

ARCHITECTURAL STANDARDS

The Battlefield Green Community

Association, Inc.

COMMUNITY DESIGN STANDARDS

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INTRODUCTION

This *Handbook* has been designed to be a resource document for homeowners and the Architectural Review Committee. This *Handbook* documents the policies for all architectural control in Battlefield Green.

The book is designed to be used as a reference guide as well as a handbook that can be read through from the beginning. It is organized in different Articles for various subjects. Such as House Additions, Accessory Buildings, or Fences.

The Table of Contents is detailed, and all sub-paragraphs in the document are titled so that specific information can be easily located without having to read the entire book or even entire Articles. We hope that this makes the book easy to use and understand. However, no book of standards can address every issue that may arise in a community. If you have questions for which you cannot find an answer in this book, please contact the Association Office. Our staff will be glad to assist you.

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**ARCHITECTURAL CONTROL IS COVERED IN
THE ASSOCIATION'S DECLARATION. ARTICLE V STATES:**

No building, fence, wall or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation surrounding structures and topography by the Board of Directors of the Association, or by an architectural committee composed of three (3) or more representatives appointed by the Board. In the event said Board, or its designated committee, fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with.

ARTICLE I: WHAT IMPROVEMENTS REQUIRE APPROVAL

1.1 GENERAL

Each property owner within Battlefield Green is responsible for keeping his property in compliance with the Covenants and the Design Standards. Exterior improvements to be made to that property must first be submitted by the property owner and approved by the Architectural Review Committee. **(hereafter Architectural Review Committee will be called ARC)** This is true regardless of whether the work is being performed by the property owner directly or by a contractor. Use the following checklist to determine the applicability in your case. For any proposed construction that is not listed please contact the Association office to determine if approvals are required.

- 1.1.1 EXTERIOR PAINTING - Approval required for repainting existing structures a new color. Repainting with the same colors does not require review. See Article IV for approval guidelines.
- 1.1.2 EXTERIOR MODIFICATIONS TO HOUSE, ROOM ADDITIONS, PORCHES - Approval required. See Article IV for approval guidelines.
- 1.1.3 ACCESSORY BUILDINGS, GARAGES, SHEDS, PAVEMENTS, WALKS, PATIOS, DRIVEWAYS Approval required. See Article V for approval guidelines.
- 1.1.4 DECKS, DECK ADDITIONS, GAZEBOS, SITE STRUCTURES, SWIMMING POOLS, SPAS, HOT TUBS and KIDDY POOLS Approval required. See Article VI for approval guidelines.
- 1.1.5 FENCES, WALLS, HEDGES, TRELLISES, DOG RUNS - Approval required. See Article VII for approval guidelines.
- 1.1.6 HIGH INTENSITY EXTERIOR LIGHTING, MECHANICAL AND ELECTRICAL EQUIPMENT - Approval required in most cases. See Article VIII for approval guidelines.
- 1.1.7 EXTERIOR PLAY EQUIPMENT, PLAYHOUSES, DOGHOUSES, LANDSCAPING, GARDENS - Approval NOT required if guidelines are followed. See Article VIII.

1.2 HOMEOWNER RESPONSIBILITY

In addition to compliance with these Standards, you or your builder may be required to obtain other permits such as a county building permit. It is not the responsibility of the Homeowner's Association or The Architectural Review Committee to obtain any other permits for you, nor to provide any guarantees or waive any legal requirements for compliance with any state or county law, or with the Covenants or these Standards.

1.3 GRAND FATHERED STANDARDS

- 1.3.1 **STANDARDS HAVE CHANGED:** Some Standards for certain types of improvements have changed. This means that certain improvements which complied with community standards prior to adoption of this document, may no longer comply with the new Standards. Please verify what the current standards are for the type of improvement desired prior to planning and design of that improvement.
- 1.3.2 **PRIOR APPROVALS GRANDFATHERED:** All modifications constructed in accordance with approved applications prior to the issue date of these Standards, shall be deemed in compliance with the standards of Battlefield Green, even if the standards have changed.
- 1.3.3 **CURRENT CONSTRUCTION GRANDFATHERED:** Any application approved prior to the issue date of these standards, and for which construction has not yet been completed, shall remain valid for six (6) months from the application date. If construction has not begun within this period, the approval has lapsed and the application must be re-submitted for review. These applications will be reviewed under the current Standards.
- 1.3.4 **NON-APPROVED CONSTRUCTION IN VIOLATION:** Any existing construction, which has not been reviewed and approved by the ARC, is not in compliance with the Covenants of Battlefield Green. These improvements must be submitted for review by the ARC. Review will be based on these current Standards. Non-approved construction is a violation of the Covenants. The Association reserves the right to enforce the Covenants in such cases, including legal enforcement to require corrective action to remove such construction or bring it into compliance.

