

**THE VILLAGE AT HIGHLANDS  
OWNERS ASSOCIATION (VAHOA)**

**ARCHITECTURAL REVIEW GUIDELINES  
(February, 2006)**

**SECTION 1. INTRODUCTION**

- 1.1. The Village at Highlands ("The Village") is a small duplex subdivision that is designed to appeal to home buyers who value quality construction, attractive landscaping and low property maintenance, and who take pride in the appearance not only of their own properties but also the community in general. These basic design concepts, and the need to protect property values within the community, dictate the need for the Village at Highlands Owners Association (VAHOA) to ensure that all homeowners comply with both the spirit and intent of the use restrictions stated in the Declaration of Covenants.
- 1.2. For these reasons, VAHOA has appointed an Architectural Review Board (ARB) to ensure that proposed improvements and/or changes to the exterior of homes or to landscaping comply with the provisions of the Declaration of Covenants and/or are aesthetically consistent with the general architectural and landscaping design for the community. Neither the VAHOA Board of Directors nor the ARB intends this function to restrict unduly the rights of homeowners to make exterior building changes to accommodate specific needs or to express individual landscaping preferences. Rather, the intent is to ensure that any changes are consistent with the best interests of all homeowners in the Village community.
- 1.3. Because The Village homes are in close proximity to each other, architectural or landscaping changes on one lot can have adverse aesthetic and environmental effects on neighbors. Therefore, the opinions of neighbors must be considered when submissions by homeowners for construction or landscaping changes are submitted to the ARB for review.
- 1.4. In the context of architectural and landscaping review functions for which the ARB is responsible, the term "Proposed Improvements and/or Changes" may encompass but not necessarily be limited to:
  - 1.4.1. Patio awnings and umbrellas
  - 1.4.2. Storm and screen doors
  - 1.4.3. Privacy and other fences
  - 1.4.4. Outdoor Jacuzzis or hot tubs
  - 1.4.5. Fountains and pools
  - 1.4.6. Statues and other outdoor ornamentation
  - 1.4.7. Shrubs, trees, and garden plantings
  - 1.4.8. Edging for lawns and shrub/tree beds
  - 1.4.9. Retaining walls
  - 1.4.10. Outside lighting
  - 1.4.11. Satellite dish location
  - 1.4.12. Security signs

## SECTION 2. ARCHITECTURAL REVIEW BOARD

- 2.1. In accordance with the VAHOA Bylaws, the Board of Directors appoints one to three members to the Architectural Review Board (ARB) on an annual basis. The ARB elects a Chair. The ARB is responsible to the Board of Directors. The duties and responsibilities of the ARB are defined in the Bylaws.

## SECTION 3. ARCHITECTURAL GUIDELINES

- 3.1. In addition to any restrictions set out in the VAHOA Declaration of Covenants, the following guidelines apply' to proposed improvements, additions or changes to the exterior of Village homes.
- 3.2. **Patio Awnings.** Retractable patio awnings are permitted provided that their design and color complements the existing architecture. Awnings are permitted only at the rear and the rear half of the sides of homes. Awning colors must complement and not clash with home and landscaping colors.
- 3.3. **Patio Umbrellas.** Patio umbrellas are acceptable. Color restrictions are the same as those for patio awnings.
- 3.4. **Storm Doors.** Installation of full-panel storm doors is permitted. The color of a storm door must complement the existing color scheme of the home and must be approved by the ARB before the door is installed.

