



THE HIGHLANDS  
COMMUNITY  
ASSOCIATION

ARCHITECTURAL  
REGULATIONS &  
GUIDELINES

May 2022

# THE HIGHLANDS COMMUNITY ASSOCIATION

## Architectural Guidelines

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## **1. Introduction**

The purpose of this document is to provide standardized regulations and guidelines (“Guidelines”) to assist property owners within The Highlands as they maintain or improve their homes and lots (“Lot”). **All exterior property modifications in the community require approval by The Highlands Community Association’s (HCA’s) Architectural Review Board/Committee (ARC)** pursuant to Part I of the Covenants & Restrictions (as identified below), Article VII of the Declaration (as identified below) and the Partial Assignment of Declarant Rights (as identified below). Both the HCA and ARC operate under the Virginia Property Owners Association Act (Virginia Code Section 55-508, et seq.)<sup>1</sup>, specifically including Virginia Code Section 55-510.<sup>12</sup> relating to board and committee meetings and open meeting status. The ARC is the means by which the HCA processes homeowners’ request for external changes to the home/property. This document supersedes and replaces all previous issuances of the HCA’s Architecture Guidelines.

All Highlands homeowners receive a copy of The Highlands Covenants and Restrictions as part of the purchase/closing process. Homeowners legally agree to be bound by these covenants and restrictions and are encouraged to read them as a legally binding document. These covenants govern the external changes of the homes and property, as well as the required process for obtaining approval for the changes. Prior to the closing process on the sale of a new home, the exterior appearance of the home is a matter of negotiation between the buyer, builder and developer. Once the closing is complete, jurisdiction for any external change of the LOT passes to the HCA. These covenants and restrictions, along with authority of the HCA and ARC are recorded in the clerk’s office of the Circuit Court of Chesterfield County in the following three (3) documents:

1. “Covenants & Restrictions Affecting all Property known as The Highlands”  
Dated April 13, 1992, Recorded at Deed Book 2221, Pages 1952 thru 1972 (“Covenants & Restrictions”)
2. “Declaration of Covenants & Restrictions of The Highlands Community Association”  
Dated April 13, 1992, Recorded at Deed Book 2221, Pages 1973 thru 2000  
 (“Declaration”)
3. “Partial Assignment of Declarant’s Rights” Dated August 8, 2005, Recorded at Deed Book 6687, Pages 0475 thru 0483 (“Partial Assignment of Declarant’s Rights”)

The ARC has the responsibility for assuring that any external changes made by the homeowners are to keep the initial image and property values. These Guidelines are periodically reviewed and updated to recognize categories that were vague or missing from the earlier editions and to

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<sup>1</sup>Virginia Property Owners Association Act at Virginia Code Section 55.1-1800, et seq. as of October 1, 2019

<sup>2</sup> Virginia Code Section 55.1-1816 as of October 1, 2019

reflect changes regulated by Virginia Law. **Any exterior modifications not identified or exempted in the HCA Architectural Regulations & Guidelines will require review and approval by the ARC. Check with the ARC chairperson for any recent changes to the Guidelines that may not yet have been published.** The ARC (empowered by the HCA) has the right to make reasonable judgments as to their implementation. These Guidelines present the requirements and process for obtaining the required approval prior to the intended change. Each application is evaluated on its own particular merits and situation. Exceptions can be granted by the ARC and HCA Board of Directors, in its discretion, if the overall image and property values of The Highlands are not diminished or compromised and if harmonious with the recorded covenants and restrictions.

Applications that are denied (not approved) can be revisited through an appeal process. An additional request to visit with the ARC is required within sixty (60) days, and the homeowner can provide data that could change the original decision of ARC. If the decision is not changed, a final appeal with the HCA Board of Directors can be made. Decisions made by the HCA Board of Directors will be considered final. (See Section 2 – “Application Process” below for additional information).

ARC approval of a project application is ‘approval to proceed’ with the project based upon compliance with HCA Guidelines and its visual impact on the neighborhood, including its harmony and compatibility of its external design and location, with the surrounding structures and topography (see Part I, Section 5 of the Covenants & Restrictions and Article VII, Section 1 of the Declaration). ARC approval does not ensure full compliance with Chesterfield County building codes nor does it certify engineering validity of the project.

**Homeowners must not make lot changes prior to any approval by the ARC.** If any change is made without the approval, the matter is assigned to the HCA Board of Directors for action and enforcement through its legal remedies, which include, but are not limited to seeking a lawsuit for injunctive relief in the appropriate court, including a demand for complete removal of the unapproved change at the homeowner’s expense.

#### New Homes

Changes to new homes prior to occupancy are the responsibility of the builder and buyer. If changes are not made before the settlement date, the changes must be submitted to the ARC and are subject to the standard reviewing practice for approval or denial.

#### Existing Homes Sales

A potential buyer may want to know if changes can be made on a property prior to a commitment to buy from the seller. The ARC can review any data that is forwarded or presented at a scheduled meeting, but there can be no commitment of approval by the ARC for any commitment with the two parties.

A potential buyer may also want an absolute assurance of changes made on a Lot by the ARC prior to a buying commitment. The potential buyer and the existing homeowner must make a joint application for approval. The application and complete data must be submitted for the standard approval process/action of the ARC during its next scheduled meeting. The process can take up to sixty (60) days for approval/denial of the application. The ARC will not render any formal commitment of acceptance between parties. In all cases, the Property Manager will send out a formal letter as to any decision of the ARC.

The ARC is staffed with volunteer members who are homeowners in The Highlands, and they value all resident input and questions with hope that the following Guidelines provide additional clarity to the ARC review process. Please do not hesitate to contact an ARC member listed on The Highlands' website if you have questions or concerns. Please be assured of our continued efforts to maintain The Highlands as a prestigious community that was envisioned by all residents when they purchased their home.

## **2. Application Process**

The application for "review of proposed property improvements" is required to be submitted for all proposed external changes on or to the Lot ("Application"). All applications are submitted online through the SmartWebs application, see HOA website for the web site link. The ARC is permitted sixty (60) days from the date of receipt of a complete Application to respond with its decision in writing (via letter or email) unless an extension is agreed to by the applicant in writing.

The ARC strives to complete their evaluation and decision within thirty (30) days from receipt of an Application. Careful attention to clarity and completeness is important, as lack of information can delay the process. If your Application is not approved or denied within sixty (60) days from the receipt of the completed Application (or an approved extension of time), the Application will be considered approved and construction can start. (See Part I, Section 2 of the Covenants & Restrictions). Only Applications from a homeowner can be considered – an intended buyer for any property cannot be considered for any change unless the present owner co-signs the Application. (See "Existing Home Sales" Section above). ARC is under no obligations nor can it expedite the process for any reason.

The ARC may contact the property owner to review and understand the application and may request additional information or an in-person review of the proposed property. Please note that by submitting the Application you give permission for ARC members to enter your Lot as necessary for review of the proposed modifications and to make a final review (six (6) months after approval was provided or six (6) months after changes are completed whichever comes first). Please note on the Application any special conditions of which the ARC should be aware, such as "beware of dog." Any special notations could delay inspector visitations of the Lot.

Applications will be reviewed by committee members to determine if they are in compliance with the regulations. If the home owner is requesting changes that are non-compliant to the regulations then it will be required to pass an ARC committee vote to proceed. The following decisions will be determined and communicated to the home owner.

