

Hawk's Landing

HOMEOWNERS ASSOCIATION, INC.

ARCHITECTURAL GUIDELINES

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TABLE OF CONTENTS

HAWK'S LANDING HOMEOWNERS ASSOCIATION, INC.

ARCHITECTURAL GUIDELINES

ARTICLE I

INTRODUCTION

1.1. Authority	1
1.2. Governing Documents	1
1.3. Application Procedure	1
1.4. Composition	3
1.5. Consultation with Architects, etc; Administrative Fee	3
1.6. Similar Improvements	3
1.7. Compliance with all Laws and Building Codes	3
1.8. Erosion Control and Drainage	4
1.9. Breaking Ground	4

ARTICLE II

2.1. Animal Control	4
2.2. Antennas/Satellite Dishes	4
2.3. Attic Ventilators, Exterior	6
2.4. Awnings and Trellises	6
2.5. Basketball Goals/Backboards	7
2.6. Chimneys and Fireplaces	8
2.7. Clothes Posts and Clotheslines	8
2.8. Decks and Sunrooms	8
2.9. Dog Runs/Pens and Doghouses	9
2.10. Driveways	9
2.11. Exterior Siding	9
2.12. Fences	10
2.13. Flags	10
2.14. Foundations and Masonry	11
2.15. Gutters and Downspouts	11
2.16. Heating and Air Conditioning Sources	12
2.17. Landscaping	12
2.18. Trees	12
2.19. Lighting, Residential	12
2.20. Mailboxes	13
2.21. Major Building Additions	13

2.22.	Maintenance	14
2.23.	Painting and Staining Exterior	14
2.24.	Patios, Walkways & Driveways	14
2.25.	Playground Equipment	14
2.26.	Re-siding and Re-styling	15
2.27.	Residential Identification Signs (house numbers)	15
2.28.	Roof Pitches	15
2.29.	Roof Shingles Colors	15
2.30.	Shed and Tool Storage	15
2.31.	Solar Collectors	16
2.32.	Statues, Fountains and Ornaments	16
2.33.	Storm Doors	16
2.34.	Swimming Pools and Hot Tubs	17
2.35.	Trash Storage and Collection	17
2.36.	Yard Storage	17
2.37.	Other Alterations	17
EXHIBIT A		
A-1	Exterior Alteration Application	A-1

ARCHITECTURAL GUIDELINES

ARTICLE I INTRODUCTION

Preliminary Matters

1.1. Authority

Section 5.5 of the Declaration of Protective Covenants and Restrictions for Hawk's Landing (the "Declaration") provides that no Improvement (as defined in Section 5.2 of the Declaration reprinted in section 1.3 below) shall be constructed, erected, installed, or maintained on any Lot or Parcel, nor shall any Improvements be altered, enlarged, demolished or removed unless the Application, Plans, and construction schedule therefore have been approved by the Architectural Review Board (the "ARB"). Section 5.1 of the Declaration establishes the ARB for the purpose of reviewing, and, as appropriate, approving or disapproving all Plans (as defined in the Declaration) submitted by Owners in accordance with Article VI of the Declaration. Pursuant to Section 5.6 of the Declaration, the ARB may, in its discretion, establish guidelines and standards to be used in considering whether to approve or disapprove Plans. Owners are cautioned that the Architectural Guidelines are guidelines only, and, subject to the terms and provisions of the Governing Documents, as defined herein, the ARB may exercise its sole discretion in determining whether to approve or disapprove any Plans.

1.2. Governing Documents

These Architectural Guidelines should be considered together with the Declaration, the Articles of Incorporation of the Association (the "Articles"), the Bylaws of the Association (the "Bylaws"), and the Rules adopted by the Association from time to time. The foregoing documents are collectively referred to as the "Governing Documents." If any provision of these Architectural Guidelines conflicts with the terms or provisions of any of the Governing Documents, the terms and provisions of the applicable Governing Document(s) shall control. Owners contemplating the submission of Plans to the ARB in connection with the construction or alteration of Improvements are urged to take special note of Article V (Architectural Controls) of the Declaration.

