

BRANDY OAKS SUBDIVISION -Sections 2 through 10 ARCHITECTURAL STANDARDS
(Approved by the Board of Directors, February 5, 2015)

OVERVIEW

The purpose of this document is to assist homeowners and the Architectural Control Committee (ACC) hereto referred to as the Architectural Review Committee (ARC) in preparing and reviewing requests for additions and/or modifications to a home or lot in Sections 2 through 10 (*and future sections recorded by the Declarant*). The guidelines also supplement the provisions of Article V Lot Restrictions of the Amended and Restated Declaration of Covenants, Conditions and Restrictions.

Homeowners should receive ARC approval in writing for new construction, modifications, and additions as specified herein in advance of making any improvements, which may alter the appearance of a lot or the exterior of any improvement located on the lot.

ARCHITECTURAL MODIFICATION REVIEW FORM

Homeowners should complete the Architectural Modification Request Form (*see "Documents" at www.brandyoakshoa.com*) and attach relevant plans, specifications, and exhibits. Typical supporting exhibits are listed on the Form but this list may be supplemented by the ARC at its discretion.

Before submitting an Architectural Modification Request Form, the homeowner making the request should attempt to obtain the acknowledgement of the adjacent property owners indicating they are aware of the proposed request. The acknowledgement is for courtesy and disclosure purposes only. If the adjacent owner wishes to comment further, they may address separate correspondence to the ARC. If signatures are not available, the homeowner applicant should submit the application without signatures.

ARCHITECTURAL REVIEW PROCESS

The ARC will consider the application without undue delay. Although the Covenants provide up to 60 days for review, most complete applications can be reviewed in much less time. However, a request by the ARC for additional information or exhibits may extend the processing time. Any applications that are not acted upon in writing within 60 days, either by a written request for additional information or by a written decision, will become automatically approved.

The ARC will conduct the review and make a decision in a manner consistent with the Covenants, Article V, Sec. 2. **, the overall interests of the community, and with the individual applicant's specific request.

*** No building, structure, outbuilding, fence or wall shall be erected, placed or altered on any property until construction plans have been filed with and approved by the Committee as to the quality of workmanship and materials and type of construction, and harmony of exterior design with existing structures, and as to location with respect to topography and final grade elevation.*

ARCHTECTURAL GUIDELINES -APPLICABLE BY Subdivision SECTION

Article V Lot Restrictions of the Covenants addresses the following minimum requirements applicable to certain sections of the subdivision.

	Garages size	Square Foot floor area	Front Elevation material
Sec. 2	2 car -side or rear load	2 story -2400 sf 1 story -2000 sf	brick, synthetic stucco, stone (predominately)
Sec. 3	1 car –side or rear load	1 or 2 story -1800 sf	siding (w/ ARC approval)
Sec. 4	1 car –side or rear load	2 story -2000 sf 1-story -1900 sf	siding (w/ ARC approval)

In addition to the requirements imposed above by the Covenants, the ARC may adopt design guidelines and additional minimum requirements for construction in other sections within Brandy Oaks (*Art. V. Sec. 4.c.*)

NEW HOME CONSTRUCTION

The ARC will approve all house plans in advance of construction and verify the completed dwelling complies substantially with the approved plans.

EXAMPLES OF STRUCTURES. ADDITIONS. AND MODIFICATIONS THAT NEED APPROVAL

Note: Location -The proposed location may determine if approval is needed. Certain items require approval if they are proposed for the front yard, but not if they will go in the rear yard. It is the homeowner's responsibility to comply with any lot-specific setbacks prescribed by Chesterfield County.

Rear yard encompasses the area starting at the rear footprint of the house and extending laterally in a straight line toward each of the side lot lines.