**Approval to Proceed**– Applicant can start improvement upon receipt of the approval to proceed letter.

**Conditional Approval to Proceed** – Following receipt of the conditional approval to proceed letter, the applicant must satisfy the conditions cited within sixty (60) days in order to receive ARC approval to proceed. Otherwise, the improvement application shall be considered denied.

**Denial** – Request not approved. Specific reasons for denying an application will be detailed in the letter from the Property Manager to the homeowner.

**Cancelled** – Project request is withdrawn by the homeowner.

#### **NOTES:**

- Applicants must start and complete the modification within six (6) months of the date on the letter of approval to proceed. Failure to complete the modifications within six (6) months will automatically revoke the approval of that Application unless extended in writing by the ARC. If an owner does not complete the project, the Lot must be returned to its original condition. The cost of removal or correcting the project will be assumed by the owner.
- If the project is cancelled by the homeowner during the six (6) months' time, the Application will be voided. The homeowner may want to consider the project again, but a new Application must be submitted.
- By submitting the Application, the homeowner agrees to make the modification as noted in the Application and maintain the modification in manner satisfactory to the HCA and ARC.
- When a homeowner makes unapproved modifications to the Lot without an approval from ARC or HCA, the cost of removal or correcting the project will be assumed by the owner.
- The plot plan required with applications is the “land surveyor plot plan” illustrating location of existing structure(s) along with dimensions from and along property boundaries. The homeowner should have received a copy at the closing of their home purchase. Copies are also available from Chesterfield County or the respective land surveyor.
- It is the homeowner's responsibility to notify the ARC when the project is completed.
- Questions concerning this process may be directed to any ARC member.

- Any ARC approved Applications prior to changes in these Guidelines shall be deemed grandfathered. Any subsequent alterations or replacement must meet current Guidelines.

### **3. Non-Compliance**

Homeowners may submit a complaint to the Property Manager regarding property modifications or conditions that may not have been done in compliance with the covenants or guidelines. These are handled by the Property Manager and the HCA Board of Directors. This concern is called a PVI (Potential Violation Investigation). The HCA Board of Directors may request that the ARC investigate the complaint and report back to the Board in writing. The ARC is not responsible for initial compliance issues.

Upon learning of a potential violation of the Guidelines, the Board of Directors may call a homeowner to appear for a hearing. Failure of a homeowner to attend a hearing does not prevent the Board of Directors from taking further action. Following a violation hearing or continuous violation of the ARC Guidelines, the Board of Directors will review all facts and information presented and make a determination of what, if any, action will be taken. Any course of action determined by the Board must be within the scope of authority and power available to them through the laws of the Commonwealth of Virginia (specifically including the Virginia Property Owners Association Act) and the Association's governing documents (Covenants & Restrictions, Declaration, and Partial Assignment of Declarant's Rights).

Some options available to the board are:

- a. Impose a penalty assessment of up to \$50.00 for a single violation or \$10.00 a day for any violation of a continuing nature. A penalty assessment for an offense of a continuing nature may be assessed daily from the date of the first notice of the violation until the violation is cured but may not exceed 90 days in duration. The type of penalty to be assessed will be on a case-by-case basis and indicated in writing to the member with the second notice of violation.
- b. Have the right to waive the penalty assessment if the violation is cured prior to or within a reasonable period of time following the hearing

The HCA through its Board may pursue enforcement through the Commonwealth judicial process. It is important to note here that the Board must be consistent with the imposition of enforcement actions. Also, the type and date of the Notice of Hearing, and by whom given, will be recorded in the minutes of the Board of Directors.

Any penalty assessment will be added to the Member's assessment account and be collectible in the same manner as any other assessment. Any penalty assessment shall be paid within 60 days of receiving notice of final penalty assessment balance. If the penalty assessment is not paid within the 60 day timeframe, the Member's rights and community amenity privileges may be restricted.



As a reminder, the ARC and the Board shall consider anything installed, constructed, erected or placed on a Lot in a manner inconsistent with an approved Application to be a violation.

### **Appendix A. Guidelines**

The table below provides a summary of the additional documentation required to accompany ARC Applications. Additional detail is provided in the following sections.

Section	Title	See also	Required Information				
			Application	Detailed Drawing	Detailed Plan	Plot Plan	Sample
A1	Accessory Building (Sheds)	A14, App D	X	X		X	
A2	Additions, Enclosures, Shed Roofs, Sun Rooms, Florida Rooms, Screened Porches		X	X	X	X	
A3	Air Conditioning & Heating Equipment		X				
A4	Awnings/Canopies		X	X	X		
A5	Boats, Campers, RV's, Oversized Vehicles, Trailers, etc						
A6	Car Ports & Breezeways		X	X		X	
A7	Decks, Deck Extensions, and Docks	A2	X	X		X	
A8	Pet Enclosures, Dog Houses, & Chicken coops	A11	X	X	X	X	X
A9	Doors, Shutters, Siding, Soffits, Trim, & Shingles		X	X	X	X	X
A10	Driveways	A30	X	X		X	
A11	Fences		X	X		X	X
A12	Flags & Flagpoles		X			X	
A13	Fountains		X	X		X	
A14	Garages	A10	X	X		X	
A15	Gazebos & Pavilions		X	X		X	

A16	Irrigation systems	NO ARC APPROVAL NEEDED FOR UNDERGROUND					
A17	Landscaping, Maintenance, Renovations, & Gardens	A21			X	X	
A18	Mailboxes	App C					
A19	Patios and Walkways		X	X	X	X	X
A20	Play Equipment	A1	X	X		X	
A21	Utility Service Area	A11, A25	X		X	X	
A22	Resource Protection Area		X		X	X	
A23	Satellite Dishes		X		X	X	
A24	Signs						
A25	Auxiliary/Emergency Power Generators and Windmills	A3	X	X		X	
A26	Swimming Pools and Exercise Pools and Hot Tubs	A1, A22	X	X	X	X	
A27	Tree Removal		X			X	
A28	Vehicles and Parking						
A29	Walls, Retaining Walls, & Driveway Piers		X	X		X	X
A30	Water Ponds, Waterscapes, Water Features		X	X	X	X	
A31	Woodpiles		X			X	
A32	Greenhouses		X	X		X	
A33	Solar Collection Devices		X	X		X	
A34	Outdoor Fireplaces & Fire Pits		X	X	X	X	
A35	Other Lot Improvements		X		X		X

A land surveyor plot plan or equivalent is required for most projects for purposes of identifying the location of the project to ensure the homeowner is fully aware of property lines and that it meets Chesterfield County setback requirements.

Acceptable plot plans contain the following:

- Entire Lot, showing all property line dimensions
- Existing dwelling, any other existing structures and location of proposed project (marked by homeowner).
- Setbacks from the closest point of the proposed project to property lines in each direction. Label the measurements from each property line to the closest point on the project. Be as exact as possible.

It is the homeowner's responsibility to know the location of their Lot boundaries, septic leach field, easements, wetlands, etc. prior to initiating a project.

Detailed drawings as used herein refers to construction details such as elevations of a building. Detailed plans as used herein refers to the arrangement of elements of the project.

**A1. Accessory Buildings (Sheds)**

Consistent with current Chesterfield County building codes an accessory building (shed) is defined as a detached structure of no greater than 400 sq. ft. Structures exceeding this limit shall be considered a garage subject to the requirements of section A14 of these HCA Guidelines. Detailed drawings, product data, detailed plans, and a land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval. The requirements of this section exist for all accessory type buildings (sheds) including but not limited to site built, pre-built, and/or prefabricated structures.