1.3. Application Procedure

a. Section 5.2 of the Declaration sets forth the application procedure for obtaining ARB approval as follows:

"Section 5.2. Plans to be Submitted. Before commencing the construction, erection, planting or installation, as applicable, of any building, addition, patio, deck, fence, wall, animal pen or shelter, landscaping, exterior lighting, sign, mailbox or mailbox support, improvement or other structure (each of the foregoing being

hereinafter referred to as an "Improvement") on any Lot, including any site work in preparation therefor, and before commencing any alteration, enlargement, demolition or removal of an Improvement or any portion thereof in a manner that alters the exterior appearance (including paint color) of the Improvement or of the Lot on which it is situated, each Owner, other than Developer, shall submit to the Architectural Review Board a completed application on the form provided by the Architectural Review Board (the "Application"), a proposed construction schedule and at least three sets of plans and specifications of the proposed construction, erection, installation, alteration, enlargement, demolition or removal, which plans and specifications shall include (unless waived by the Architectural Review Board): (i) a site plan showing the size, location and configuration of all Improvements, including driveways and landscaped areas, and all setback lines, buffer areas and other features required under the Zoning Ordinance or the guidelines adopted by the Architectural Review Board, (ii) as to Improvements initially constructed on a Lot, landscaping plans showing the trees to be removed and to be retained and shrubs, plants and ground cover to be installed, (iii) architectural plans of the Improvements showing exterior elevations, construction materials, exterior colors, driveway material, (iv) a sediment and erosion control plan, and (v) a tree protection plan and such other information as the Architectural Review Board in its discretion shall require (collectively, the "Plans"). The Architectural Review Board may, in its sole discretion, waive the requirement that any or all of the required Plans be submitted in a particular case where it determines such Plans are not necessary to properly evaluate the Application. The Architectural Review Board shall not be required to review any Plans unless and until the Application has been submitted in completed form with the proposed construction schedule and the Plans contain all of the required items. The Application, Plans and the proposed construction schedule must be submitted to the Architectural Review Board at the address of Developer in the same manner as notices are to be sent to Developer pursuant to Article XII, for so long as all members of the Architectural Review Board are appointed by Developer, and thereafter the Application, Plans and the proposed construction schedule may be submitted to the Architectural Review Board at the address of the Association in the same manner as notices are to be sent to the Association pursuant to Article XII."

- b. The required ARB Application forms are set forth in the Appendix.

c. When reviewing an application the ARB may, in its absolute and sole discretion, require plans, specifications and other information in addition to any requirements listed in these Architectural Guidelines.

1.4. Composition

The ARB is composed of three (3) persons. During the Period of Developer Control (as defined in the Articles), the ARB is appointed by the Developer. After the Period of Developer Control, the ARB is appointed by the Board of Directors of the Association. The Developer or the Board of Directors, as the case may be, may appoint one (1) alternate member to the ARB who may vote only in the absence of a regular member. The members of the ARB shall serve for such terms as may be determined by the Developer or the Board of Directors, as the case may be.

1.5. Consultation with Architects, etc; Administrative Fee

The Declaration provides that the ARB may engage or consult with architects, engineers, planners, surveyors, attorneys and others, and any person seeking the ARB's approval agrees to pay all fees incurred by the ARB in connection with such approval. In addition, the Declaration authorizes the ARB to charge a reasonable administrative fee as a condition to its review of any Plans.

1.6. Similar Improvements

The ARB is not required to approve Plans for Improvements which are the same or substantially the same as Improvements previously approved by the ARB for another Lot or Parcel.

1.7. Compliance with all Laws and Building Codes

Before commencing the construction, erection or alteration of any Improvement, Owners must contact the appropriate local building code compliance agency for the County of York to determine whether a building permit and/or land use permit or approval is required. Owners are responsible for ensuring that the Improvements are constructed, erected or altered in accordance with all applicable local, state and federal laws and regulations, and any violation of such laws and regulations shall constitute a violation of these Guidelines and may result in local and/or other disciplinary action being taken by the ARB or by the Board of Directors. It is important to note that both County and ARB approval may be necessary and that approval by the County does not guarantee approval by the ARB and vice versa.

1.8. Erosion Control and Drainage

Owners must take appropriate erosion control measures as required by the local building code compliance agency for the County of York during the construction, erection or alteration of any Improvement. Any Improvement shall not adversely impact the proper drainage of the Owner's Lot or that of any adjoining property. It will be considered the homeowners responsibility to repair drainage issues, when any said homeowner creates a situation where standing water accumulates.

a. No additional clearing shall occur beyond that cleared by developer. Individual homeowners will be responsible for any storm drainage issues that might arise from the clearing of additional areas.

b. Must respect Federally Protected Wetlands attached to Lots 1, 6, 7, 8, 9, 10, 11, 27, 28, 29, 30, 31. No tree removal allowed over 4" diameter and only after ARB approval.

