

PEBBLE CREEK PROPERTY OWNERS ASSOCIATION, INC.

ARCHITECTURAL STANDARD FOR
EXTERIOR ALTERATIONS

Updated and Approved by the Board of Directors August 2005

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*** INDICATES CHANGES TO PREVIOUS STANDARDS**

Introduction:

Architectural Standards are designed to maintain the visual, aesthetic harmony, and quality of homes throughout the community. Thereby, protecting property values and enhancing the quality of lifestyle for all members.

I. Description of the Architectural Review Committee (ARC)

Purpose:

The purpose of the ARC is to assist the Board of Directors in ensuring compliance with the Architectural Standards. The ARC shall review requests for initial home construction as well as subsequent requests for additions, alterations, or changes to the exterior of existing properties.

The specific duties of the ARC are:

- 1) Develop and maintain current Architectural Standards within the parameters established by the Declaration of Restrictions or approved by the Association's Board of Directors.
- 2) Receive, process, and make a determination within twenty-one (21) days of review of all requests for exterior modifications.
- 3) Publish the Board approved Architectural Standards and communicate the need for written permission before work commences.
- 4) Notify members, in writing, on the acceptance or denial of their requests within ten (10) days of the determination.
- 5) Maintain complete and accurate records of meetings and communications with members.

Authority:

The Board of Directors may delegate the authority for review of certain architectural modification requests to the ARC and/or the Managing Agent. Requests that are outside of the approved standards may be referred to the Board of Directors for determination. Architectural modification requests that have been denied may be appealed to the Board of Directors. The Board of Directors reserves the sole right to determine the final disposition of any architectural requests.

Committee Composition:

The ARC shall be composed of five (5) persons from time to time appointed by the Board of Directors so long as membership in the Association continues and is in good standing.

II. RESERVED

III. Requirement to Obtain Approval for Exterior Change

Reference to the Pebble Creek Property Owners Association, Protective Covenants, Article V, Paragraph 5.01.

IV. Applying for Approval of Exterior Alterations

- 1) A member may obtain an application form from any member of the ARC, the Community Site Manager, Homeowner Fitness Room or Web Site.
- 2) The member shall complete the application and return the completed application and any additional documentation to the Community Site Office at the Clubhouse.
- 3) The ARC Chairperson logs in application and supporting documents. If the application form is incomplete, the community manager may explain to the member that it may be rejected because it lacks required or needed information. If the application is complete or the member insists, the site manager will submit it to the ARC. The member shall be advised that a decision will be rendered no later than twenty-one (21) days from the date of the next scheduled ARC meeting.
- 4) The ARC shall meet as required. Telephone polls of the ARC are allowed.
- 5) Original applications will be retained in the association's management files. The member will receive a copy of the approved or disapproved application from the Community Manager or the Managing Agent.

V. What Makes an Application Complete

An application is complete when it provides the ARC with enough information to completely analyze the alteration applied for. Besides filling in all the required information on the application form, the member shall submit supporting documents when required. Some examples of supporting documents are as follows:

Description of Alteration:

Required for all applications; can be detailed or simple statements depending on the complexity of the alteration and supporting information documents.

Copy of Physical Survey:

Required for all applications; this will allow the ARC to see how the proposal will affect neighboring property.

Description of Materials:

This will allow the ARC to maintain uniformity within the neighborhood.

Contractor's Proposal:

This is not required, but would provide the ARC with additional information.

This list is not all-inclusive but indicates some of the documents that the ARC may require to support the application.

VI. If the Application is Disapproved

If an application is disapproved, the member has the right to appeal the decision to the Board of Directors. The member may contact the ARC Chairperson, the Board of Directors or the community manager for the procedures to be used when filing an appeal.

NOTE: Prior to filing the appeal the member should first consider why the application was disapproved. If the member is willing to accept the changes recommended, (assuming changes are recommended), the member may submit an amended application as a supporting document, indicating the changes that will be made to make the application acceptable. If information was missing from the application, the member should resubmit the application with the required information. Applications resubmitted will start the twenty-one (21) day review period again.

VII. If a Member Doesn't Wait for Approval

If a member starts alterations without first obtaining written approval of his plans, he does so at his own risk. If he fails to submit an application or if the application is denied or modified, he will be responsible for the cost of removing or altering exterior changes plus the cost of litigation, if necessary.