A1.1 All free-standing accessory buildings shall be constructed as permanent structures. The accessory building must match the design characteristics of the house (duplicating at least one design element) and not detracting from the aesthetic design of the home.

A1.2 The roof must match the style, type, and material of the main house with a slope of 8/12 or greater.

A1.3 All exterior finish material (siding, soffits, etc.) shall match the type and color of the house. All exposed foundations must match the type and material of the house foundation.

A1.4 Accessory buildings and sheds must be placed on a concrete foundation, either monolithic slab or footer/foundation wall as shown in Appendix D. The foundation wall may be constructed of poured concrete or cinderblock, but must have brick, stone or stucco façade that matches the same color and type as the house. With brick facade, a minimum of 3 courses of

brick must be above ground level; with stucco/stone facade, a minimum of 8” must be above ground level. Skids or direct ground placement are prohibited.

A1.5 Windows and doors in accessory buildings shall be similar in style to those installed in the house. The large shed/accessory building doors shall not directly face the street or cul-de-sac. Standard size doors should be six or eight panels and painted to match the color of the front or back door of the house. Upgrades will be considered.

A1.6 The size and location of accessory buildings will be judged for visibility from the street, golf course, lake and the potential for impact on adjacent properties.

## **A2. Additions, Enclosures, Shed Roofs, Sunrooms, Florida Rooms, and Screened Porches**

Detailed drawings (side elevations and foundation data), product data, detailed plans, and a land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval.

A2.1 An addition is defined as any external structure affixed to at least one wall of the house regardless of intended use including, but not limited to, covered decks, porches and enclosures thereof, screened porches, seasonal rooms, year-round rooms, and garages.

A2.2 To assure consistency with the design of the house and to minimize visual disruption to the neighborhood, additions must complement the design characteristics of the house. The mass of the addition shall be similar to that of the house, but proportionately smaller so as not to overpower the house.

A2.3 All home additions are subject to ARC Guidelines. All must be considered part of the home and be placed on concrete foundation with concrete blocks/brick, stucco or stone/ façade that matches the color and type of the house.

A2.4. Roof materials, style, shape, and color of all additions shall match that of the house roof. The roof pitch of any addition shall match or compliment that of the primary house roof. No metal roofs will be permitted.

A2.5 Shed Roofs. This roofline is normally attached to the house, and the open end is supported by columns. If additions to a home present a problem due to the design configuration (existing windows, etc.), the roof pitch needed to match the primary roof of the house can be compromised to a smaller number. The ARC may suggest methods to achieve an acceptable pitch. Roof shingles shall match the color and type of the house.

A2.6 A country porch must be on brick piers with painted risers and framed lattice between the piers. Siding (if used), outside doors, and windows must match existing home.

A2.7 Screened porches (not year-round usage) are subject to approval of the ARC with major focus on a design compatibility of the house, neighborhood and visibility from the street. They can be installed on 4 x 4 or 6 x 6 post supports or brick columns, or be constructed on an existing deck structure. Screened porches facing the golf course, lake, or major streets must be on brick piers and framed with lattice between the piers (Exceptions are homes with rear basement door/windows).

### **A3. Air Conditioning & Heating Equipment**

A3.1 The outdoor units must be completely screened from view of the street, golf course, lake, and adjacent homes with a framed structure having a minimum of 15% open area or with evergreen shrubbery (large enough to cover the AC units). Deciduous shrubbery (plants that lose their foliage) cannot be used for a screen.

A3.2 In the event of a planned relocation of these units, ARC approval is required.

A3.3 Window and through wall air conditioning units are prohibited.

A3.4 External firebox chambers as part of an alternative home heating system are not permitted.

### **A4. Awnings/Canopies**

Product data and detailed plans must accompany the application for approval by the ARC.

A4.1 Awnings or door canopies are not permitted on the front of the house or areas that are visible from the street.

A4.2 Rear of house awnings are subject to the ARC permitting process with major focus on compatibility of size and color(s) with the existing house.

### **A5. Boats, Campers, RVs, Oversized Vehicles, Trailers, etc.**

Plans for screened areas delineating the size, design, specification, exterior color or finish and locations must be approved prior to construction.

A5.1 These may not be permanently stored on the homeowner's Lot unless they are kept within an enclosed or screened area or in such a manner that they are not visible from the road or adjacent properties. Boats and other recreational vehicles may be placed temporarily in driveways for short intervals of up to 24 hours.

A5.2 Permanent storage with no street visibility will be subject to the ARC permitting process. Major consideration will be given to visibility from adjacent properties.

A5.3 Portable storage containers cannot be used for a period of more than two (2) weeks. If the portable storage container is needed more than two (2) weeks, it must be removed from the property and stored off site until such time that the container can be returned, unloaded, and removed.

A5.4 As noted in a portion of Part II, Section 6 of Covenants & Restrictions: “A small boat, boat trailer, or boat on a boat trailer may be placed in the rear yard of a residential lot without being enclosed by a screened area if such boat, boat trailer, or boat on a boat trailer does not exceed an overall height of four feet (4’) above ground level and is not visible from the street or neighbor properties.” In general, most residents have been able to find suitable offsite storage facilities for larger vehicles and boats.

## **A6. Car Ports and Breezeways**

Detailed drawings, product data, detailed plans, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval..

A6.1 A carport is a covered structure open on at least two sides used to offer limited protection to vehicles. Carports whether attached or detached (free standing) are NOT permitted. Structures without openings on at least two sides shall be considered garages and are subject to the requirements of section A14.

A6.2 A breezeway is a covered architectural feature similar to a hallway attached to and connecting two adjacent structures with its opposing ‘open’ faces capable of passage of a breeze between the two structures. Typically, a breezeway is placed between the house and an adjacent otherwise detached garage or accessory building.

A6.3 A breezeway shall include an architectural feature such as a hand railing or ‘knee wall’ consistent with the architectural design and materials of the two connected structures. Alternatively, one or both of the opposing ‘open’ faces may be landscaped.

A6.4 The floor of the breezeway shall consist of concrete, brick, pavers, wood, or composite decking material.

A6.5 If the floor of the breezeway exceeds one step above ground level, it shall include a brick, stone, or stucco facade matching that of the house.

A6.6 Use of the breezeway for storage including a vehicle, temporary or otherwise is strictly forbidden.

## **A7. Deck, Deck Extensions, and Docks**

Detailed drawings, product data, detailed plans, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval..

A7.1 All new decks, extensions, and modifications are subject to approval of the ARC with major focus on compatibility with the existing deck, house, and visibility from the street, golf course or lake. Decks must be installed with 4”x 4” or 6” x 6” post supports or brick columns on a concrete pad/foundation and located behind the rear plane of the house.

A7.2 Decks may remain unfinished, however staining and painting is acceptable.

A7.3 Decks facing the golf course, lake or major streets must be on brick piers and framed with lattice between the piers. All decks with ground clearance of 6’ or less shall have appropriate screening around the perimeter. Exceptions are homes with rear basement door/windows.

A7.4 Decks that are to be totally enclosed must meet the requirements of Additions, Section A2.

A7.5 Docks. All lake front homes must submit a full set of drawings, plans, land surveyor plot plans and any specifications for dock installation on the lake prior to construction. Additional approval will be necessary for alterations of landscaping and trees/shrubbery within 50 -100 feet from the water edge as required by national and local wetland agencies, including the Office of Water Quality (OWQ), Corps of Engineers (COE), and Department of Environmental Quality (DEQ). Docks can be no larger than 150 square feet, may not extend more than 15 feet from shoreline, and cannot have rails taller than 42.”