*Note: If a full-glass storm door is installed on a front door, heat build-up between the storm door and the front door can damage the fiberglass on the front door. Therefore, the installation of a full-glass storm door will invalidate the original front door warranty and refinishing, repair, or replacement of the front door will become the homeowner's responsibility.*

- 3.5. **Privacy Fences.** All Village homes have privacy fences that extend from the rear of homes. These fences are about six feet high, have a similar design, and are constructed from vinyl. On some lots, original construction may include privacy fences (with gates) between homes toward the front. Any privacy fences added to homes after construction shall be similar in design, construction, and color to the original privacy fences installed by the builder. The following guidelines shall apply to add-on privacy fences:
  - 3.5.1. Sufficient clearance (a minimum of three inches) shall be left underneath fence boards so that grounds maintenance crews can trim areas not accessible with mowers.
  - 3.5.2. Wire mesh, wood lattices, or vinyl lattices, shall not be attached to the bottom edges of fences (this precludes trimming of grass under the fences).
- ~~3.6. **Courtyard Fences.** Only white vinyl fences will be approved for courtyard fences in backyards, including those constructed around patios. An example of approved types of fence follows:~~

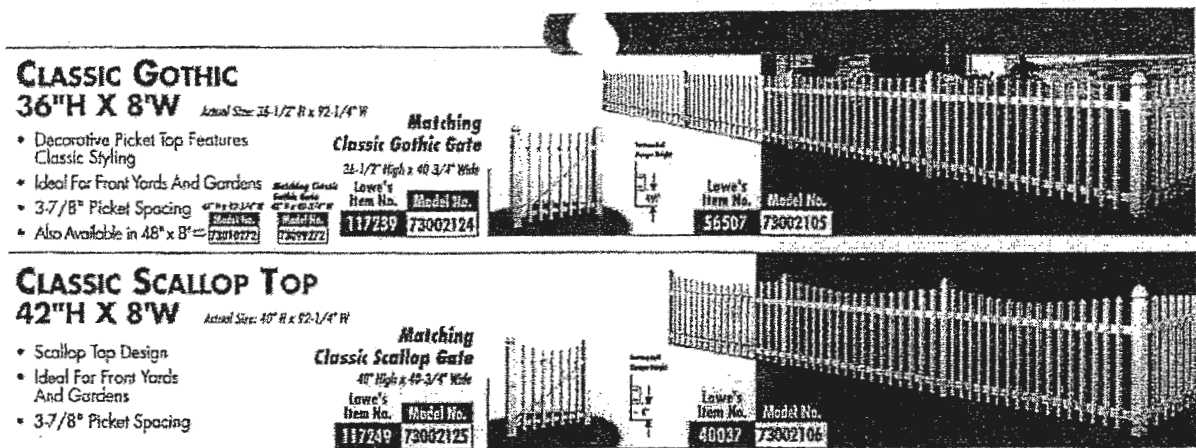
REVISED FENCING GUIDELINES

February 09, 2011

3.6. Back Yard Fences.

Three types of fencing will be allowed in side/back yards. The three types are white vinyl, white aluminum, and evergreen hedge with black wire mesh. If desired, in order to allow fencing for inclines, a combination of hedge/wire may be used on slopes while vinyl or aluminum is used on more level areas.

- White vinyl fences will be approved in back/side yards, including those around patios. Examples of approved types follow:



- White aluminum fences will be approved in back/side yards, including those around patios. A high quality American-made aluminum will be required for long-life warranty.

Panel	must rack on slope (follows slope of land)
Picket	¾ inch minimum
Rail	1 inch minimum
Post	2 inch minimum

- As an alternative to hard fencing (vinyl or aluminum), wire fencing hidden in plant material (living fence) will be approved. Evergreen hedge shrubs with black wire mesh will be approved in back/side yards. The fence will be placed inside the hedge with the wire facing inwards unless otherwise agreed by adjoining owners.

## Revised Fencing Guidelines Continued

Wire            black vinyl coated welded wire mesh, 14 gauge, 2 X 4 inches.

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Post            black posts spaced approx 8 feet apart.

Hedges        must be evergreen with expected growth height to be above the wire mesh within three years.

3.6.1. The following guidelines apply to fences constructed in back/side yards:

3.6.1.1. For allowed fencing locations, please see the Declaration of Covenants, Article IX, (17) Fences in Front Yards and (18) Fences in Rear Yards.