VIII. Process of Restriction Enforcement

Enforcement is the responsibility of the Board of Directors as well as every Association member. Should an exterior modification be made without prior approval or if there is a property maintenance concern, the complainant should approach a member of the ARC, The Managing Agent or the association Board, with the concern. Architectural complaints are kept confidential and are reviewed promptly. Should a violation be confirmed, the member will be contacted and asked to correct the problem, either by removal, submission of an application, or repair. The document "Procedure for Enforcement of Covenants, Architectural Standards, and Rules and Regulations", on file with the Homeowners Association, specifically states the procedures that must be followed.

IX. Adherence of Members to the Standards

The Restrictive Covenants give the ARC the responsibility to recommend to the Board of Directors the rules and procedures for architectural control. However, only the association's Board of Directors or a court of law has the authority to interpret the governing documents of the association. The standards presented here have been created by the ARC and adopted by the Board of Directors.

Based on the policies and decisions of the committee, the standards will help in determining what is most likely to be approved in typical circumstances, and provide important information on how to prepare your application.

Special circumstances regarding the property may allow the approval of an application that might be denied at another location, or the denial of one that might be approved elsewhere. The fact that your plan has been approved does not mean that it is automatically appropriate in every situation.

The following sections include items that require an ARC application submission.

X. Major Building Additions

An application is required including drawings of the proposed addition and a copy of the member's property survey.

- 1) Major building additions include, but are not limited to garages, sun rooms, screened porches, room additions, porches and decks.

- 2) The design of major additions must be consistent with the existing shape, style, and size of the dwelling in the following ways:
 - A) Siding, brick, roof, and trim materials must be the same as, or compatible with, the existing materials of the dwelling in color and texture.
 - B) Windows and doors must be compatible with those of the existing dwelling in style and color. They should be located on walls at the same height as those of the existing dwelling and be trimmed in a similar manner.
 - C) Roof eaves and fascias must be the same depth, style and approximate Height as existing eaves and fascias. New roofs must be the same pitch As those existing on the dwelling.
 - D) If an additional HVAC unit is installed it must be located adjacent to the existing HVAC unit when possible.
 - E) If a Heat Pump unit or Electric unit is installed, it must be placed in an inconspicuous location or screened.

- 3) The following conditions shall be included in determining the acceptability of addition locations:
 - A) New windows, doors, or viewing areas from the addition must not infringe upon existing internal or external private areas of adjacent home.
 - B) New additions must not create situations in which adjacent neighbors will have difficulty maintaining existing dwellings.
 - C) Additions must not adversely affect drainage conditions on adjacent properties through changes in grade or other significant run-off conditions.

- 4) All projects must be completed within 90 days with the option of extension of time, if needed. Application for an extension of time must be in writing and submitted to the ARC.
- 5) When breaking ground, the applicant is required to call MISS UTILITY of Virginia at 1-800-552-7001 to mark existing locations of utilities.

XI. Maintenance

Property and all structures must be maintained in good condition according to community standards. This includes keeping structures and landscaping neat and orderly so as to not detract from the appearance of the community.

XII. Antennas and Satellite Dishes

Pursuant to the Federal Telecommunications Act of 1996, residents are permitted to install television antennas or satellite dishes (less than 39 inches in diameter). Antennas and Satellite Dishes must not be placed in the front yard and to the extent possible should not be visible from the street. Where possible they must be screened if visible from adjacent lots or streets.

XIII. Attic Ventilators

- 1) Because attic ventilators are installed on the exterior of a home and will be visible from neighboring property, they require an application.
- 2) The ventilator must be installed on the rear roof of the house.

- 3) The ventilator must protrude no more than twelve (12) inches above the roof surface.
- 4) Blocking air-flow through the ventilator must be accomplished from the inside of the home.

XIV. Awnings, Trellises & Temporary Shade Structures

- 1) The awning or trellis must be compatible with the home's architectural character, i.e., style, color and materials, preferable cloth and/or wood.
- 2) Decorative fringes are not permitted. The awning should be straightforward as well as solid in color and have no design.
- 3) The awning or trellis should be consistent with the visual scale of the structure to which the device will be attached.
- 4) The awning or trellis should not affect the view, sunlight, or natural ventilation of neighboring properties.
- 5) If the proposed awning is not a permanent structure, it should be removed for winter storage. Frames should also be removed.