## **A8. Pet Enclosures, Doghouses & Chicken Coops**

Detailed drawings and detailed plans must be approved by the ARC. Land surveyor plot plan marked with project location by homeowner, along with details of the fence color and type, must accompany the Application for ARC approval.

A.8.1 Fences constructed specifically as pet enclosures including dog runs must be approved as to location and must conform to the fence design requirements of Section A11 of this document. Chain link and chicken wire enclosures are not permitted. The ARC may require screening of the enclosure with shrubbery.

A.8.2 Only one dog and one chicken enclosure will be permitted per lot.

A.8.3 Pet enclosures, doghouses and chicken coops must be located behind the house and must not be visible from the street.

A.8.4 Doghouses shall be finished on the exterior and maintained in acceptable repair and appearance.

A.8.5 Any property with a chicken coop, homeowner(s) must meet appropriate Chesterfield County Zoning requirements regarding the quantity of chickens allowable on residential lots, structure sizes, setbacks, etc. Homeowner(s) may contact the Planning Department to verify County requirements.

### **A9. Doors, Shutters, Soffits, Siding, Trim and Shingles**

Detailed plans and product data including color, and type must accompany the Application for approval by the ARC.

A9.1 All exterior home color changes are subject to the ARC permitting requirements prior to painting or replacement.

A9.2 All exterior trim, shutter color, or style changes are subject to the ARC approval.

A9.3 Vinyl siding replacement or installation must be an approved design. Sample of color, design, and style must be submitted with an application for ARC approval.

A9.4 A hardboard composite (cement) siding can be used. Color, design, and style must be ARC approved.

A9.5 All roof color and/or material changes are subject to ARC approval. No metal roofs will be permitted.

A9.6 ARC approval is not required to replace a home's exterior surfaces, doors, windows, or architectural accessories with the same color, type, style, and material.

### **A10. Driveways**

Detailed drawings, product data, detailed plans, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval.

A10.1 Paving, aggregate, or other driveway finishes are subject to ARC approval if a change is made to the original material or location of the driveway. Asphalt, concrete and brown crush n' run stone are permitted. No white or gray stone/gravel is allowed.

A10.2 Homes located in the BURRAY section must have either asphalt or a concrete driveway. This is a requirement of the developer and builders group that is not waivable by HCA or ARC.



A10.3 Driveways or driveway extensions leading to detached garages must be finished with the same driveway surface material as the existing driveway, unless specifically outlined in the ARC approval to proceed letter.

A10.4 Circular driveway (limit of 1 per house) is subject to ARC approval.

A10.5 Driveway Walls/Piers. See Section A30.

## **A11. Fences**

A11.1 Detailed drawings, product data, plans, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval.

A11.2 Informal landscape and formal/architectural fences are permitted. An informal landscape fence is generally unobtrusive in appearance, utilizing natural unfinished wood and designed to run long distances with the contours of the land. Split rail, turned rail and board rail fences are typical examples of this type of fence.

A11.3 The formal or architectural fence shall be considered a design extension of the house, limited in area, and located directly behind the house. Appropriate architectural fences shall consist of a minimum of 15% open area and may include picket fences, “live” fences, or hedges.

A11.4 Fences can be made of wood, vinyl, aluminum or wrought iron. Lattice panels, if used, must be encased in a frame. The use of any non-rusting wire mesh on the inside of the fence must be approved by ARC.

A11.5 Chain link, barbed wire, wooden fences with metal poles, solid panel, and post & wire fences are prohibited and will not be approved. Electrification of any above ground fence regardless of type is strictly forbidden.

A11.6 Fences, except aluminum or wrought iron 3-rail style, shall not be higher than four feet (4') (excluding finials or caps) measured from the ground. An aluminum or wrought iron 3-rail style only fence may be 54" tall, however, all other styles cannot exceed 48".

A11.7 Fences are only permitted in rear yards and cannot extend further forward than the rear plane of the house. Fences in the front yards are not permitted.

A11.8 All fences must have the horizontal member inside the perimeter of the yard. Fences must have the finished side facing outward from the enclosed area. No mixed style fences are allowed on an individual lot.

A11.9 Wood fences can be natural, painted or stained. Black or white finishes are acceptable on metal fences.

A11.10 All fencing must be maintained and acceptable in repair or appearance as judged by the HCA and Property Manager.

A11.11 Fences in Lake Margaret Age Restricted neighborhood (Lake Margaret Terrace, Clancy Place, Clancy Court and Lake Margaret Drive) are subject to additional restrictions, regulations, and fees. Refer to the “Grounds Maintenance Specification for Lake Margaret HOA” and the “Lake Margaret Grounds Maintenance Cost Per House” documents for additional restriction and fee information related to fence installation and upkeep. One gate, a minimum of 60” wide, must be installed.

## **A12. Flags and Flagpoles**

Effective July 1, 2010, new Federal Law and Virginia Law were implemented. The Freedom to Display the American Flag Act states that everyone has the right to display an American flag (regardless of any Homeowners Association guidelines). This law does not negate the rights of the Homeowners Association to place “reasonable restrictions” on the time, place, manner, size and placement of the flags. Flags that are displayed are to be within the provisions of the Federal Flag Act or any rule or custom that pertains to the proper flag display.

A12.1 Homeowners may display a decorative flag limited to 200 sq. inches (nominally 12” X 16”) on or adjacent to the mailbox.

A12.2 Decorative flags displayed on a small pole (not to exceed five feet (5’) and affixed to the house or outbuilding are not subject to ARC permitting requirements.

A12.3 If a homeowner wishes to install a free-standing flagpole on the property, the size, type, shape, and land surveyor plot plan marked with location of the proposed pole by homeowner are required for ARC approval prior to installation. Flagpoles may not exceed twenty feet (20’) in height.

A12.4 The only sovereign flags permitted to be flown are those of the United States, Commonwealth of Virginia, and Chesterfield County.

## **A13. Fountains**

Detailed drawings, product data, detailed plans, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval.

A13.1 Exterior water fountains are permitted in front yards but must be approved by ARC. The fountain should be set back far enough from the street where the visual effect is minimized to the neighborhood. Plant/shrub screening may be required.

A13.2 Water ponds, ecosystems, waterscapes, and water features must be located behind the rear plane of the house. Visual screening may be required.

A13.3 Size/design of the fountain should complement and not jeopardize the aesthetics of the home. The ARC will determine aesthetics as part of the approval sequence.

#### **A14. Garages**

A garage is defined as a detached structure of greater than 400 sq. ft. open on less than 2 sides. Detailed drawings, product data, detailed plans, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval.

A14.1 All garages must be placed on a concrete foundation consistent with Chesterfield County building codes. The foundation wall may be constructed of poured concrete or cinderblock, but must have brick, stucco or stone facade. Bricks, stucco, or stones must be the same color and type as the house. With brick facade, a minimum of 3 courses of brick must be above ground level; with stucco/stone, a minimum of 8" must be above ground level. Foundations must match the house.

A14.2 The front elevation of the garage shall incorporate an architectural element from the front elevation of the house.

A14.3 Driveways going to the detached garage must match the type and finish of the existing home driveway. (See Section A10.3).

A14.4 The roof pitch must match the pitch of the main roof of the house or greater. The shingles must match the color and type of the house.

A14.5 Vinyl siding (if applicable) must match the color and type of the house.

A14.6 Windows and doors must match the house in type and color.

A14.7 The large garage door(s) must not face the main street (front entry), golf course or lake. Plants or shrubbery may be required to satisfy visibility factors.