3.6.1.2. Structural (vinyl, aluminum, wire mesh) fence height must be between 42 inches and 48 inches. Evergreen shrubs will follow current Landscaping Guidelines in Section 4 of Architectural Review Guidelines.

3.6.1.3. Fences, other than those on patios, must have an access gate at least 36 inches wide to accommodate grounds maintenance work and propane tank service. The gates may be either vinyl or aluminum.

3.6.1.4. The bottom of the structural fence shall be sufficiently far above ground that grounds maintenance staff can trim grass under the fence without damaging the fence. If there is no grass (as in mulch on both sides), the bottom may be at ground level.

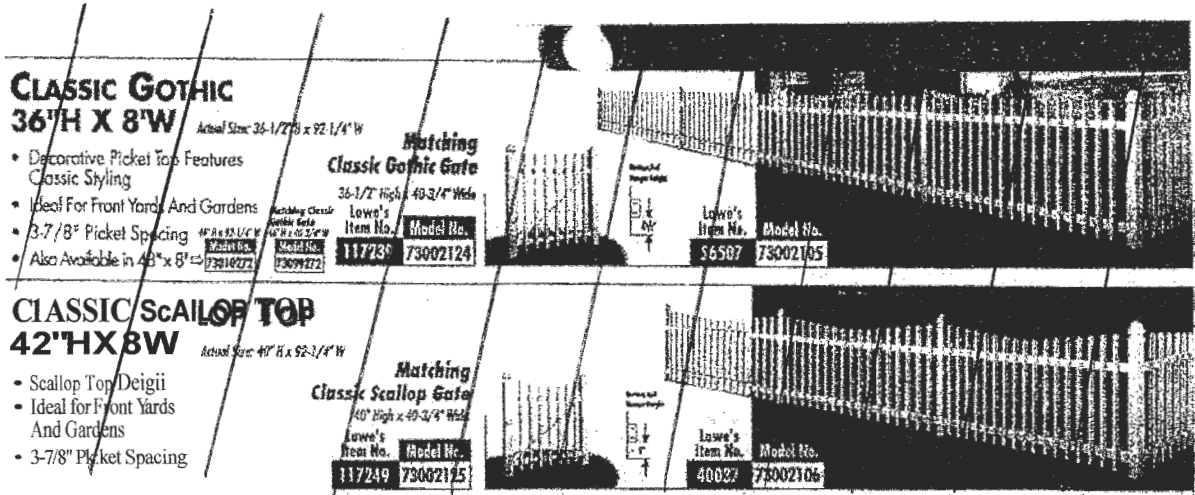
3.6.1.5. Individual homeowners will be responsible for the maintenance of add-on back yard fences.

3.6.1.6. All fences must be built to rack on slopes (made to follow the incline rather than stair-stepped).

3.7. General Fence Guidelines.

*[This section remains unchanged.]*

February 09, 2011



3.6.1. The following guidelines apply to courtyard fences constructed in back yards:

3.6.1.1. Fences may extend beyond the edge of the house on the "Open" side of the house. For example, a fence may extend from the privacy fence to the property line on the "open" side of the house.)

3.6.1.2. Fence height is limited to 42 inches.

3.6.1.3. All fences, other than those on patios, must have an access gate at least 36" wide to accommodate grounds maintenance work and propane tank service.

3.6.1.4. The bottom of the fence shall be sufficiently far above ground that grounds maintenance staff can trim grass under the fence without damaging the fence.

3.6.1.5. Individual homeowners will be responsible for the maintenance of add-on back yard fences.

3.7. **General Fence Guidelines.** The following guidelines apply to all add-on fences (privacy fences and back yard fences):

3.7.1. All proposed fence additions must be approved by the ARB *before* construction starts. VAHOA can require the removal of any fence that is not approved by the ARB and does not comply with ARB guidelines. The review and approval process can take up to three weeks. Homeowners should not sign any construction contracts or place any orders before the review and approval process is completed.