ARTICLE II: THE ARCHITECTURAL REVIEW COMMITTEE - POLICIES AND PROCESS

2.1 REVIEW MEETINGS

The ARC will review applications that are presented for review, in a timely fashion. Contact the Association office to check the status of a submittal. At that time the Board reviews all requests submitted on the appropriate application forms together with their supporting drawings and information. Application forms can be obtained from the Association office.

2.2 ADMINISTRATIVE REVIEW

The ARC, at its option, may delegate certain review responsibilities to the Community Manager or designee. For certain applications where compliance with these Standards can be clearly determined without interpretation by the committee, these applications may be reviewed administratively. Any ARC delegated review action taken by the Community Manager or designee, shall be equally binding to any action taken by the ARC itself.

2.3 REVIEW BASIS

The ARC bases its review of each application on its interpretation of the Covenants and these Standards only. Due to time constraints, ARC review of all applications occurs without personal presentations by the applicants. Therefore, it is incumbent upon the applicant to provide sufficient and accurate information to the ARC for proper consideration. If, in the applicant's opinion, extenuating circumstances - not caused by the applicant - exist which would require a variance from stated guidelines, this information should be presented with the application.

2.4 APPEALS

If the application is denied and the applicant feels there are extenuating circumstances, which should qualify them for an exception from these requirements, they may contact the Association office to request a second review. This request must be accompanied by a letter stating the specific reasons or circumstances that they feel qualify them for the exception. If the ARC agrees that a second review is in order, they will place the application back on the agenda for the next meeting. The applicant may be present at that second meeting to state their reasons for appeal.

If an applicant feels they have been unfairly denied approval by the ARC, an appeal may be filed with the Board of Directors by contacting the Association office. They will advise you as to when your appeal will be put on the Board of Directors agenda. The applicant may be present at that meeting to state their reasons for appeal. The Board of Directors will review the actions of the ARC and the circumstances of the request to determine that the ARC acted within its authority with reasonable care and due process. They will also determine if any extenuating circumstances exist which would warrant an exception, in the sole opinion of the Board, to the ARC ruling.

The Board of Directors' role in an appeal is to take into account the position of the Architectural Review Committee and, based on the Covenants and Design Standards, make a fair and equitable decision. The Board may extend an appeal or table consideration of it for more than one meeting if they feel they need to obtain more information about it.

2.5 DURATION OF APPROVAL

Written approvals issued by the Architectural Review Committee for proposed projects are effective for a period of six (6) months from the date of approval. Applicants who have not started a project within this time may be required to reapply for approval. Such re-application for approval will not be unreasonably denied but may be subject to denial if conditions affecting the applicant's property have changed.

2.6 DURATION OF CONSTRUCTION

Once a project has been started on site, the work should be executed in a relatively continuous manner and completed in a reasonable length of time. Projects shall be completed within 6 months from their start date unless otherwise approved by the ARC.

2.7 PREPARATION OF SUBMITTALS

Submittals prepared for consideration by the Architectural Review Committee shall be complete and accurate. Submittals for design review must include drawings prepared as described below.

Submittals for color review must include color chips. In every case all requested information on the application forms shall be furnished. The ARC may return applications that are incomplete.

For consideration by the ARC, drawings must be neat, accurate, drawn to scale, and with sufficient detail to adequately explain the entire design. Insufficient explanation of a design including all visible details is cause for rejection of an application. As a minimum requirement, the following drawings shall be submitted:

- 2.7.1 **ADDITIONS:** Site Plan - showing addition location and distances to property lines, floor plan(s) of addition and elevations of addition including existing house.
- 2.7.2 **ACCESSORY STRUCTURES:** Site Plan - showing location of new structure and existing house, with distances between each and distances to property lines, floor plan(s) and elevations
- 2.7.3 **OTHER SITE IMPROVEMENTS:** Site Plan - showing location of improvement, existing structures, distances to property lines, plan of improvement (ex: deck, patio, etc.)
- 2.7.4 **FENCES:** Site Plan - showing location, extent and elevation view of fence.
- 2.7.5 **DRAWING QUALITY** - Site plans shall accurately describe the lot and may require, at the Boards' discretion, a scale drawing. A surveyor's plat such as is prepared at the time of purchase of a home, is recommended. Examples of typical site plans, with required information for ARC review, are included in Appendix B for reference. Examples of fence elevations are included for reference in Article VII.
- 2.7.6 **SUBMITTALS NOT RETURNED** - Only one copy of each drawing is required for submittal and is kept on file as a record of approved designs. Submittals will not be returned.

ARTICLE III: PRIMARY DESIGN GUIDELINES

3.1 PURPOSE

- 3.1.1 This document sets forth many guidelines, which are really rules to follow when making improvements to property in Battlefield Green. These rules are not arbitrary, but rather are based on three primary guidelines of good design as it relates to single-family residential communities. Further, it is not possible nor is it advisable to make a rule for every possible situation. Therefore, the ARC uses these primary guidelines in the judgment of each design submittal. To the greatest extent possible, this eliminates review based on subjective viewpoints and provides a means of testing every decision. This benefits the ARC, the community and the applicant by insuring a continuity of approach regardless of how the membership of the ARC changes over the years.
- 3.1.2 Each of these primary guidelines is defined below. On the pages that follow, specific guidelines are provided for common situations that occur for property improvements. The specific guidelines for each type of improvement are organized under subheadings that relate to the primary guidelines. The ARC shall be the sole judge of compliance with these guidelines in questions of appearance, aesthetics, or infringement by design upon the rights of other residents.

3.2 PRIMARY GUIDELINES OF ARCHITECTURAL REVIEW

- 3.2.1 **FORM AND CONTEXT:** All structures shall be of a size and use that is consistent with the standards of the community. All structures and site improvements shall be designed in styles, shapes, massing, materials, products and colors that are harmonious with each other, supportive of the architectural style, and appropriate to the residential architecture in this community.
- 3.2.2 **SITING FOR COMMUNITY AND PRIVACY:** Each structure or site improvement shall be located to create a proper setting within each lot, consistent with the density and setbacks of the community, so as not to unduly restrict the view from neighboring properties, and so as not to compromise the privacy of any other lot below the general level enjoyed by other members of the community.
- 3.2.3 **ENVIRONMENTAL PROTECTION:** Approval for clearing and alteration of existing lots shall be made only for approved structures, site improvements, landscaping, access and may not be performed in a manner that will result in erosion of soils, excessive water runoff, discharge of wastes into the soils or waters, stagnation or standing water, or substantial removal of indigenous vegetation.

3.3 WORKMANSHIP AND MAINTENANCE

- 3.3.1 **WORKMANLIKE CONSTRUCTION:** All construction must be performed in a workmanlike manner in material, style and form and must remain true to the original approval in quality and workmanship.
- 3.3.2 **MAINTAIN REQUIRED SHRUBS:** Any screening shrubbery required as part of an approval is to be maintained in a viable manner. Any plant material, which dies after installation, is to be replaced.
- 3.3.3 **MAINTAIN FENCES:** Fences approved under these standards shall be maintained in sound condition, straight and true, for the life of the fence. Fences in disrepair shall be repaired or removed.

ARTICLE IV: ADDITIONS AND MODIFICATIONS TO EXISTING HOUSES

4.1 GENERAL

All additions and exterior modifications to homes must be approved by the ARC. This includes any new construction, demolition, or changes to existing finishes (repainting). This does not include routine maintenance work or repainting with the same colors.

* See Appendix A

The following guidelines apply to additions and modifications to existing houses. They are specific requirements, which are in support of the Primary Guidelines of Architectural Review defined in Article III. The ARC has the authority to waive requirements where it deems appropriate.

4.2 FORM AND CONTEXT

4.2.1 **ADDITIONS TO HOUSES:** Additions to houses shall conform to the following standards and design criteria:

A. **USE OF ADDITION:** No proposed addition or modification shall change the permitted use of the property from single family detached residential.

B. **SIZE OF ADDITION:** Additions shall not increase the lot coverage or the height of structures beyond those limits established by County zoning. Approval of large additions will be judged by appearance size in relation to the house, and by siting considerations in the following paragraphs.