A14.8 Detached garages may not be located forward of the front plane of the house.

#### **A15. Gazebos and Pavilions**

Detailed drawings, product data, detailed plans, land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval.

A15.1 A gazebo or pavilion shall be considered a permanent structure and shall be permanently anchored to a suitable foundation.

A15.2 Size/design must complement the aesthetics of the home and are subject to ARC approval.

A15.3 Gazebos and pavilions cannot be located in the front of a home; they may be placed in side yards or backyard locations only.

**A16. Irrigation Systems** (in-ground) do NOT require ARC approval.

### **A17. Landscaping, Maintenance, Renovations and Gardens**

Detailed plans, product data, and land surveyor plot plan marked with project location(s) by homeowner must accompany the application for ARC approval.

A17.1 Any significant changes in a landscape plan by the homeowner/vendor requires ARC approval. Changes include, but are not limited to, the incorporation of previously wooded or grassed areas into a landscape plan. Changes in foundation plants do not require prior approval. Waterfront lot owners are reminded that the resource protection area (RPA) surrounds the lake and owners are responsible for the buffer and its maintenance. The Chesapeake Bay Protection Ordinance specifies how the buffer is to be maintained. See Section A22 of this document for more details.

A17.2 Any significant earthwork changes in topography, site drainage, or creation of ponds, pools, or other water features must be approved by ARC.

A17.3 Yards shall contain grass turf or planting beds. Yards may not consist of barren dirt or bare patches of dirt with sparse turf cover.

A17.4 Turf may never exceed five inches (5”) in height.

A17.5 Homeowners are required to promote the growth of grass in their yard, which includes but is not limited to aeration, seeding, fertilization and weed control.

A17.6 Alternative plant material or planting beds are to be installed in areas of yards where homeowners have not been able to establish grass.

A17.7 Trees, shrubs and planting beds are to be maintained in accordance with industry standards. Hence, planting beds, shrubs and trees are to be pruned to prevent overgrowth and promote an aesthetically appealing look.

A17.8 Property owners are to maintain their entire property, including ditch lines and areas adjacent to the street. Although these areas may be in an easement area of the Virginia Department of Transportation, it is the responsibility of all property owners to maintain this area

by affecting all of the above requirements in the ditch lines and areas adjacent to the street, including mowing and aeration and seeding.

## **A18. Mailboxes**

A18.1 Mailboxes/posts must be maintained as originally installed. Color or design changes are not permitted. Periodic cleaning and painting are required to maintain acceptable appearance. See Appendix C of this document for installation/design specifications.

A18.2 Black 4" house numbers shall be centered on both horizontal sides of the 'paper' box below the metal mailbox. These house numbers shall remain visually unobstructed to approaching vehicles.

A18.3 Homeowners may display a decorative flag limited to 200 sq. inches (nominally 12" X 16") on or adjacent to the mailbox.

A18.4 Security alarm system signs are permitted for display (1 per mailbox).

## **A19. Patios and Walkways**

Detailed drawings, product data, detailed plans, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval.

A19.1 Patios, extensions, and modifications are subject to approval of the ARC with major focus on compatibility with the existing patio, house, and visibility from the street, golf course or lake. Patios must be located behind the rear plane of the house.

A19.2 Stamped/poured concrete, pavers, bricks are acceptable. Colors/style must complement the home.

A19.3 Patio must not be placed that will interfere with the septic field.

A19.4 In some cases, planting shrubbery as a screen is needed to provide privacy to your neighbor.

A19.5 Walkways must be approved by ARC. Specific data/drawings must be with application.

A19.6 Walkways can be made of aggregate, concrete, pavers, bricks or cut stone.

## **A20. Play Equipment**

Detailed drawings, product data, detailed plans, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval.

A20.1 Play structures and equipment are often highly visible, and depending on their design and application, they may defeat many of the aesthetic and environmental goals that The Highlands has sought to achieve. For this reason, ARC requires approval of all exterior play equipment prior to placement on the Lot. No play equipment constructed of metal will be approved. Play structures and equipment shall include, but are not limited to, the following:

- Swing sets
- Sliding boards
- Jungle gyms – climbing structures
- Skate board ramps, structures
- Forts
- Tree houses
- Play houses
- Basketball goals (Limit 2)
- Trampolines
- Batting cages

A20.2 Forts, tree houses, play houses, and other enclosed play buildings with an exterior height not exceeding six feet (6') and with a total floor area not exceeding 36 square feet shall be considered to be play equipment. Structures exceeding these limits shall be considered Accessory Buildings and subject to the requirements of Section A1 of this document.

A20.3 Play equipment shall be located in rear yards only.

A20.4 Play equipment should be finished in predominantly subtle colors and constructed of wood. Metal swing sets are not permitted.

A20.5 Play equipment should be located at least eight feet (8') away from side property lines adjacent to neighboring homes or streets. ARC consideration will be given to noise and visual impact on neighboring homes. In that regard, ARC may require certain play equipment to be screened from view.

A20.6 Play equipment that has fallen into disrepair or has been outgrown by children should be removed from the property.

A20.7 Basketball goals installed adjacent to driveways are subject to the following criteria:

The goal may not directly face the street. Goals may be mounted on the side or rear face of garages or on a pole mounted on the side of the driveway facing the house and no

further forward than the front corner of the house. The mounting pole must be black prefinished metal or painted a neutral earth tone. The backboard must be gray, white or clear acrylic. Portable goals may be used in the driveway or street but must be stored in a garage or behind the home when not in use

A20.8 The ARC must approve all applications for any sports courts or cages (baseball, basketball, tennis, horseshoe, bocce, etc.). These courts/cages must be located behind the rear plane of the house and appropriate planting shall be considered for visual screening to neighbors and streets.

### **A21. Utility Service Area**

A utility area shall be considered any location within the Lot boundaries wherein equipment or containers are located external to any existing structure (house, garage, or accessory building). Pursuant to Part II, section 5(a) of the Highlands Covenants, each utility service area shall be visually screened from view according to the appropriate section of these guidelines. Screening product data, detailed plans, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval.

A21.1 Screening is intended to minimize the visual impact of any items located on the Lot external to the house/garage and may be accomplished using structural elements (such as fences) with a minimum open area of 15% and/or with live evergreen vegetation sufficiently large to eclipse the height and breadth of the item at the time of installation.

A21.2 Trash. No accumulation or storage of trash or bulk materials is permitted on any lot. Trash containers kept outside a house/ garage must be screened to prevent view from the roadway.

### **A22. Resource Protection Area (RPA)**

Note: Waterfront lot owners are reminded that an RPA surrounds the lake. The Chesapeake Bay Protection Ordinance specifies how this buffer is to be maintained. For more details contact the representative at 804-706-2061.

A22.1 The Highlands Lake is surrounded by an RPA. The buffer width varies from 50 feet landward on some lots to 100 feet on others. Ideally, the buffer should be left in its natural state to “provide for the removal, reduction or assimilation of sediments, nutrients and potentially harmful or toxic substances in runoff entering the Chesapeake Bay and its tributaries; and minimize the adverse effects of human activities on state waters and aquatic resources.” Check the Chesterfield County office website at <http://www.co.chesterfield.va.us/communitydevelopment/waterquality/>.

A22.2 The Chesapeake Bay Preservation Ordinance specifies how the buffer is to be maintained. The full text of the ordinance that was amended during an August 24, 2005 meeting of the Chesterfield County Board of Supervisors may be found on this website: <http://www.municode.com/resources/gateway.asp?pid=10531&sid=46>. Navigate to Chapter 19 Zoning> Article IV>Division 4.