3.7.2. To ensure uniformity of appearance, VAHOA will accept responsibility for the maintenance of add-on privacy fences. Individual homeowners will be responsible for the maintenance of any add-on back yard fences. If applicable, this responsibility will be noted in the VAHOA disclosure statement when a Village home is sold.

**SECTION 4. LANDSCAPING GUIDELINES**

4.1. In addition to any restrictions set out in the VAHOA Declaration of Covenants, the following guidelines apply to proposed landscaping improvements, additions or changes:

- 4.1.1. Because a uniform appearance of the landscaping at the front of Village properties is an essential design element of the community, shrub/tree beds in beds in front of the house shall remain as originally planted. No trees or shrub types other than those used originally shall be planted in these beds.
- 4.1.2. Proposed plantings in beds other than those in front of the house will be considered on an individual basis. However, such plantings must be consistent with the original landscaping design and appearance of the property.
- 4.1.3. All landscaping changes that involve the construction of retaining walls or edging of garden beds in the front gardens of homes must be approved by the ARB.
- 4.1.4. To enable homeowners to express their individual landscaping preferences, considerable latitude will be given to tree, shrub, and flower plantings in the side and rear yards of homes.
- 4.1.5. No landscaping changes will be approved if they preclude access to lawn areas by grounds maintenance crews.

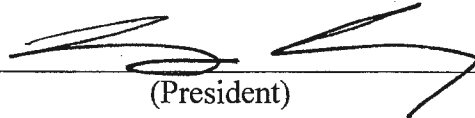
## **SECTION 5. REVIEW AND APPROVAL PROCESS**

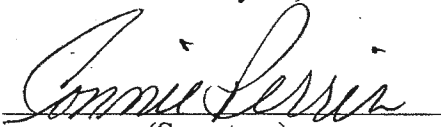
- 5.1. All proposed exterior building or landscaping changes or additions shall be submitted to the Chair of the ARB on the form at Appendix A.
- 5.2. All information required by the application form must be provided before an application will be considered.
- 5.3. The ARB shall notify the homeowner, as soon as possible but no later than 30 days after receipt of the application, whether the application is approved or disapproved.
- 5.4. Note that, when a Village property is sold, the Treasurer is required to state whether there are any unauthorized additions/changes. Therefore, an unauthorized change or addition could delay or jeopardize a property sale.

**Appendix A.** Application for Approval of Architectural or Landscaping Change(s) or Addition(s)

### **ADOPTION**

These guidelines were adopted by the association's Board of Directors on February 20, 2006.

  
(President)

  
(Secretary)

**Amendment to insure Policy consistency:**

Please be advised that the Board of Directors has approved the following amendment to the Architectural Review Board policies.

This change becomes effective January 1, 2012.

4.1.6. Flag Display. There is no restriction, limitation, or prohibition on the right of a lot owner to display any flag on the owner's lot, placement subject to ARB approval.

Please keep this with your other Governing Documents.

Thank you.

**ADDITIONAL ARB LANDSCAPE GUIDELINES  
FOR  
VILLAGE AT HIGHLANDS**

1. Any landscape changes in the front of the house (including small flowers, plants, bed location changes) need approval from the ARB. The front is defined as anything between the road and the rear most exterior wall that faces the front and is parallel to the road.
2. Any side or rear yard landscape planting does not need ARB approval as long as the mature height of the plant does not exceed 10 feet.
3. Any hardscape (stone walls, retaining walls, etc.) landscaping requires ARB approval at all times.
4. It is suggested that ARB submittals be made whenever there is any doubt as to review requirements.