<u>ITEM</u>	<u>YES</u>	<u>NO</u>
Accessory structures (detached garages, sheds, etc.)	x see Specific Guidelines	
Garage conversion	x	
Addition	x	
Enclosure (of patio, deck, porch, etc.)	x	
Shutters (if change in color/material/size/shape, etc., from original or changes appearance of house)	x	
Re-roofing/shingling (if change in color/material/size/ shape from original or changes appearance of house)	x	
Exterior house materials, colors	x	
Doors, windows	x	
<i>-if they alter colors, style, cosmetic appearance of front elevation only</i>		
Fences, walls	x see Specific Guidelines	
Invisible fences		x
Greenhouses	x	

Porches, decks, patios, arbors	x
Gazebos	x
Pool, pool house, pumps	x
Tennis court	x if permanent
Basketball court	x if permanent
Driveway entrance columns, walls	x
Landscaping projects <i>-if changes impact neighboring homeowners</i>	x
Dog house, kennel, fenced run	x see Specific Guidelines
Landscaping borders 18 inches or higher	x

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(continued) ITEM

	<u>YES</u>	<u>NO</u>
Children's play equipment	x see Specific Guidelines	
Tree house	x see Specific Guidelines	
Sandboxes	x see Specific Guidelines	
Recreational or sport equipment/play area	x see Specific Guidelines	
Produce or food garden	x if visible or beyond rear foot print of house	
Lighting fixtures -pole mounted, high intensity	x	
Mailboxes	x	
Mechanical equipment replacement (exterior)	x (if changing location or adding a zone or generator or adding equipment not previously approved)	
Driveways	x see Specific Guidelines	
Sidewalks	x	
Flag poles	x	
Holiday, seasonal décor		x (remove in 30 days)
Sprinkler, Irrigation systems		x
Satellite dishes	X see Specific Guidelines	

ORNAMENTAL ITEMS

Ponds, garden/landscaping borders, walkways/paths, sculpture, fountains, flags, birdhouses, birdbaths, benches, lawn furniture, umbrellas, trellis, hanging plants, etc.

The ARC does not automatically require review and approval of ornamental home and yard fixtures or accessories. However, in the event an item is reported in writing to the ARC by a resident as being objectionable for size, scale, design or other aesthetic issues, the ARC will review the item and determine if relocation and/or screening of the item is required.

Given the above, before a homeowner will incur what they feel is a significant expense in time and materials to add such items, the homeowner should submit a request form in advance especially if the item is permanently affixed.

SPECIFIC GUIDELINES –FENCES

Locations Interior lots - A homeowner may place an approved fence along the rear and rear-side lot lines.

Corner lots - Since throughout the Brandy Oaks subdivision, corner lots vary in size, shape and position relative to the adjacent lot lines, the ARC may approve fences on corner lots based on consideration of several factors, such as, the size, style and material of the proposed fence and the visual impact of the fence on the immediately surrounding streetscape and the adjacent lots. Fences on corner lots must comply with Chesterfield County setback requirements.

Height Maximum height: 6 ft.

Styles Rail or split rail, picket, privacy

Materials Pressure treated or painted wood, PVC, ornamental iron, steel, or aluminum.

Chain link fences may be considered for limited areas of a lot depending on the purpose, proposed location, the material, coating, and color, etc.

Rail fences may be backed with invisible screening material.

Construction Fences will be constructed on the applicant's side of the property line.

Fences will be constructed with the framing members facing into the applicants yard.

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SPECIFIC GUIDELINES – ACCESSORY STRUCTURES

One accessory structure will be allowed on each parcel. These free-standing sheds, workshops, greenhouses, and/or detached garages must be designed and located as an integral part of the house. Their design should be compatible with the house, as specified below, in terms of style, materials, etc. In addition, swimming pools and related buildings will be allowed assuming the site so dictates. The pool and its related building will not be considered an accessory structure. However, location and design of the pool, pool house and fencing must be approved by the ARC.

1. Roof style (A-type or Hip, minimum 6/12 pitch) and color, must match main dwelling/existing structure. (Article V, Section 2) No Barn Style Sheds/Outbuildings shall be approved.
2. Siding and trim – type, color and style must match main dwelling/existing structure. (Article V, Section 2) If main dwelling has no vinyl siding, then a vinyl solution with siding color consistent with main/existing structure may be submitted.
3. Shingles – color and style must match main dwelling/existing structure. (Article V, Section 2)
4. Windows – color and style must match front elevation of main/existing structure – but windows are not required.
5. Shutters – color must match and style must be consistent with main dwelling/existing structure. (Article V, Section 2)
6. Door color must be consistent with main dwelling/existing structure. (Article V, Section 2)

Door Style must be consistent with main dwelling/existing structure or may consist of materials consistent with accessory building siding. Decorative trim on door panels must be the same color as the door. (Article V, Section 2) No cross-buck doors shall be approved. No front load overhead door shall be approved.