XV. Basketball Backboards/Portable Hoops/Bike and Skateboard Ramps (Sport Ramps)

- 1) Basketball backboards may be installed. However, they are prohibited from facing the street. i.e.: Over the garage door facing the street is prohibited. As with all play structures visible from neighboring property, they require an application.
- 2) Portable basketball hoops and sport ramps must not be used in the street (VDOT right of way). These items may not be stored in the front or side yard if visible from the street.
- 3) Skateboards and sports ramps must not be used on Community Common Areas, i.e. Clubhouse area parking lots, sidewalks, tennis courts, basketball court or veranda.

NOTE: Consideration for ones neighbors should be paramount when selecting a location for a Basketball Backboard, **as well as time of day when using the backboard.**

XVI. Parking

All vehicles parked on the street must comply with parking regulations as may apply to any public road within the State of Virginia. i.e. Vehicles parked along any street must be parked in the direction of traffic flow, and properly licensed and tagged.

XVII. Boats, Trailers, Trucks, Recreational Vehicles

- 1) Boats, boat trailers, campers, recreational vehicles, and utility trailers, may be parked on a lot. They must be parked within the paved area of the driveway and must be currently licensed with the Commonwealth of Virginia and Hanover County. Trailers, campers or recreational vehicles may not be used on any lot for temporary or permanent housing, camping or storage for any period of time.

- 2) No commercial vehicles (other than automobiles, light weight vans, pickup trucks, and similar vehicles i.e. Tractor Trailers which are used for personal as well as commercial purposes) or oversized vehicles shall be parked or maintained on Common Area or on any Single Family lot except as may expressly permitted by the Association. Should the Association permit any such vehicle on a Single Family lot, it shall be kept within a garage or an enclosed or screened area such that the vehicle shall not be visible from any street or other Single Family lot. No extensive work on any motor vehicles, boats, or machines of any kind shall be permitted outdoors on any lot. No oversized commercial, unlicensed, or disabled vehicles will be permitted. Vehicles shall not be parked anywhere on the lot except on established driveways.

XVIII. Clotheslines

No clotheslines or other clothes drying apparatus shall be installed or placed outside of any house, nor shall any clothes or wash be placed or allowed to remain outside of any house.

XIX Decks/Porches

- 1) An application is required for all decks and porches and must include the following:
 - A) A description of the materials to be used including paint or stain color.
 - B) An illustration of the proposed deck or porch (screened or unscreened), including railings and stairs, dimensions and height above grade, along with a site plan indicating the location of the addition and the dimensions including the distance from the property lines.
 - 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 lighting).
 - E) A description of plantings to be removed for construction of or added in conjunction with the deck or porch.

NOTE: The ARC recommends that all visible portions be treated wood and that the wood be left natural and allowed to weather or painted/stained to match the house.

XX Driveways

- 1) Owners of homes in Pebble Creek are responsible for maintaining their driveways. No application is required for driveway repairs; however repairs must not alter driveway dimensions or surface type.
- 2) Applications are required for any additional driveways, extensions of existing driveways, or changes in surface composition. A property survey must be submitted with the application.

XXI. Doghouses

- 1) All doghouses require an application.
- 2) They must be located behind the rear foundation line and should be positioned so as not to create a nuisance.
- 3) All dog houses must be constructed of wood or plastic and must be kept in good repair.
- 4) No chain link fence type dog pens or runs will be allowed.

XXII. Pets

- 1) All pets must be on a leash at all times when the pet leaves the homeowner's lot.
- 2) Homeowner is required to remove and dispose of all pet feces on common areas including roads or sidewalk areas and other homeowner's lots.
- 3) Homeowner's are responsible for removal and disposal of pet feces on his/her lot to prevent offensive odor and reduce unsanitary conditions which may promote rodents.
- 4) Dog Runs are prohibited. A dog run is defined as any fenced or walled structure constructed separately within the lot area to allow dogs or other animals to move about smaller portions of the lot without escape.
- 5) Any constraining device (i.e. post & lead, cable attached to fixed object) which allows an animal to roam beyond the boundaries or the owner's property is prohibited.