A22.3 Certain modifications of the RPA are permitted but must be approved by the Chesterfield County Office of Water Quality. In case of prior encroachments, the office will suggest "...a restoration plan that includes the replacement of the vegetation that was removed from the RPA buffer zone." More information can be found on the Chesterfield County Office of Water Quality website.

A22.4 The ARC will not approve any project in the RPA zone unless underwritten by the authorities of that branch. An application to the ARC is required.

### **A23. Satellite Dishes**

A23.1 Satellite dishes greater than 1 meter in diameter are expressly prohibited.

A23.2 Ground mounted units are subject to the ARC requirements and should be completely screened from the street and adjacent homes with evergreen shrubbery.

A23.3 If roof mounting is required to establish acceptable reception, the dish must be secured and if possible screened by an eave or gable of the roof or located to reduce view from the street.

### **A24. Signs**

A24.1 Political Signs. Residents may display one campaign sign in their front yard during the following campaigns: Presidential, congressional, gubernatorial, and Dale District. Signs may be a maximum of 2 feet by 2 feet and may not be lit. Signs may be displayed one month prior to the election and must be removed no later than one week after the election.

A24.2 Real Estate. No signs, other than one (1) standard temporary real estate sign and/or one (1) builder's sign (new home builder's sign), are permitted in any yard. The only signs permitted on Applecross, Eastfair and Highland Glen are small "lead-in" signs (real estate for sale directional signs).

A24.3 Signs posted by contractors, painting companies, remodel firms, and the like are not permitted at any time.



## **A25. Auxiliary/ Emergency Power Generators, and Windmills**

Detailed drawings, product data, detailed plans, and land surveyor plot plan marked with project location by homeowner must accompany the application for ARC approval.

A25.1 Windmills. No installations are permitted.

A25.2 Emergency power generators (permanent installation). ARC approval must be obtained. Installation of a permanent emergency generator should be behind or on the side of the house. The outdoor unit must be completely screened from view of the street, golf course, lake, and adjacent homes with a framed structure having a minimum of 15% open area or with evergreen shrubbery (large enough to completely screen the unit). Deciduous shrubbery (plants that lose their foliage) cannot be used for a screen.

A25.3 Portable units can be used for the duration of the emergency time period but must be removed and stored once the emergency has passed.

## **A26. Swimming Pools, Exercise Pools, and Hot Tubs**

Detailed drawings, product data, detailed plans, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval.

A26.1 No above ground pools are permitted.

A26.2 In-ground swimming pools shall be located behind the rear plane of the house and minimally visible from the street.

A26.3 All swimming pools shall be enclosed with a safety fence. Said fence shall meet the Code requirements for pool fences established by Chesterfield County. Design, location, and style are subject to ARC approval. (see A11)

A26.4 ARC may require screening of swimming pools to ensure the privacy of the pool owners and of neighbors.

A26.5 Pool filtration equipment should be screened from view by all roads and neighboring lots by a shed type enclosure, shrubbery/bush/tree plantings, or a framed lattice fence (similar to the HVAC screening). If a shed type enclosure greater than 36 sq. ft. is used it must comply with requirements for an accessory building of A1.

A26.6 Lake front properties are under additional site requirements including RPA approval. (see A22) ARC will specify.

A26.7 Pool slides are permissible. Design, size, and location are all subject to ARC approval.

A26.8 Hot tubs must be located behind the rear plane of the house. All hot tubs must be screened from view by all roads and neighboring lots.

### **A27. Tree Removal**

An Application must be submitted with a land surveyor plot plan marked by homeowner showing location of trees. See also Part I, Section 6 of the Covenants & Restrictions. The trees must be marked with a colored ribbon or paint to aid the inspectors' site visit.

A27.1 The removal of any live tree greater than six inches (6") in trunk diameter (19" circumference) is subject to the ARC approval. Circumference measures for trunk diameter must be taken four feet (4') above ground level.

A27.2 Dead and/or storm damaged trees that impose an imminent threat of harm to the home or persons may be removed on an emergency basis without approval from ARC.

A27.3 In evaluating tree removal requests, ARC will place major focus on maintaining the rural wooded environment of The Highlands community.

A27.4 Removal of a large amount of trees, regardless of size, must be approved by the ARC.

### **A28. Vehicles and Parking**

A28.1 No commercially licensed vehicles, disabled vehicles (other than those awaiting near-term repair), vehicles without a current license or inspection sticker, machinery or other equipment shall be kept on any lot unless kept within a garage.

A28.2 No repairs of any vehicles (other than minor repairs or maintenance to personally owned and licensed vehicles) shall be permitted on any lot, except in a garage.

A28.3 It shall be the responsibility of each owner to construct, with ARC approval, and maintain suitable and adequate parking space on his lot. All licensed vehicles shall be parked thereon. Parking on areas other than paved or driveway areas is prohibited.

### **A29. Walls, Retaining Walls & Driveway Piers**

Detailed drawings, product data, detailed plans, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval.

A29.1 Retaining walls visible from the front street and designed as a house extension are to be constructed on a concrete foundation or crushed stone (in a trench) and match the existing materials of the house. Retaining walls that are within six feet (6') of the house (garden border type) are considered part of the house.

A29.2 Other retaining walls not visible from the street may be constructed with a concrete foundation, crushed stone (in a trench), or alternate materials (pavers, stone, etc.). An application with detailed drawings and materials used must be forwarded to the ARC for approval. Maximum retaining wall height must not exceed four feet (4').

A29.3 If a pier driveway wall is being constructed within 25 feet of the road center line, a call to VDOT is required to ensure the wall will not violate VDOT's access limits. Driveway entrance piers must be on concrete foundation and adhere to VDOT's guidelines. Call 804-674-2560 for information. The brick or stone piers must be the same color, type as the house foundation. No pier entrance gates (manual or electrically controls) are permitted.

### **A30. Water ponds, Waterscapes and Water Features**

Detailed drawings, product data, detailed plans, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval.

A30.1 Water ponds, waterscapes, or water features must be in-ground but must not be deeper than 30". All physical sizes must be evaluated by the ARC for approval.

A30.2 The installation must be behind the rear plane of the house with possible shrubbery plantings to maintain privacy and reduce view from the streets, golf course or lake.

### **A31. Woodpiles**

A31.1 Firewood may be kept on any lot in neat woodpiles of up to one cord without prior approval of ARC. Storage of larger amounts of wood will require prior approval.

A31.2 All woodpiles are to be placed in the backyard in a location not visible from the street.

A31.3 Specific wood storage sheds can be installed to eliminate wood piles. ARC must approve design, location and privacy screening.

### **A32. Greenhouses**

Detailed drawings, product data, detailed plans, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval.

A32.1 A greenhouse is any structure either attached or free standing with a height of more than 4' whose walls and roof consist of greater than 50% transparent rigid window material and whose primary purpose is for cultivation of plants. A framework covered with fabric or clear sheet material is not permitted.

A32.2 The overall greenhouse design should be consistent with the general design characteristics of the house and should not detract from the aesthetics of the home.

A32.3 Greenhouses should be situated in a suitably inconspicuous location not forward of the house. Its size and location shall be judged for visibility from the street, golf course, lake, and its potential impact on adjacent properties. Screening with evergreen trees or shrubs may be required as necessary to satisfy visibility factors.