1.9. Breaking Ground

It is required that before any digging is initiated, the applicant must call MISS UTILITY 1-800-552-7001 for existing locations of utilities. In addition, in neighborhoods with private streets, Owners should contact the Association's offices for existing locations of private utilities.

ARTICLE II

2.1. Animal Control

a. Only domestic pets will be permitted. No wild, exotic or "game" type animals are permitted.

b. All Owners must comply with the York County control laws including licensing, leash laws and animal waste clean up.

c. Any complaints concerning animals shall be made directly to the County Animal Control Division.

d. Animals must not be stored in pens or cages except in accordance with Section 2.9 below.

2.2. Antennas/Satellite Dishes

a. The following antennas are permitted without ARB approval:

i. An antenna that is designated to receive direct broadcast satellite service, including direct-to-home satellite services, that is one meter (39") or less in diameter.

- ii. An antenna that is designed to receive video-programming service via multipoint distribution services, including multichannel, multipoint distribution service. Instructional television fixed services and local multipoint distribution service and that is one meter (39") or less in diameter or diagonal measurement.
- iii. An antenna that is used to receive television broadcast signals.

b. To the extent feasible, antennas should not be visible from the street. The following priorities shall be observed in determining antenna locations:

- i. Mounted directly on the roof of the house, on a roof plane facing the rear, or on the backside of a chimney.
- ii. Mounted on the ground in the rear yard.
- iii. Mounted on a pole, an existing structure or a tree in the rear yard.
- iv. If no clear acceptable quality signal may be obtained in any of the above locations, mounted on the ground or, if necessary, on a pole in the front yard, or on the front plane of the house.

c. In so far as possible, visibility of antennas should be minimized using one or both of the following methods:

- i. Screen the antenna from view from the street with natural plantings, trees and shrubs; to the extent they do not preclude an acceptable quality signal. It is encouraged that existing trees and shrubs be utilized, when possible.
- ii. Use antennas with a dark or muted color, or paint the antenna a muted color to blend with the background surface of the surrounding landscape.

d. If any of the provisions of this section:

- i. Cause unreasonable delay in installation, maintenance or use;
- ii. Cause unreasonable cost in installation, maintenance or use; or
- iii. Preclude reception of transmission of an acceptable quality signal

then such provision is deemed to be waived in that instance.

e. Satellite dishes that are greater than one meter in diameter do require prior ARB approval.

f. Residents are encouraged to uphold Hawk's Landing's high standards when considering placement of an antenna or satellite dish.

2.3. Attic Ventilators, Exterior

a. All attic ventilators require an Application.

b. The following guidelines are intended to help balance individual economic interests with neighborhood aesthetic concerns:

i. Ventilators should be located on the backside of the dwelling.

ii. The ventilator should protrude no more than twelve (12) inches above the roof surface.

c. To camouflage the ventilator, all exposed parts should be painted the color of the surface the ventilator penetrates.

d. Blocking airflow through the ventilator should be accomplished from the inside of the unit.

2.4. Awnings and Trellises

a. All awnings and trellises require an Application.

b. The ARB will review these Applications based on the following:

i. Compatibility with the unit's architectural character, i.e., style, color and materials, preferably cloth and/or wood.

ii. Design of the sun control device should be straightforward without decorative fringes, etc.

iii. Consistency with the visual scale of the unit to which the devices will be attached.

iv. Effects of awning or trellises on view, sunlight and natural ventilation of neighboring properties.

v. Drawings of the proposed awning or trellises.

vi. Awnings and Trellises cannot fall within building setback/ drainage easements.

If the proposed awnings will be removed for winter storage, pipe frames also must be removed.