C. **STYLE OF ADDITION:** The architectural style of any addition or modification shall match that of the house. The massing of the addition shall be similar in the size and use of shapes as that of the house, in proportion to other elements of the house so as not to overpower the existing design. Roof styles and slopes shall be similar and complimentary to the existing house.

D. EXTERIOR MATERIALS: All exterior finish materials and colors on additions shall match related materials on the house. Foundations shall match, sidings shall match, and roofing shall match. Matching colors on dissimilar materials is not acceptable.

E. WINDOWS AND DOORS: Openings shall be required in additions, including windows and doors, in a similar fashion and extent (min.) as in the original house. Windows and doors in additions shall be of matching material as those in the house. In general, windows and doors should match the style of those in the existing house. Storm doors must be submitted for approval. The style of the storm door must match the style of the house. Full view or divided full view storm doors are acceptable. Exceptions may be granted at the discretion of the ARC for sunrooms or other specially glazed areas.

F. ZERO LOT LINE HOMES: Additions to homes that have been constructed to "zero lot line" zoning requirements may not have windows, doors, or other openings facing the zero lot line.

G. TRIM STYLES: Architectural elements such as cornice and rake boards, soffits, eaves, window and door trim, and shutters shall match the style of the same elements on the house.

4.2.2 HOUSE FINISHES AND COLORS: All exterior colors must be approved by the ARC in accordance with the following criteria, prior to painting or the application of pre-finished materials.

A. Smooth wood siding shall be painted with an oil or latex based exterior house paint.

B. Rough-sawn siding shall be finished with either an oil or latex based solid color stain. Semi-transparent stains and clear finishes are not permitted.

C. The same siding color may not be used on adjacent houses or on houses directly across from each other. The ARC may also reject a proposed siding color if it determines that the color has been used on too many houses in the same neighborhood.

D. Color selections are not limited to a restricted list, however, colors should generally be muted in hue, especially for large areas such as siding.

E. Colors selected must be harmonious with each other and with other finishes such as masonry foundations, and roof colors.

F. No owner of a lot shall paint the exterior of any building a color different than the original color of the building without the proposed color having been approved in advance by the ARC.

- 4.2.3 **REPLACEMENT WINDOWS:** Replacement windows shall be similar in sizes and styles to the units being replaced. Pre-finished vinyl or metal units shall be selected in a color that is consistent with the house color scheme. Color and style of unit must be approved by the ARC.
- 4.2.4 **SCREEN AND STORM DOORS:** Screen and storm doors must be approved by ARC. Units shall be pre-finished in colors that are consistent with the house door color scheme, or painted to match the existing doors. Full lite units or traditional multi-lite units shall be used on front doors. Half-lite units with metal bottom panels may be used on other doors.
- 4.2.5 **DECKS:** Decks constructed at or below the first floor level of a house may be constructed entirely of unfinished treated lumber. Decks or balconies constructed above the first floor level shall be finished to match the house. Railing styles for additions to existing decks shall match the style of the existing deck railing, or the existing deck railing shall be modified to match the new railing. All new decks and all deck additions constructed after publication of these Standards shall be enclosed underneath with lattice around the perimeter if the bottom of the deck joists are higher than 2' above the ground. Decks over walk-out basement entrances or windows are exempt from this requirement.
- 4.2.6 **PORCHES:** Covered decks, open porches, stoops and screened porches shall all be constructed from deck level up, of compatible materials and finishes to match the house. Substructure and decking may be of unfinished treated wood. All new porches and all porch additions constructed after publication of these Standards shall be enclosed underneath with lattice around the perimeter if the bottom of the floor joists are higher than 2' above the ground. Porches above walk-out basement entrances or windows are exempt from this requirement.
- 4.2.7 **GREENHOUSE WINDOWS:** Greenhouse window additions shall be constructed of finished wood framing or of a pre-finished metal consistent with the house exterior color scheme.
- 4.2.8 **AWNINGS:** Awnings or other sun screen devices will be reviewed on a case-by-case basis. Review will be based on the proposed awning's size, number (if more than one), location, design, purpose, and consistency with the architectural character of the house. The ARC reserves the right to deny awnings that it considers to be inappropriate based on any of the considerations above, and may restrict colors based on the house style, color, and the neighborhood context. Brightly colored awnings may not be approved. Remove or repair damaged or faded awnings.
- 4.2.9 **CHANGES IN HOUSE SIDING:** Damaged, rotten, or worn house siding may be replaced with like material without approval by the ARC. Changes in siding material must be approved, however. Generally, acceptable lap siding materials include natural wood, hardboard, cement fiber, vinyl and seamless steel. Other types of siding such as plywood (T-111) or other panel siding may not be approved unless used to replace a similar existing product. Imitation products intended to look like brick or stone, will not be approved.