A32.4 A greenhouse shall be considered a permanent structure and shall be permanently anchored in the approved location to a concrete or post/pier foundation. If the foundation exposure above ground exceeds 6” it shall include a brick, stone, or stucco facade to match the house. (see Appendix D)

A32.5 The floor of the greenhouse may consist of concrete, aggregate, pavers, pressure treated wood, brick, or stone and shall include a means for collection and removal of excess water.

A32.6 The structural framework of the greenhouse walls and roof shall consist of rust resistant rigid materials which include but are not limited to aluminum, pressure treated wood, uv resistant rigid plastic, or composite materials.

A32.7 The glazing shall consist of tempered safety glass or rigid synthetic sheet materials like polycarbonate or acrylic that minimize the risk of personal injury if damaged.

A32.8 Pathways to a greenhouse must match the type of the existing home pathways.

### **A33. Solar Collection Devices**

Detailed drawings, product data, detailed plans, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval. The requirements of this section exist for all types of solar collection devices independent of their specific application. Pursuant to Virginia Code Section 67-701, solar collection devices are allowed, and associations may establish reasonable restrictions concerning the size, place, manner of placement on Lots. Therefore, the ARC has established the following conditions for solar collection devices on Lots:

A33.1 Physical size/capacity: Residential solar collection devices shall be limited in size to not exceed current net metering code limitations.

A33.2 Placement: Solar Devices will only be approved on Lots if there is minimal or no visibility of the device from the street, golf course, and the Common Areas. Any solar collection device shall not be located on the front elevation of the house unless there is no other option to yield sufficient exposure to radiant energy or the solar collection device is an integral part of the house roof intended to provide weatherproofing to the structure below. In such a case, the ARC reserves the authority, in its sole discretion, to grant a variance to allow for

placement of solar collection devices on the front elevation of the home, in granting such variance shall endeavor to promulgate the aesthetic appearance, harmony with surrounding improvements.

A33.3 Design of the solar collection system must be in compliance with all local building codes and must be in harmony with the aesthetic appearance and harmony of the subdivision, as well as these Guidelines.

A33.4 All connecting hardware (wires, piping, etc.) shall be concealed as much as possible. Exposed hardware will be consistent with home/trim colors.

A33.5 Storage devices connected to the solar collection device(s) shall not be visible from the front elevation of the house and shall be visually screened from side streets and neighboring properties.

A33.6 Mounting: When affixed to a building wall or roof, the solar collection device shall be flush mounted generally parallel to the mounting surface (difference not to exceed 10 degrees).

A33.7 Variances: The ARC reserves the authority, in its sole discretion, to grant a variance from any of the requirements expressed herein, specifically including placement, size, and manner of placement, but in granting such variance shall endeavor to promulgate the aesthetic appearance, harmony with surrounding improvements, and compliance with the recorded Declarations and these Guidelines to the greatest degree possible.

A33.8 Common Areas: No Owner may install a solar collection device in or on the Common Area or on any property owned by HCA.

#### **A34. Outdoor Fireplaces and Firepits**

Detailed drawings, product data, and land surveyor plot plan marked with project location by homeowner must accompany the Application for ARC approval.

A34.1 All outdoor fireplaces and prefab fireplaces located on or as a part of a rear deck or patio must be on a brick or masonry foundation. Deck cantilever designs (supporting posts without proper base backup) are not permitted.

A34.2 Any outdoor fireplace or fire pit must meet appropriate Fire Code requirements regarding setback from combustible materials or structures.

A34.3 Any outdoor fireplaces and fire pits shall be located behind the rear plane of the house and not visible from the street.

A34.4 All fire pits whether at or below grade shall be surrounded by a noncombustible retainer material.

### **A35. Other Lot Improvements**

All other exterior Lot improvements or modifications not specified in other sections of these Guidelines require submission of an Application to the ARC for approval prior to commencing construction or work.

## Appendix B.(Removed)

### Appendix C. Mailbox Specifications

1. House Number Specifications:

4” tall black numbers (Hellman Group #841620 available at Pleasants Hardware or equivalent) fixed to the horizontal sides of the ‘paper’ box. Numbers shall be centered on the sides with center-to-center spacing of 2 1/2”.

2. Paint Specification: Exterior Satin Latex Approved brands and colors:

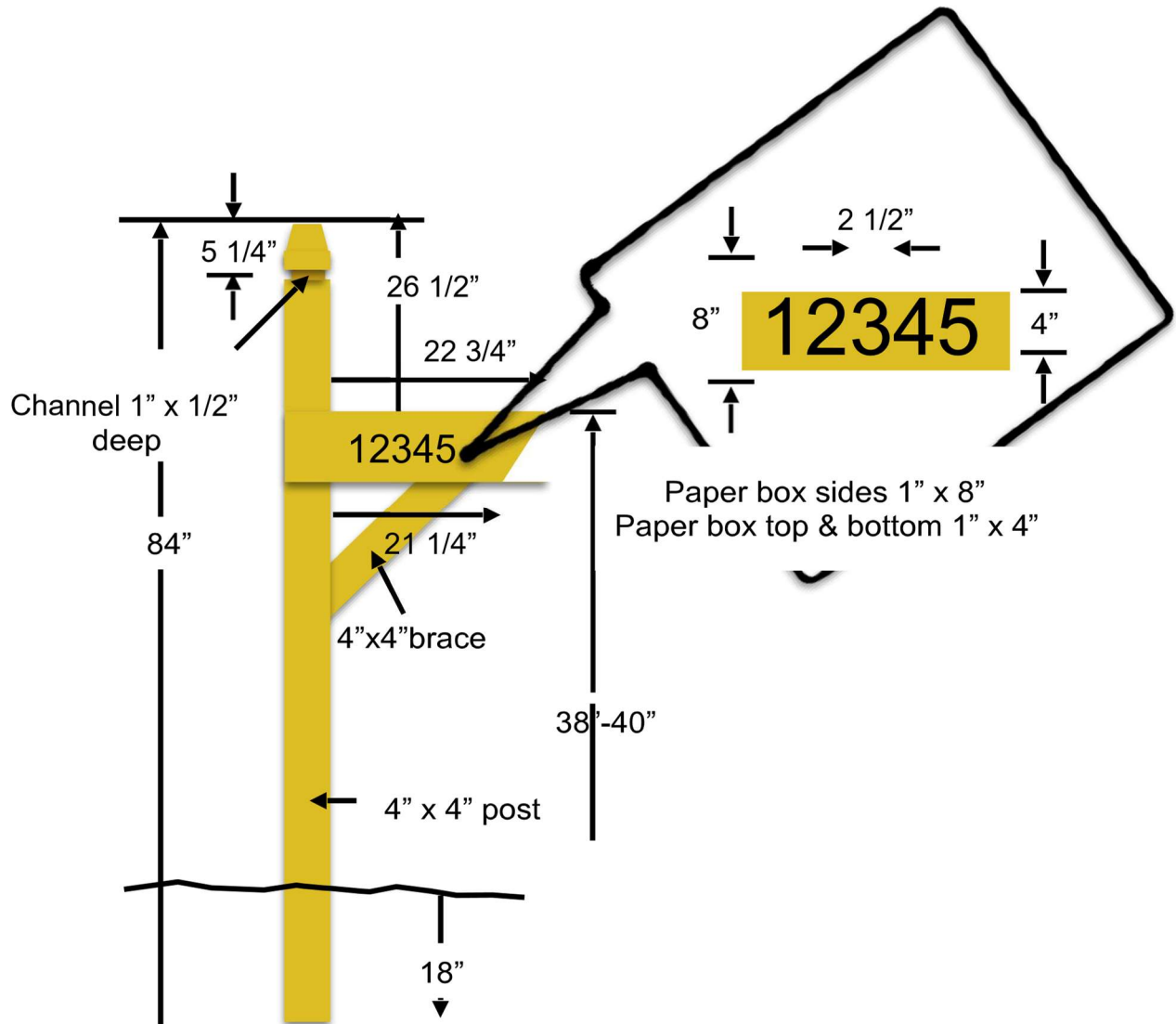
Do It Best- Pleasants Hardware; Highlands mailbox color