2.5. Basketball Goals/Backboards

a. Permanently Installed Basketball Goals: Permanently installed basketball goals/backboards require an application and must meet the following criteria:

- i. The backboard of the basketball goal is to be constructed of white or clear fiberglass material.**
- ii. The post shall be permanently installed in the ground, made of metal and painted black, and must be located within the driveway area and outside of Virginia Department of Transportation Right-of-Way. (no closer than 15 ft from the curb).**
- iii. Broken/rusted/ torn components of basketball goals shall be repaired, replaced, and/or discarded in a reasonable amount of time, and within 10 days of notification by the (ARB).**

b. Portable Basketball Goals/Backboards: "Portable" basketball goals are permitted without an application and must meet the following criteria:

- i. The backboard of the basketball goal is to be constructed of a white or clear fiberglass material.**
- ii. The post shall be made of metal and painted black. The base may be plastic and shall be black in color.**
- iii. The basketball goal is to be maintained in consistent good condition, be free of rust, net and rim must remain in good condition.**
- iv. The base of the portable basketball goals shall be filled with sand, water, or other appropriate material and shall not be stabilized with exterior weights such as cinder blocks, sandbags, wood, mulch, etc.**
- v. The basketball goal may not be placed, used, or stored on any public streets or common areas. Goals must be used/located within the driveway area and outside of Virginia Department of Transportation Right-of-Way (no closer than 15 ft from the curb).**
- vi. Goals shall remain stored when not in use in erected position in driveway no closer than 15ft from the curb, or stored screened from view behind fence, inside garage, or in backyard.**
- vii. Broken/rusted/ torn components of basketball goals shall be repaired, replaced, and/or discarded in a reasonable amount of time, and within 10 days of notification by the (ARB).**

2.6. Chimneys and Fireplaces

a. Direct Vent Fireplaces. For direct vent gas fireplace boxes which protrude beyond the exterior plane of the house, the frame structure must have a foundation to match the house foundation, and all the exterior materials and finishes used to enclose the fireplace box must match the adjacent façade.

b. Foundations. All chimneys shall have foundations of materials that match the house foundation. Cantilevered frame chimneys are not permitted.

c. Metal Flue Requirements. Unenclosed metal flues shall not extend more than 36" above their roof penetration and shall not be visible from the front of the house. Where higher flues are required by code, they shall be enclosed in an approved chimney structure. These flues must be finished to match the color of the roofing material.

d. Size. The width and depth of chimneys shall be appropriately sized in proportion to the size and height of the house, as determined by the ARB.

2.7. Clothes Posts and Clotheslines

Clothes posts and clotheslines shall not be permitted.

2.8. Decks and Sunrooms

A complete Application is required for a deck or sunroom. Applications should include the following:

a. A description of the materials to be used.

b. Drawings of the proposed deck or sunroom (to include site plans and house elevations, railings, stairs, dimensions and height above grade).

c. An explanation of any relocation of windows or doors, meters, and heating/air conditioning units.

d. A description of any changes in exterior lighting (refer to residential lighting).

e. A description of plantings, trees and/or landscaping features to be removed for construction of or added in conjunction with the deck or sunroom.

f. Must remain out of building setbacks.

2.9. Dog Runs/Pens and Doghouses

a. Dog runs and pens are not permitted. Doghouses require an Application and approval by the ARB and must meet the following criteria:

- i. Doghouses must be located within the rear yard and may not be located within the side yard setback or drainage easements, the rear yard setback or within any easement, unless they are located within a wood fenced yard, in which case they may be located within such fenced in area. The wood fence must comply with the fence guidelines.

2.10. Driveways

a. All driveways require an application for ARB approval.

b. No Application is required for driveway repairs; however, repairs must not alter driveway dimensions and they must be made with material compatible with the original material (concrete).

c. Variance applications are required for any additional driveways or extensions of existing driveways. A physical survey should be submitted along with the Application.

2.11. Exterior Siding

a. Primary Facades. Primary facades shall be faced with one or more of the following materials: brick, stone, synthetic stucco, hardi-plank, approved horizontal lap siding or 8" beaded vinyl siding. Houses with more than one primary façade shall use materials consistently on all primary facades.

b. Secondary Facades. Secondary facades may be faced with any of the above materials used on the primary façade, or with an approved horizontal lap siding.

c. Approved Horizontal Lap Siding. Horizontal lap siding may be manufactured from natural wood, hardboard or pre-finished vinyl. If pre-finished vinyl the submitted product must be the manufacturer's premium grade vinyl product as evidenced by manufacturer's printed literature, in order to be considered by the ARB for approval. It must be a beaded edge, single reveal, matte finish with little or no grain.