4.2.10 VINYL SIDING: Vinyl siding may be permitted for re-siding of homes in accordance with the following criteria:

A. Requests for approval of vinyl siding must be accompanied by manufacturers' product specification sheet, physical samples of the product, the style and color desired, and details and samples of proposed trim pieces and locations.

B. The submitted product must be the manufacturer's premium grade vinyl products as evidenced by manufacturer's printed literature, in order to be considered by the ARC for approval.

C. The design of the house, including architectural style, detailing, and size of wall surfaces shall be considered by the ARC in determining the acceptability of a vinyl product for siding. The ARC, at its discretion, may require modifications to wall surfaces including the addition of windows, doors, or breaks in the surface in order to reduce the number of locations that must be sided with long runs of vinyl requiring one or more vertical joints.

D. Unless otherwise noted in the ARC written approval for the use of vinyl product, the following conditions shall automatically apply to each approval:

1. Installation shall meet or exceed the standards in the Handbook of the Vinyl Siding Institute, and the conditions stated below.
2. In any clear run of siding measuring 12 feet or less (between openings, corners, projections, etc.) only single length panels shall be used. No vertical joints are permitted.
3. In clear runs of siding over 12 feet, joints may be provided in a random pattern in the wall. Do not "stair-step" joint patterns. In clear runs greater than 12 feet but less than 18 feet in length, a maximum of one vertical joint is permitted in any horizontal line of siding. In clear runs greater than 18 feet but less than 30 feet, a maximum of two joints are permitted in any horizontal line of siding.
4. On the left and right sides of the house all joints shall face to the rear of the lot. On the front of the house, joint directions should be mixed.
5. All trim except J-moldings at the ends of siding, may be wood, formed aluminum or vinyl, in which case the following conditions shall apply:
 - a. Trim pieces shall be manufacturer's standard preformed vinyl trims and manufacturer's standard pre-finished aluminum sheet
 - b. All right angle corner joints at trim pieces shall be mitered at equal angles in similar fashion to wood joints. Joints at the base of rakes should be made similar to the direction of wood joints.
 - c. Formed angles and edges of the metal trim sheet shall be fastened flat; and "dimpling" or "oil canning" shall be minimized.

4.2.11 **CHANGES IN ROOFING:** Shingle roofs may be replaced with matching product and color without ARC approval. Changes in color and / or product style must be approved by the ARC. Generally, roofing changes shall meet the following criteria:

A. Cedar shingle or shake roofs may be replaced with similar products, treated pine shingles, or dimensional asphalt shingles - minimum 25-year warranty.

B. Existing dimensional shingles shall be replaced with like products or may be upgraded to cedar or treated pine.

C. Standard three-tab shingle roofs may be replaced with like products with a minimum life warranty of 20 years, or may be upgraded to dimensional shingles, cedar, or treated pine.

D. Metal roofs will be reviewed on a case-by case basis. Compatibility with the house architecture will be the main criteria in judging metal roof designs and colors.

4.2.12 **SKYLIGHTS:** Skylights are not permitted on the front elevation of traditional houses. They may be approved on contemporary houses at the discretion of the ARC. Skylights on other roof surfaces shall be finished in dark trim colors similar to the roof color (i.e.: bronze or brown with brown shingles, black with black or dark gray shingles).

4.2.13 **SOLAR COLLECTORS:** Solar collectors are not permitted on the front roof plane of any house. They will be reviewed on a case-by-case basis for use on other roof planes. Criteria for review includes color, method of attachment, proposed orientation and elevation above the roof plane.

4.3 SITING FOR COMMUNITY AND PRIVACY

4.3.1 **SETBACKS FOR ADDITIONS:** No addition shall extend beyond the minimum setback requirements established for the house.