XXIII. Fences

- 1) Chain link, barbed wire, or other metal materials shall not be approved.
- 2) Fences are permitted in rear yards only beginning at the rear corner of the house. Fences may be permitted to follow side and rear property lines.
- 3) Fences are limited to a maximum height of seventy-two (72) inches from the ground to the top of the fence.
- 4) All fences must be constructed with framing members facing the interior of the enclosed area.
- 5) When extending a new fence to meet or attach to an existing fence, the height of the new fence must match or gradually transition to the height of the existing fence.
- 6) Every Application for fencing must be accompanied by a property survey showing the proposed fence line.
- 7) The ARC suggests that exterior wood fencing be allowed to weather naturally.

- 8) Modifying builder fencing, which requires prior approval, includes, but is not limited to, removing slats, staining fences, increasing or reducing fence height, and installing additional fencing to enlarge the enclosed area. When enlarging existing fenced areas, new fencing must be identical to original fencing.
- 9) Any lot that borders a road on the side or rear of a property line, such as a corner lot, the fence (any structure) must be at least on (1) foot beyond the Virginia Department of Transportation (VDOT) right-of-way.
- 10) Fencing for lots abutting community/common area white fencing must be at least ten (10) feet from the existing white fence.
- 11) Fences must be located entirely on the homeowner's property or at least three (3) feet inside the property line. No fencing is permitted to run back-to-back. The ARC may require a minimum setback from neighboring fencing where fenced properties meet.
- 12) Fencing placed on an easement may be removed at the owner's expense.
- 13) Repairs to original of ARC approved fencing do not require an application. However, damaged fencing should be repaired within thirty (30) days of damage occurrence, and repairs must duplicate approved fencing.
- 14) Prefabricated fence panels on sloped lots are prohibited. They may be approved on flat lots.

Note: It is recommended that homeowners contact his or her neighbor about proposed fencing along property boundaries.

XXIV. Permanent Cooking Grills

- 1) Grill must be located behind the home's rear foundation line.
- 2) Acceptable materials for use on permanent grills are brick, stone and concrete.

XXV. Gutter and Downspouts

- 1) Proper home maintenance requires that gutters and downspouts be kept in good repair.
- 2) Prior to installing gutters and/or downspouts, an application must be submitted to the ARC.

XXVI. Heating and Air Conditioning Sources

- 1) Before installing an external heating and/or air conditioning unit in addition to that installed by the Subdivision Builder, an application must be submitted to the ARC.
- 2) No air conditioning units are permitted to be placed in any window of a dwelling or other building.

- 3) An application is required when relocating the builder-installed unit. All heating and/or air conditioning units should be placed in an inconspicuous area.

XXVII. Landscaping and Landscape Maintenance

In general, landscaping is left to the expression of the homeowner, and no application is required. Exceptions are alterations that affect drainage to adjacent property, elevation changes, and structures (such as planters or retaining walls) greater than 1 foot in height. Natural materials should be used: rocks, vegetation, mulch, gravel, etc. Landscape timbers are acceptable but should be used with restraint. Creosote coated railroad ties are not acceptable.

Landscape maintenance standards include but are not limited to the following.

- 1) Keeping grass mowed regularly during the growing season in such a manner that it compares favorably with the neighborhood.
- 2) Keeping planting beds, mulch beds, and foundation plantings free of weeds.
- 3) Removal of leaves and other tree debris in a timely manner.
- 4) Disposal of grass clippings, leaves or other debris is prohibited in streams, wetland areas, common areas or at the clubhouse site dumpster.
- 5) Potted Plants are to be removed after the plants have died or gone dormant for the season. It is recommended that store bought plants in plastic containers be placed or replanted into decorative containers.