7. Foundation – any exposed (supports, pillars, piers columns, blocks, etc.) must be buffered/concealed/covered with evergreen shrubbery and/or lattice. (Article V, Section 2)
8. County Codes – It is the homeowner’s responsibility to comply with any lot-specific set backs prescribed by Chesterfield County” as well as any applicable building permits. (Brandy Oaks Subdivision, Architectural Standards. Page 2)
9. Location of Building – Rear Yard – “Rear yard encompasses the area starting at the rear footprint of the house and extending laterally in a straight line toward each of the side lot lines.” (Brandy Oaks Subdivision, Architectural Standards. Page 2)

The maximum first floor area shall be up to 576 square feet (24' X 24'). Accessory structures may not exceed the maximum height of the main dwelling/existing structure, or a maximum of two (2) stories, unless approved by the ARC. Exceptions to this limit will be judged on the basis of lot size and building location with topography that does not significantly impact adjacent properties or the visual streetscape.

An exception of one additional accessory structure to the one detached accessory structure per lot will be judged on the basis of lot size and building location with topography that does not significantly impact adjacent properties of the visual streetscape. Approval may require review by a design management firm.

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SPECIFIC GUIDELINES – DRIVEWAYS

Paving existing gravel driveway with asphalt, aggregate, or non-pigmented concrete/stamped concrete, whereas the original length and width has not been altered, does not require ARC approval.

Paving driveway with any other material other than asphalt, aggregate, or non-pigmented concrete/stamped concrete **does require** ARC approval.

Paving driveway, whereas the original length and/or width or overall design is being altered, does require ARC approval.

Driveway resurfacing, with compatible materials, does not require written ARC approval.

SPECIFIC GUIDELINES –RECREATION, SPORT, PLAY EQUIPMENT, AND/OR PLAY FIELD AREAS

The ACC does not require review and approval of recreation, sport or play equipment. However, if such items are reported in writing to the ARC by a resident as being unsightly or decreasing the attractiveness of the property, the ARC will review the item and determine if replacement, relocation, and/or screening of the item is required. Before a homeowner incurs a significant expense to add such items, it would be their responsibility to submit a request form in advance.

SPECIFIC GUIDELINES -DRIVEWAY WALLS, COLUMNS, POSTS, PLANTERS. ETC.

These items must be constructed fully on the homeowner's property and within the lot lines. All applicable setbacks must be met. If the ARC approves a design that a homeowner constructs in any part of the right of way or outside the lot lines, neither the ARC nor the Brandy Oaks Homeowners Association will have any responsibility for action VDOT or an adjacent lot owner may take to require the homeowner to alter, remove, or permit the structure.

The homeowner is responsible to become fully informed as to the Virginia Department of Transportation's (VDOT) regulations pertaining to any structures that a property owner may locate within any part of the state right-of-way. If the structure is damaged by VDOT, the Brandy Oaks Homeowners Association is not responsible.

In the event the ARC approves a design that a homeowner constructs in any part of the right of way, neither the ARC nor the Brandy Oaks Homeowners Association will have any responsibility for actions VDOT may take to require the homeowner to alter, remove, or permit the structure.

SPECIFIC GUIDELINES -SATELLITE DISHES

ALLOWED –Satellite dishes and antenna up to one (1) meter in diameter are permitted without approval of the ARC. Larger satellite dishes and antenna shall require ARC approval. Satellite dishes and antenna may be placed in the following locations: (1) the rear of home on the Lot; (2) if acceptable quality reception cannot be obtained in the rear of the home on the Lot, on the side of the home on the Lot; and (3) if good quality reception cannot be obtained in the rear or side of the home on the Lot, in any location on the Lot necessary to obtain reception of acceptable quality. No matter where a satellite dish is located, its placement, screening and color shall make it as innocuous as possible without interfering with the quality of the reception.