2.12. Fences

a. No fence shall extend more than six (6) feet in front of the rear corner of any house on all lots other than corner lots without written consent of the ARB. On all corner lots, no fence shall be installed more than six (6) feet in front of any rear line of any house and within the sideyard setback of the adjoining street. No fence shall be more than six (6) feet in height. Except as specifically approved by the ARB, fencing material shall be wood, vinyl, aluminum, iron or brick in either a split rail, board on board, solid board, or picket style with all bracing supports and structural member facing the interior of the Lot. Wood shall be nominal dimension material with 4" x 4" posts, 2" x 4" rails, and 1"x 6" pickets. The design of such fencing shall be one of the approved designs as shown on the attached exhibits. Barbed wire, chain link and all other wire fences are specifically prohibited. Except as herein provided or as otherwise specifically approved by the ARB, all fences shall run along the lot lines and shall fully comply with applicable law as to construction, design, height, location, and/or other requirements.

b. No fence or any portion thereof shall be constructed with a maintenance easement area without express written variance from the Board of Directors of the Association. Construction of the fence must be completed within ninety (90) days of the date of the ARB's written approval of such fence; otherwise, the Owner must reapply to the ARB for approval of such fence.

c. Fences shall be regularly repaired/maintained to a like new condition. No warped, rotted, loose, or damaged boards, pickets, rails, or posts shall be permitted. Painted fences shall be regularly painted. Fences will not be permitted to have faded or chipped paint.

d. Any modification or addition to existing fencing requires an Application to the ARB.

e. Damaged fencing should be repaired within thirty (30) days of damage occurrence, and repairs must duplicate the original or approved fencing.

f. Color of fence shall compliment.

2.13. Flags

a. Owners may display up to one flag per Lot provided it is bracket mounted on the front of the house that is not more than 6' in length. Freestanding flags of any type are not allowed.

b. Flags may not be hung from windows, gutters, railings or fences, nor may they be displayed from rooftops. In addition, no flag may be placed within any residence so as to cover a door or window in whole or in part.

c. Only the following flags may be flown:

- i. The United States of America
- ii. The Commonwealth of Virginia

- iii. Any active branch of the Armed Forces of the United States (Army, Navy, AirForce, Marine Corps and Coast Guard).
- iv. A military valor or service award of the United States
- v. Seasonal or Decorative Flags.

No other flag may be flown without the prior consent of the ARB acting in its sole and absolute discretion.

No flag shall be greater in size than 3' x 5'.

d. Only flags that are in good condition may be flown. The ARB may require the removal of any flag it finds that does not meet the requirements of subsection (c) above or that is torn, frayed, tattered, stained, faded or otherwise damaged. Residents must replace or remove such flags within ten (10) days after receiving notice to do so from the ARB.

e. If the flag of the United States of America is flown, it must be flown in compliance with the provisions of the American Flag Code. The ARB may require the removal of any flag not being flown in compliance with any provision of the American Flag Code. Residents must remedy any violation(s) of such code within ten (10) days after receiving notification to do so by the ARB.

f. Builders may apply to the ARB to have more than one "decorative" flag and/or freestanding flag(s) at their model complex. Approval of model complex flags shall be at the sole discretion of the ARB.

2.14. Foundations and Masonry

All homes throughout the entire development must be constructed with complete brick veneer foundations on all faces of the home.

2.15. Gutters and Downspouts

a. Proper maintenance requires that gutters and downspouts be kept in good repair.

b. When replacing existing gutters and/or downspouts or portions thereof, no Application is necessary. However, an Application is required if in any way altering, e.g., changing color or relocating the existing systems.

2.16. Heating and Air Conditioning Sources

a. Before installing an external heating and/or air conditioning unit, an Application must be filed with the ARB. An Application is also necessary when relocating a unit. Generally, all heating and/or air conditioning units shall be located behind the unit's rear foundation line and should be suitably screened from view.

b. Window and through-wall air conditioning units are prohibited.

2.17. Landscaping

a. The installation of new landscaping requires an Application.

b. Sod shall be installed in the front yard to produce a finished front yard. In addition, sod shall be installed in the side yard if the lot is a corner lot. In front yards, sod shall be placed from the front fascia of the house, except for planting beds, and shall continue to both side property lines and shall adjoin the street edge. For corner lots, sod shall be placed on all side yards that face the street up to the street edge from the side elevation of the house to the rear property line excluding planting beds. While encouraged, sod is not required to be installed in any other yard area.

c. Lawns shall be cut to maintain a uniform appearance. The lawn shall not exceed 4" in height. Builder lots shall be regularly cut and grasses shall not exceed 12" inch height.

d. It is the Owners responsibility to keep all shrubs, trees and grass neatly trimmed, properly cultivated and free from all trash, weeds and other unsightly materials. The Owner is also required to maintain the grass located behind fences and easement property.