XXVIII. Lawn Ornaments

- 1) Lawn ornaments are man-made products placed in the member's yard for decorative purposes. Determination of what constitutes a lawn ornament shall be at the sole and absolute discretion of the ARC.
- 2) Lawn ornaments shall be no more than eighteen (18) inches in height. Birdbaths and benches may exceed eighteen (18) inches in height, however, they may not exceed a maximum height of thirty five (35) inches.
- 3) No more than two (2) lawn ornaments may be placed on the lot which are at any time visible from the front and/or side street. No more than one (1) each of a birdbath or bench is allowed in the front and/or side yards.
- 4) Lawn ornaments, birdbaths and park benches must be made of cement, stucco, cast materials, wrought iron, metal or natural materials. Lawn ornaments, birdbaths and benches made of plastic are specifically prohibited. Artificial plantings are also prohibited.
- 5) Lawn ornaments, birdbaths and park benches must be placed within or next to a landscaped area.

- 6) Wrought iron planter poles may exceed eighteen (18) inches in height but shall not exceed seventy-two (72) inches in height.

XXIV. Clearing of Wooded Areas and Removal of Trees

No trees measuring six inches or more in diameter at a point two feet above ground level may be removed from any lot without the prior written approval of the ARC. In addition, the topography of a lot shall not be altered by removal, excavation, fill, or any other means without the prior approval of the ARC. Additionally, Homeowners should contact Hanover County regarding any possible environmental permits that may be required. Dead or diseased trees may be removed without prior written approval if urgency is needed to prevent damage to person or property. However, if questioned, it shall be the member's responsibility to provide evidence (such as a photo of the tree) that the tree needed to be removed. Per developer requirements all lots must have at least four (4) trees.

XXX. Exterior Lighting

- 1) If a change in style, size, shape, color or re-positioning of lighting is desired, or if additional light structures, (i.e. lamp post) are to be installed, and application is required. No approval is necessary for lighting fixtures (such as spot or floodlights) provided they are not visible from the front street.
- 2) All exterior lighting should be installed so as not to create a nuisance to adjacent properties.

XXXI. Exterior Painting

In accordance with the governing documents and to ensure an attractive neighborhood appearance, exteriors finishes of all homes and accompanying structures must be kept painted.

- 1) If a home or structure' exterior finishes (i.e. trim, windows, shutters, doors) are to be repainted with the original color, no application is needed.
- 2) To maintain visual harmony within Pebble Creek, changes in paint colors must have written ARC approval.
- 3) The ARC will consider color change applications based on the effect of the proposed color combination on neighborhood appearance.

XXXII. Re-siding and Re-styling

- 1) In addition to keeping siding clean and adequately painted, siding must be kept in good repair.
- 2) Whether siding is to be wholly or partially replaced, no application is necessary so long as 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.

- 3) The addition of or change in porches, porch railings, shutters, windows, etc. requires an application.

XXXIII. Advertising Signs

No signs shall be erected or maintained on any lot except for signs required by law and one unlighted sign not greater than two feet by three feet (2' x 3') advertising the home for sale or, during the construction or improvements on a lot, the name of the contractor. House number signs placed in the front yard, are considered "Lawn Ornaments" (see XXVI,4).

XXXIV. Yard Sale Signs/Lost and Found Signs

Only Pebble Creek approved Yard Sale and Lost and Found pet signs are permitted. Official yard sale signs and lost pet signs are available at the clubhouse (must be reserved in advance) with a refundable \$50.00 deposit. Placement of any lead in signs, notices attached to traffic signs or posts, etc. are prohibited.

XXXV. Shed and Tool Storage

- 1) All exterior finishes and roofing materials must match the house. Shed style must be compatible with the house style. (No "A" frame or barn style roof lines.)
- 2) A shed or tool storage must be located in the rear property. The shed must be at least three (3) feet from the side property line and at least five (5) feet from the rear property line.
- 3) The area under the shed must be enclosed or screened with lattice and/or plantings so that no masonry under the shed is visible.

XXXVI. Mailboxes

- 1) The Members must maintain the posts and boxes in good repair.
- 2) Mailbox posts and newspaper boxes must be white in color and the mailbox must be black in color.
- 3) House numbers must be placed on the paper box and must be black raised numbers. Flat tickers are not permitted.
- 4) Mailbox posts and paper boxes that will be replaced with vinyl require submission of an application to the ARC.

XXXVII. Swimming Pools, Hot Tubs, and Spas

- 1) Portable swimming pools or other types of swimming pools which are constructed above ground and which have walls or sides higher than twenty-four (24") inches above ground level are not permitted on any lot. Swimming pools must be used behind the homes rear foundation line. All swimming pools are subject to the approval of the ARC. Inflatable or plastic wading pools do not require an application.