4.3.2 **PROTECTION OF PRIVACY:** In general the siting of additions shall not create a breach of privacy between neighboring houses. Where this is unavoidable, the ARC may require screening of the view by the applicant. New windows, doors, or routes of access created by the addition or modification shall not create a breach of privacy between neighboring houses. The ARC reserves the right to reject certain openings or require screening by the application situations where, in the opinion of the ARC, it is required.

4.4 ENVIRONMENTAL PROTECTION

- 4.4.1 **REMOVAL OF TREES:** Except for areas specifically approved for construction or as otherwise permitted in this section, no existing living trees over 6 inches in diameter (20 inches in circumference) measured at a point 24 inches above the ground shall be removed from any site in Battlefield Green without prior approval from the ARC. This requirement applies also to dead trees except in the case of emergencies where a tree is in danger of falling imminently and it is not possible to contact the Association. Approval of removal of dead or diseased trees will not be unreasonably withheld. Removal of dead trees is encouraged by the Association.
- 4.4.2 **GENERAL CLEARING:** General clearing for construction of additions shall extend no farther than 15' outside of the actual footprint. Beyond the general clearing limits described above for structures and access, clearing of existing vegetation for additional landscape and view shall not materially alter the natural characteristics of Battlefield Green.
- 4.4.3 **DRAINAGE:** Alteration of existing topography will be generally permitted as required to create positive drainage away from the house. Other requests to alter the topography of a lot will be reviewed on a case-by-case basis by the ARC.

ARTICLE V: ACCESSORY BUILDINGS

5.1 GENERAL

Any free standing enclosed structure on any lot, not a part of the main house, is an accessory building (except as defined in later articles). Construction of any accessory building must be approved by the ARC before construction begins.

The following guidelines apply to accessory buildings. They are specific requirements, which are in support of the Primary Guidelines. The ARC has the authority to waive requirements where it deems appropriate.

It is the Homeowners responsibility to ensure that all garage construction and shed construction complies with all applicable Hanover County Regulations, zoning requirements and permit requirements.

* See Appendix A

5.2 FORM AND CONTEXT

- 5.2.1 **USE:** No proposed accessory building shall change the permitted use of the property from single family detached residential. Permitted Accessory Structures shall be divided into three types for regulation under these Standards. Any structure that does not conform to one of these types will be reviewed on a case-by-case basis to determine applicable requirements. The permitted types of accessory structures buildings include: small shed, large shed and garage (maximum 2 car)

5.2.2 DESIGN STANDARDS: The design of Accessory Structures shall conform to the following standards:

Limitation	Small Shed	Large Shed	Garage
Maximum Size	140 sf (ex. 10x14)	200 sf (ex. 10 x 20)	576 sf max dimension: 24 x 24
Style	single slope, gable, or barn style	gable roof only	gable roof only
Foundation	wood skids, piers, or continuous foundation	piers or continuous foundation	continuous foundations to match existing house
Exterior Siding and Trim Colors	match house siding or T-111 plywood, vinyl or PVC	match house siding or T-111 plywood, vinyl or PVC	match house siding or T-111 plywood, vinyl or PVC
Roofing Shingles	match house roof	match house roof	match house roof
Windows and Doors	manufacturer's standard	windows similar to house doors similar to house, barn style, or overhead	windows house trim, cornice, eaves, rakes

5.2.3 LATTICE UNDER FOUNDATIONS: For sheds constructed on piers, the open foundation areas shall be enclosed with lattice or other material acceptable to the ARC.

5.2.4 CONSTRUCTION TYPE: Small sheds may be pre-fabricated. Large sheds and garages shall be constructed on site.

5.3 SITING FOR COMMUNITY AND PRIVACY

5.3.1 MAXIMUM OF TWO ACCESSORY BUILDINGS: Only one garage and one shed are permitted on any lot.

5.3.2 SETBACKS FOR ACCESSORY STRUCTURES: Accessory Structures shall be located within the following limits in rear yards, which may be more restrictive than county setbacks:

Limitation	Small Shed	Large Shed	Garage
Front Setback	Behind rear plane of the house	Behind rear plane of the house	Behind rear plane of the house
Side Yard Setback	Minimum 5'	Minimum 5'	Minimum 10'
Corner Side Yard Setback (Adjacent to a street)	Minimum 15'	Minimum 15'	Minimum 15'
Rear Yard Setback	Minimum 5'	Minimum 5'	Minimum 10'

5.3.3 PROTECTION OF PRIVACY: In general the siting of accessory buildings shall not create a breach of privacy between neighboring houses, nor shall it create a visual nuisance to neighboring houses. Where this is unavoidable, the ARC may

require screening of the view or the structure by the Applicant. New windows, doors, or routes of access created by the accessory building shall not create a breach of privacy between neighboring houses. The ARC reserves the right to reject certain openings or require landscape screening by the applicant in situations where, in the opinion of the ARC, it is required.