2.18. Trees

a. No trees larger than four (4) inches in diameter at a point measured twelve (12) inches from the ground shall be removed without ARB approval.

b. No flowering trees (such as dogwoods) larger then three (3) inches in diameter at a point measured twelve (12) inches from the ground shall be removed without ARB approval.

2.19. Lighting, Residential

a. General. The replacement of an existing exterior light fixture, if accomplished with a realistic match to the old fixture, does not require approval from the ARB. If a change in style, size, shape, color or positioning is desired, or if additional light structures are to be installed on existing structures, an Application is required.

b. Permanent Exterior Lighting and Wiring. Permanent exterior lighting and wiring requires a full Application. All exterior lighting should be installed so as not to shine on adjacent property or public space, and should be aesthetically planned for each location.

c. Security Lighting. Flood lights and various types of high output lights fall under this group. Exterior lighting of this group should be considered more carefully because of the impact on neighboring properties. Light fixtures of this type should be carefully aimed so that they illuminate only a specific area, such as a doorway. Some high output light fixtures may have to be shielded in a manner similar to some street light installations to prevent unwanted or excessive intrusion of light from one property to another. A full Application is required.

d. Temporary Lighting. Decorative holiday and festival lighting does not require approval; however, holiday lighting shall not be operative prior to the 26th of November in any year, and removed not later than the following 7th of January. Lighting displays should not be objectionable to your neighbors or adjacent properties.

2.20. Mailboxes. To match what was originally installed by developer

a. No newspaper tubes may be placed on the posts supporting mailboxes.

2.21. Major Building Additions

a. A full Application is required, including drawings of the proposed addition and a copy of the Owner's physical survey.

b. Major building additions include, but are not limited to, greenhouses, porches, and room additions.

c. In order to be aesthetically pleasing, the design of major additions shall be consistent with the existing shape, style and size of the dwelling in the following ways:

- i. Siding, roofing, and trim materials should be the same as, or compatible with, the existing materials of the dwelling in color and texture.
- ii. New windows and doors should be compatible with those of the existing dwelling in style and color. These should also be located on walls at the same approximate height as those of the existing dwelling and be trimmed in a similar manner.
- iii. Roof eaves and fascias should be the same depth, style and approximate height as existing eaves and fascias. New roofs should be the same approximate slope as those existing on the dwelling.

d. The following conditions shall determine the acceptability of addition locations:

- i. Additions should not significantly impair the view, amount of sunlight, or ventilation of adjacent residences or the public's use or enjoyment of open space. New windows, doors, or viewing areas from the addition should not impinge upon existing internal or external private areas of adjacent residences.
- ii. New additions should not create situations in which adjacent neighbors will have difficulty adding to, modifying or maintaining existing dwellings.
- iii. Additions must not adversely affect drainage conditions on adjacent properties through changes in grade or other significant run-off conditions.

2.22. Maintenance

As provided in Section 7.2 of the Declaration, each Owner shall keep all Lots and Parcels owned by him, and all Improvements therein or thereon, in good order and repair, free of debris, all in a manner and with such frequency as is acceptable to the Association and consistent with first-quality development.

2.23. Painting and Staining Exterior

To ensure a continued attractive neighborhood appearance, exteriors of all living units and of accompanying structures must be kept neatly and adequately painted and/or stained.

If a unit or other structure is to be repainted or restained with the original color, no Application is needed. Any color change requires an Application.

2.24. Patios, Walkways and Driveways

Patios may be "brush" or "broom" finished concrete. Walkways and Driveways will be concrete.

2.25. Playground Equipment

Permanent playground equipment such as permanent swings, play forts etc. requires an Application. Playground equipment will not be allowed in front or side yards of any Lots. Generally, the ARB will limit the location of the equipment to within the building setback, unless the yard is fenced. The equipment shall be placed such that persons using the equipment will not cross-adjoining property while using the playground equipment.

2.26. Re-siding and Re-styling

No Application is necessary for siding replacement, provided replacement siding is identical to the original siding with respect to not only material, but also dimension. If replacement siding will be a type other than the original, an Application is required. Replacement siding must be painted or stained the original color. Otherwise, an Application for color change is necessary.

