A walk-up attic does not count towards the finished floor area

FLOOD PLAIN

Land that borders a bed of water, which may be subject to flooding.

FLOOR PLAN

A drawing showing the layout of the enclosing walls at a structure, its doors and windows, and the arrangements of the interior spaces as viewed from a site plan.

FOOTPRINT

Outline of a structure as viewed from a site plan.

FOUNDATION (FOOTERS)

The structural base whereby the entire load from the building is transmitted to the ground. The foundation wall is usually constructed out of masonry materials. The footer runs under the foundation wall and is typically concrete.

GABLE

The vertical triangular portion of the end of a structure having a double-sloping roof from the level of the eave to the ridge of the roof.

JACK ARCH

Also called flat arch or straight arch. It is a horizontal of wedge cut brick over an opening.

NOXIOUS OR POISONOUS VEGETATION

Natural vegetative growths with a wild unkempt appearance such as uncontrolled vines, briars, poison ivy, poison oak, poison sumac.

PEDIMENT

A gabled element used primarily over entrances.

PICKET FENCE

A fence consisting of closely spaced vertical slats attached to horizontal rails and intermediate posts.

PILASTER

A non-structural rectangular or semicircular column applied to the wall simulating supports for a decorative pediment or arch above (usually used at main entrances).

PRE-FINISHED MATERIAL

Material that has received a factory finish and is ready to install upon delivery to the construction site (ex: roof shingles).

PRIVACY SCREEN

A high screen used to separate the rear yards of town homes for privacy.

PROPERTY LINE

Legal limits of property, property edge.

RAKE BOARD

A board or molding along the sloping edge of a gable that conceals the rafter.

RIDGE VENT

A linear ventilating cap installed along the ridge of a gabled roof.

RIGHT-OF-WAY LINE

A strip of land (ground surface, underground or aboveground) which has been granted by deed or easement for the construction or maintenance of a roadway. Governmental signs and U. S. postal collection boxes are allowed in this area.

SCALE

(1) A system of proportions used in architectural drawings so that the actual size of an item to be drawn can be reduced to a size small enough to fit on a sheet of paper (Ex. $1/4" = 1'-0"$ (1/4 of an inch on the drawing represents 1 foot of actual size of the item being drawn)).

(2) Term used to relate to the proportional balance of all elements of a building.

SCREENING

Shielding method using either natural vegetation or a structure to conceal an unsightly condition from view, or provide protection from noise or wind exposure.

SEGMENTED ARCH

An arch, which is composed of parts of a circle (less than half).

SITE PLAN

A plan of a lot indicating property lines, the accurate location and size of structures shown with dimensions to property lines.

SITING

The location of something on a site

SKID

A small platform on the ground that serves as the foundation for a moveable accessory building.

SLOPE (ROOF)

The indication of the steepness of a roof measured by the amount of rise in inches per foot of horizontal length.

SOFFIT

The exposed undersurface of any overhead component of a building (ex. eave).

SYNTHETIC STUCCO

A pre-manufactured exterior finish material resembling cement stucco with smooth or textured surfaces that can be applied to the exterior sheathing of a building

TOPOGRAPHY

A description of the vertical variations of land (flat, sloping, hills, valleys. etc.)

UNFINISHED MATERIAL

Material that does not receive a special coating to alter the natural appearance but may be treated with a preservative to prevent decay (ex. salt treated lumber)

VEGETATION

Plant growth (trees, shrubs, grass, etc.) in either its natural setting or a transplanted location.

VOCABULARY (DESIGN)

Composition of architectural elements that are assembled together on a house.

WINDOW AND DOOR TRIM

Board or molding installed around perimeter at a window or a door to conceal the joint.

WINDOW SASH

The framework of a window that holds the glass.