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APPENDIX A

BRANDY OAKS HOMEOWNERS ASSOCIATION VEHICLE, SCREENING, & SIGNS RULES

Vehicles and Parking

A. Vehicle Definitions

1. Recreational Vehicles

- a. any travel trailer, fifth-wheel trailer, mobile home, motor home, selfcontained camper, pop-up camper, tent trailer or other similar portable, or transportable trailer;
- b. any vehicle that exceeds seven feet in height, nine feet in width, or eighteen feet in length;
- c. any horse or utility trailer;
- d. any boat, jet ski, or other water vehicle;
- e. any dune buggy, dirt bike, ATV, golf cart, or six-wheel vehicle;

2. Commercial Vehicles

- a. any private, school, or church bus;

- b. any vehicle that has visible commercial equipment attached to the exterior (i.e. ladders, pipes, racks);
- c. any commercially licensed vehicle as designated by Virginia law;
- d. any vehicle with a GVWR over 7,000 pounds;
- e. any vehicle with a rated carrying capacity over 1,500 pounds (3/4 ton);
- f. any vehicle having dual wheels or with more than two axles;
- g. any vehicle licensed as a "for hire"
- h. any machinery, commercial equipment, or any similar items;
- i. any vehicle which would not normally be used for daily transportation or which is not licensed for use on Virginia highways;
- j. a marked police vehicle or state or county owned vehicle with lettering and only two axles does not constitute a commercial vehicle. State or county owned trucks with a rated carrying capacity over 1,500 pounds or GVWR over 7,000 pounds are considered commercial vehicles.

3. Abandoned Vehicles

- a. any vehicle without current state registration, state license plates or state inspection sticker;
- b. any inoperable vehicle or vehicle unable to be driven on private or public roads;
- c. A vehicle that is not parked on homeowner's property is presumed abandoned if it has been in a specific location for at least four (4) days without being moved and if it lacks either: (1) a current license plate, or (2) a valid state inspection certificate or decal.

B. Vehicle and Parking Rules

- 1. Recreational, abandoned and oversized commercial vehicles shall not be stored or parked on any lot, common area or street unless kept within a garage or concealed from view from the road, common areas and adjacent lots with approved screening.
- 2. Plans for such screened area delineating the type of screen, material, size, design, dimensions, exterior color or finish, site plan and location must be approved by the ARC prior to construction. No alteration in the exterior, appearance of any screened area shall be made without like prior written approval by the ARC. Where 6' high fencing is inadequate or unwanted to screen an item from view of the street and adjacent lots approved screening will consist of evergreens that are a minimum of 5' high when planted and mature to at least 8' high.
- 3. No motorized vehicles shall be driven on non-paved common areas, except such vehicles as are authorized by the Association, County, or State as needed to maintain, repair or improve the common areas.
- 4. Boats, campers, trailers and recreational vehicles are permitted on homeowner's driveway for a twelve (12) hour period for preparing and cleaning purposes. All licensed vehicles

shall be parked on the driveway area. Parking on areas other than driveway area is prohibited. It shall be the responsibility of each homeowner to construct, with ARC approval, and maintain a suitable and adequate driveway area. The driveway area is defined as the paved, concrete, gravel, or brick paver area installed by the builder or as designated on the plat along with any addition approved by the ARC.

Signs

No sign shall be erected or maintained on any Property by anyone, including, but not limited to, a Property Owner, a tenant, a realtor, a contractor, or a subcontractor, until the proposed sign size, color and content and the number and location of sign(s) shall have been approved in writing by the ARC except one sign of not more than five (5) square feet advertising the property for sale or rent. If addition-type work/painting or roofing is under way the builder/contractor may display a sign of no more than five (5) square feet while construction is in progress. All signs must be removed upon completion of the work. All signs placed in or near the entranceway and common areas must be approved by the ARC prior to display. Political campaign signs may be placed on any lot within 90 days prior to any National, State, or local general or primary election. All political campaign signs must be removed within 48 hours of any such election. Signs shall not be erected on trees, light poles, street signs, traffic signs or official neighborhood identification signs. No more than one (1) temporary sign may be placed at any lot. One (1) directional sign is permitted on a corner leading to an open house on Saturday and/or Sunday, but must be removed not later than Sunday night. Signs will be neatly lettered, clean, have a professional appearance, and maintained in good condition. If a sign remains standing in violation of the above regulations, the Association may remove the sign. The Association will not be responsible for loss or damage of such signs.