Restyling is a change, which alters the exterior appearance of a unit. It includes the addition of or change in porches, porch railings, shutters, storm doors, security doors and windows, etc., and requires that an Application be filed.

2.27. Residential Identification Signs (house numbers)

a. Except as otherwise provided in the Declaration, all permanent signs except for house numbers require an Application.

b. No more than two (2) sets of house numbers are permitted. The combined total face area of both sets of numbers may not exceed 36 square inches.

c. For specific regulations governing political signs, for sale and rent signs, and zoning signs, please consult the Declaration and/or the Rules.

2.28. Roof Pitches

Minimum roof pitch on main roof of two-story houses shall be 7 in 12. Minimum roof pitch on main roof of one story shall be 10 in 12. The ARB may require a steeper pitch on any roof for aesthetic reasons. Similarly, the ARB may permit a lower slope roof on certain houses if the architectural style supports this design, and it fits in with the context of the community. Secondary roofs shall generally have a minimum of 3 in 12. Lower slopes for porch roofs will be considered on a case-by-case basis depending on the architectural merits of the design.

2.29. Roof Shingle Colors

Composition shingle colors are recommended to be in the medium to deep brown or grey ranges or black. Green or red shingles will not be approved.

2.30. Sheds and Tool Storage

a. A shed or other storage structure requires an Application. The Application should include a detailed plan specifying the proposed structure's lot placement, its dimensions, and the materials to be used. A sketch of the completed structure (to include site plans, elevations, dimensions and height above grade) is also necessary.

b. The review period for storage buildings shall be 60 to 90 days after a complete Application has been submitted. Applications will be made with the Association Manager.

c. The storage structure must be placed within the rear yard building setback line shown on the plan submitted with the Application.

d. The storage building shall be of wood frame construction with roof pitch to match the house (no metal or pre-fab units).

e. The exterior materials used on the storage building shall match the exterior finishes of the house in all aspects (material, color, texture, roofing materials, etc.) The storage building shall have the same color scheme as the existing house. Specifically, the window trim, fascia and rake boards shall match the trim color of the existing house. All other surfaces including doors, hinges, shutters and exterior walls shall match the color of the exterior walls of the existing house.

f. The storage building shall be built on a continuous solid foundation similar to the construction of the house. Wood or treated wood grade beams will not be permitted.

g. Storage Sheds cannot be located within a drainage easement.

2.31. Solar Collectors

a. Solar panels/collectors require an Application.

b. Due to the large visual impact solar panels can have on a community, solar collectors generally are discouraged.

c. The proposed panels (i) should have a minimal visual affect on the immediate neighborhood; (ii) should not readily be visible from a street; (iii) should lie flat on the unit's roof; and (iv) must be located on the rear roof.

2.32. Statues, Fountains and Ornaments

Any statue, fountain and/or ornament, including, but not limited to, flag poles, window boxes, weather vanes, birdbaths, etc., requires an Application.

2.33. Storm Doors

Storm doors shall be compatible with the units that they cover and with the style and color of the house. Excess ornamentation not consistent with other ornamentation on the house is prohibited. In general, single full lite doors or traditional multiple lite doors which match the design characteristics of the doors they cover will be approved.

2.34. Swimming Pools and Hot Tubs

Above ground swimming pools will not be permitted. In-ground swimming pools and hot tubs of any type require an Application and approval of the ARB. In-ground swimming pools must be fenced in accordance with the regulations for fences and must be screened from view. Hot tubs must be fenced in or screened from view and must have a permanent, locking cover. Finished floor of hot tub cannot exceed elevation of finished floor of residence. No portion of the surrounding deck may be placed within any public or private easement.

2.35. Trash Storage and Collection

- a. Trash and other refuse shall be disposed of on a weekly basis.
- b. There shall be no accumulation or storage of trash or bulk materials on any Lot.
- c. Trash containers shall be kept inside the garage OR properly screened from view from a street or from a neighboring house by landscaping or fencing that meets requirements see 2.12.