- 2) External hot tubs and spas require an application. The unit must be located behind the rear foundation of the house. If the unit is visible from neighboring property screening should be used.

Considerations for application review are:

- A) Whether installation requires excavation, and if so, the effect of excavation upon adjacent properties.
- B) Where siphoning into the yard will be the means of drainage, the gallon capacity of the proposed tub or spa relative to yard dimensions.
- C) If the tub or spa will be visible from neighboring property, the visual effect on adjacent properties.

NOTE: Any structure to be built in conjunction with the proposed pool, hot tub, or Spa (e.g., trellises, decks, etc.) not only may require a building permit, but also will require an ARC application. Once installed, pools, tubs, and spas must be operated so as not to become a nuisance. It is recommended that pools be kept covered when not in use.

XXXVIII. Play Equipment: Swing sets, Sandboxes, Etc.

- 1) Play equipment requires an application. The following guidelines are intended to assist in both the planning of the play area and the submission of the necessary application:
 - A) Play equipment must be located behind the home's rear foundation line.
 - B) Wood play equipment should be left unpainted and allowed to weather or stained a natural color.
 - C) Metal play equipment and metal swing sets (Installed after August 2005) are prohibited and must be removed at re-sale.

XXXIX. Trash Storage and Collection

- 1) Garbage and trash storage is particularly important. Improper storage can lead to not only a shabby appearance, but also health and odor problems.
- 2) All garbage and trash stored on the properties within Pebble Creek must be kept in covered containers. Except for a reasonable amount of time to permit collection, containers shall not be visible from the front street. No containers or bags shall be kept in front yards.
- 3) Garbage or recycling containers should be placed at street-side no earlier than the evening of the day before scheduled pickup and they should be removed as early as possible on the day of pickup.

NOTE: Leaf/Trash burning is not allowed within Pebble Creek.

XL. Gardens

- 1) Gardens do not require approval provided the following conditions are met:
 - A) All plantings must be located behind the home's rear foundation line.
 - B) The garden is not planted on a grade which will cause damage to property below it through the flow of water onto lower property.
 - C) Gardens are not allowed on common property.
 - D) Gardens must be maintained and weeded through the planting season. Plant supports and dead vegetation must be removed at the end of the growing season.
 - E) Garden size must not be more than 100 square feet in area.

NOTE: Should one or more of these conditions not be met, an application is necessary.

XLI. Woodpiles

Woodpiles do not need an application. However, all woodpiles must be neatly stacked and located behind the home's rear foundation line and not visible from any street.

XLII. Other Alterations

When a guideline or standard is not available for the project you are proposing, an application must be submitted to the ARC.

XLIII. Seasonal Decorations

Seasonal Decorations are encouraged and allowed, however they must be removed within thirty (30) days following the end of the season or holiday.

XLIV. Temporary Storage Container

- 1) Application for use must be submitted to the ARC. Deliver and pick-up dates must be included.
- 2) Temporary Portable Storage units must be placed on driveway of lot.
- 3) Must not be placed on the roadway or VDOT right of way. If placement on driveway is not possible for reasons of slope or size, or other, exceptions may be granted by the ARC through the application process.
- 4) All storage units must be removed within two (2) weeks from date of delivery.
- 5) Maximum size of individual unit or combined sizes of multiple units not to exceed more than 8 feet wide X 16 feet long (8" X 16').

- 6.) Members are responsible for cost and repair of any damage caused by the placement, storage and or removal of such unit to any roadways or common areas, including individual driveways and landscaping.

XLV. Procedure for enforcement of Covenants, Architectural Standards and Rules and Regulations

The Protective Covenants and The State Statutes determine the procedures by which enforcement of these and other documents is accomplished. Because these documents change from time to time and because the enforcement procedures may also change it is not appropriate to include those procedures in this document.

A copy of the current enforcement procedures may be obtained from the ARC Chairperson, the Board of Directors or from the Managing Agent of the association. Applications for modifications or additions may also be obtained from the above entities.

These Standards are intended to provide a tool to protect, preserve and enhance the property values within Pebble Creek.