Glidden- Home Depot; #16982 HISTORIC TAN

Behr Premium Plus- Home Depot; mix to SW6142 MACADAMIA Sherwin

Williams- Lowes or Sherwin Williams; SW6142 MACADAMIA

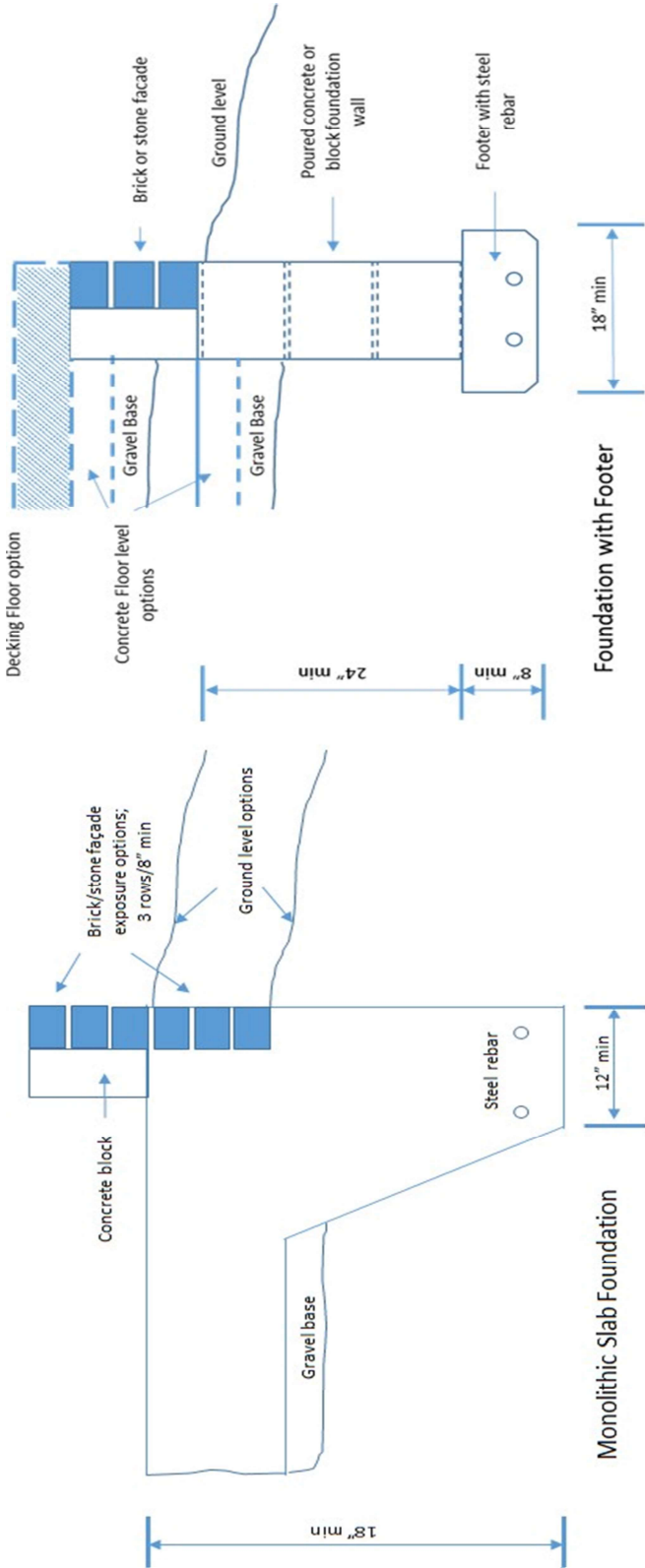
### 3. Mailbox Specifications:



Satin black metallic 'Jumbo' size USPS approved mailbox



Appendix D. Footer and Foundation Illustration



Dimensions included herein are for illustration purposes only. Homeowners are required to meet Chesterfield County requirements for the soil type at their location.

Appendix E. Summary of Changes

Version Date	Section	Summary of Changes	Approved by the HOA Board
July2021	Global Change	Removed the requirement for all applicable Chesterfield County permit(s) copies must be submitted to ARC prior to commencing construction and after the project is final throughout the document	15Mar2021
	A7 Decks, Deck Extensions, and Docks	A7.5 - updated the maximum dock size to “150 square feet total area” to align with the Covenants for the Highlands	14Jul2021
	A8 Pet Enclosures, Doghouses & Chicken Coops	<p>A8 - <b>updated</b> title from <u>Dog</u> Enclosures, Doghouses &amp; Chicken Coops to <u>Pet</u> Enclosures, Doghouses &amp; Chicken Coops</p> <p>A8.1 - <b>updated</b> <u>dog</u> enclosures to <u>pet</u> enclosures and <b>added</b> that chicken wire enclosures are not permitted</p> <p>A8.2 - <b>added</b> that one chicken enclosure is permitted per lot</p> <p>A8.3 - <b>added</b> chicken coops</p> <p>A8.4 - <b>added</b> chicken coops</p> <p>A8.5 - <b>added</b> “Any property with a chicken coop, homeowner(s) must meet appropriate Chesterfield County Zoning requirements regarding the quantity of chickens allowable on residential lots, structure sizes, setbacks, etc. Homeowner(s) may contact the Planning Department to verify County requirements.”</p>	15Mar2021
	A11 Fences	<p><b>A11.4 - clarified</b> wire-mesh to be non-rusting</p> <p><b>A11.6 - clarified</b> the height of the fence to measured from the ground</p> <p><b>A11.6 - added</b> “An aluminum or wrought iron 3-rail style only fence may be 54” tall, however, all other styles cannot exceed 48”.</p> <p><b>A11.8 - added</b> “No mixed style fences are allowed on an individual lot.”</p> <p><b>A11.11 - added</b> “Fences in Lake Margaret Age restricted neighborhood (Lake Margaret place, Lake Margaret Terrace, Clancey Place, Clancey Court and Lake Margaret Drive) are subject to</p>	15Mar2021

		additional restrictions, regulations and fees. Refer to the “Grounds Maintenance Specifications for Lake Margaret HOA” and the “Lake Margaret Grounds Maintenance Cost Per House” documents for additional restrictions and fees information related to fence installation and upkeep. One gate, a minimum of 60” wide, must be installed.”	
	A25 Auxiliary/ Emergency Power Generators, and Windmills	A25.2 - <b>updated</b> the allowed location for generators to be behind “or on the side of” the house	26May2021
	A26 Swimming Pools, Exercise Pools and Hot Tubs	A26 - <b>added</b> “and Hot Tubs” to this section title A26.5 - <b>clarified</b> screening from view “by all roads and neighboring lots” A26.8 - <b>added</b> “Hot tubs must be located behind the rear plane of the house. All hot tubs must be screened from view by all roads and neighboring lots.”	15Mar2021
	ARC Application	Minor wording changes made to add clarification to the instructions	15Mar2021
	ARC Application	Modified to allow use of SmartWebs as tool to create and manage homeowner applications	12May2022