2.36. Yard Storage

a. Temporary Materials Storage. Temporary storage of construction, yard work or landscape materials is permitted in the rear yard only. Material may be covered with natural (green, tan or brown) colored tarpaulins. Bright colored tarpaulins are not permitted.

b. Vehicles. The following vehicles may not be parked or stored on any Lot (except in an approved garage or common area): house trailers, horse and utility trailers, recreational vehicles, boats, motorcycles, school buses, commercial vehicles, vehicles over 6,000 lbs. net vehicle weight or with dual wheels, inoperable vehicles, vehicles without current registration, or similar items. These vehicles must be parked in an area designated by the Association, or if no such area is designated, they must be parked outside the development. Major vehicle repairs may not be undertaken except in enclosed garages. Minor emergency repairs such as battery charging or changing; replacing a flat tire, and jump-starting are permitted in the open on any Lot.

c. Woodpiles. Firewood may be stored on Lots in the rear yard only, and no closer than 10' from any side property line. The ARB will consider the design and location of covered structures for woodpiles. Plastic Fabric tarpaulins may not be used for continuous cover of woodpiles.

2.37. Other Alterations.

When a guideline is not available for the project you are proposing, a complete Application is required.

EXHIBIT A

HAWK'S LANDING HOMEOWNERS ASSOCIATION, INC.

ARCHITECTURAL REVIEW APPLICATION

Property owners are required to obtain written approval from the Architectural Review Board (ARB) for any exterior alterations or additions as stated in Article V. of the Declaration of Protective Covenants and Restrictions. *Construction may not begin until written approval has been obtained.*

Upon receipt of a complete application, the ARB will review and make a determination of whether the proposed project is in compliance with the Restrictions and Architectural Guidelines. You must allow thirty (30) days for review by the ARB. Please be sure to include all contact information requested so that the ARB may contact you should additional information be required.

Complete this form and attach detailed drawings, specifications and site plans of the proposed alteration or addition. The plans shall include all dimensions, locations, materials to be used including colors and finishes. The application, attachments, and samples will be retained by the committee for its records.

Upon approval, the homeowner hereby agrees to complete the alterations or additions within one (1) year from the date of approval and comply with all applicable State and County building codes, laws, and ordinances, as well as obtain any and all necessary building permits, approvals, and inspections required. The Association reserves the right to review the completed project to determine whether or not the work was completed in accordance with the approved application. *Any deviation from the plans submitted or changed from using "like kind" building materials to those specified in your application must be submitted to the Board for approval.*

I have read and agree to the provisions for Architectural Review set forth above.

Signature of Homeowner

Date

Names of Homeowner (s): _____

Address: _____

Phone: _____ Email Address: _____

Detailed description of Alteration or Addition (include all relevant information, attach additional sheets if necessary):

Estimated Project Completion Date: _____

The signatures of all immediate neighbors must be obtained before your application will be considered.

NEIGHBORS: Your signatures must be obtained for all exterior alterations and additions. BY SIGNING BELOW, YOU ARE INDICATING YOUR AWARENESS OF THE ALTERATION, NOT YOUR APPROVAL. If, as a neighbor, you have concerns regarding this application we encourage you to contact a member of the Association Board of Directors or the Association Manager as soon as possible.

Neighbor: _____ Neighbor: _____

Address: _____ Address: _____

Neighbor: _____ Neighbor: _____

Address: _____ Address: _____

If you have any questions, please contact our Community Association Manager, Sarah Knaub, at (757) 593-0166 or VictoryComMgt@gmail.com.

Return this form, plans and samples to: **Hawk's Landing HOA, Att: ARB**
5007C Victory Blvd., #240
Yorktown, VA 23693
Or by email: VictoryComMgt@gmail.com

PLEASE NOTE THE FOLLOWING:

1. YOU MUST ATTACH ALL INFORMATION THAT IS REQUIRED BY THE ARB AND/OR THE ARB GUIDELINES. THIS INCLUDES, BUT IS NOT LIMITED TO ARCHITECTURAL PLANS, DRAWINGS, COLOR SAMPLES, ETC.
2. APPROVAL OF ANY EXTERIOR ALTERATIONS BY THE ARB DOES NOT EXCLUDE YOUR COMPLIANCE WITH ANY OTHER FEDERAL, STATE OR LOCAL REGULATORY AGENCIES.
3. NO CONSTRUCTION/ALTERATION MAY BE STARTED UNTIL WRITTEN ARB APPROVAL HAS BEEN OBTAINED.

ARCHITECTURAL REVIEW COMMITTEE USE ONLY:

REQUEST APPROVED: ☐ CONDITIONALLY APPROVED: ☐ REQUEST DENIED: ☐

ADDITIONAL INFO NEEDED: ☐

ARB Comments: _____

Signed: _____ Title: _____ Date: _____