[Sam Craig, 2008]



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# CRAIG BUILDERS

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August 8, 2008

To Village at Highlands Residents:

As President of The Village at Highlands Owners Association Board, as well as the builder/developer of the neighborhood, I have been asked by the Board to restate the original intent of the covenants of the association as they apply to front yard landscaping. The association covenants were created based on many years of experience dealing with numerous neighborhood associations and in developing good-looking communities. I take great pride in what we are creating in the Village at Highlands. It obviously takes time for the landscaping to mature, and our efforts have been somewhat hampered by a dry 2007; but I am confident of the end result, and I am happy to clarify the goals and objectives of the covenants.

The overriding intent is to preserve and increase property values by maintaining a uniform exterior appearance. To accomplish this objective, the covenants outline that very little change to the original front yard landscaping will be allowed while allowing more latitude for the side and rear yards. I realize this is restrictive, but experience indicates a need for this policy.

It is very difficult to define guidelines which allow changes to the front landscaping while maintaining an overall attractive appearance. To this end, the Architectural Review Board (ARB) rules and guidelines require front landscaping to remain consistent with original plants. Some flexibility has been permitted to allow flowering plants and container plants around the immediate front entrance area, but garden ornaments, containers, and flower plantings in the front yard are not permitted.

In a neighborhood such as Village at Highlands, some property independence is given up in order to protect property values. Although I feel strongly about an individual's rights on their land, such a neighborhood requires some regulation in order to establish the overall appearance of the community and to preserve property values. We have very few restrictions such as this, but the ones we do have rely on the cooperation of each property owner for the benefit of all. I know from experience that this is the most reliable way to enhance and preserve the value of your property.

I realize that not everyone might agree with the regulations, but I am appreciative of the fact that most are willing to accommodate the goals of the neighborhood as a whole and grateful for your cooperation.



Sam Craig  
President, The Village at Highlands Owners Association  
President, Craig Builders

# VILLAGE AT HIGHLANDS

May 6, 2009

To Village at Highlands Residents:

This is the time of year when much exterior planting and improvements take place. As President of The Village at Highlands Owners Association Board, I have been asked by the Board to restate the original intent of the covenants of the association as they apply to front yard landscaping. The association covenants were created based on many years of experience dealing with numerous neighborhood associations and in developing good-looking communities.

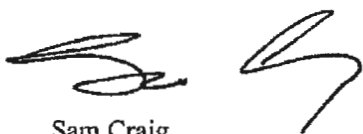
The overriding intent is to preserve and increase property values by maintaining a consistent and attractive exterior appearance. To accomplish this objective, the covenants outline that very little change to the original front yard landscaping will be allowed while allowing more latitude for the side and rear yards. I realize this is restrictive, but experience indicates a need for this policy.

It is difficult to define guidelines which might allow changes to the front landscaping while maintaining an overall attractive and consistent appearance and considering the interests of all homeowners. To this end, the Architectural Review Board (ARB) rules and guidelines require front landscaping to remain consistent with original plants. Some flexibility has been permitted to allow flowering plants and container plants around the immediate front entrance area, but flower plantings in the front yard are not permitted. Garden ornaments, pots, containers hanging baskets, bird feeders, garden furniture and signage of any kind are not permitted in the front yard or driveway.

I would like to also remind homeowners that all exterior modifications including major landscaping projects in the side or rear yards need to be reviewed and approved by the ARB.

In a neighborhood such as Village at Highlands, some property independence is given up in order to protect property values. Although I feel strongly about an individual's rights on their land, such a neighborhood requires some regulation in order to establish the overall appearance of the community and to preserve property values. We have very few restrictions such as this, but the ones we do have rely on the cooperation of each property owner for the benefit of all. I know from experience that this is the most reliable way to enhance and preserve the value of your property.

I realize that not everyone might agree with the regulations, but I am appreciative of the fact that most are willing to accommodate the goals of the neighborhood as a whole and grateful for your cooperation. The ARB and the Grounds Committee are always available to answer any questions about landscaping or architectural issues.



Sam Craig  
President, The Village at Highlands Owners Association  
President, Craig Builders