5.4 ENVIRONMENTAL PROTECTION

- 5.4.1 **CLEARING:** Except for areas specifically approved for construction or as otherwise permitted in this section, no existing vegetation shall be removed from any site in Battlefield Green. General clearing for construction of accessory buildings shall extend no farther than 15' outside of the actual footprint. Beyond the general clearing limits described above for structures and access, clearing of existing vegetation for additional landscape and view shall not materially alter the appearance of Battlefield Green.
- 5.4.2 **DRAINAGE:** Alteration of existing topography will be permitted generally as required to create positive drainage away from the structure. Other requests to alter the topography of a lot will be reviewed on a case-by-case basis by the ARC.

ARTICLE VI: OTHER PROPERTY IMPROVEMENTS

6.1 GENERAL

Most permanent property improvements or changes to existing improvements must be approved by the Architectural Review Committee (ARC). Improvements regulated by the article are listed in Paragraph 6.2.1 below. The following guidelines apply to property improvements. They are specific requirements, which are in support of the Primary Guidelines. The ARC has the authority to waive requirements where it deems appropriate.

A. No in ground or above ground pools will be allowed.

6.2 FORM AND CONTEXT

- 6.2.1 **TYPES OF IMPROVEMENTS:** Permitted property improvements may include, but are not limited to, the following:
- Gazebos
 - Free standing decks
 - Spas, hot tubs, kiddie pools
 - Driveway additions or changes
 - Walks and patios
 - Fuel tanks
- Other improvements not specified here shall be submitted to the ARC. They will be reviewed on a case-by-case basis in accordance with the general design standards for property improvements.

6.2.2 GAZEBOS: Acceptable gazebos shall generally be octagonal (8) sided structures consisting of a base deck, decorative columns or posts, optional railings, and a sloped roof. Stepped roofs and/or cupolas may be added. Structures of other shapes such as square structures will be considered on the basis of equal architectural merit. Additional standards include

A. The maximum width of a gazebo across flat sides shall be 14'-0". The maximum height from gazebo deck to eave edge shall be 8'-0". Gazebos shall have roof slopes generally of at least 8"-12". Slopes shall be appropriate to size and style of gazebo.

B. Gazebos shall be constructed of weather resistant wood or vinyl. All exposed wood, except decking, shall be surfaced (finished smooth) on all exposed sides. Posts, railings, and other open wood members shall be turned, edged, or worked into shapes consistent with traditional gazebo designs. Unfinished, dimensional lumber will not be approved for exposed open or free-standing members.

C. Additional trim, detailing, brackets, cupolas, etc. shall be appropriate to the design and size of the gazebo. The ARC reserves the right to deny gazebo designs with excessive and inappropriate detail as well as with insufficient detail.

D. Gazebos may be built on site or assembled from kits. Applications for approval must include either scale drawings of plans and elevations, or manufacturer's brochure showing the exact gazebo being purchased, with dimensions and specifications.

E. Landscaping around the base may be required.

F. Gazebos constructed on decks attached to the primary house shall be painted to match the trim color of the house, and roofed with shingles that match the house shingles. Free-standing gazebos set away from the house may be painted to match the house trim or finished with a clear finish. Roofing shall match the house or be cedar shake.

6.2.3 FREE STANDING DECKS: In general additional free-standing decks shall match existing decks in design and construction. Decks constructed where all or part of the structure is more than 18" above grade, may be required to be enclosed underneath with lattice or otherwise screened. Where no existing deck is present, new decks shall be constructed of wood, vinyl or PVC composite materials. In addition to all other provisions contained in this section, decks that are to be painted or stained must have the prior written approval from the ARC as to color, prior to the application of such color or stain.

Acceptable materials include:

A. .40 CCA Pressure treated southern yellow pine – unfinished, clear finish, or stained approved for decks and railings.

B. Redwood, Cedar, Cypress or Fir - clear, or stained finish.

C. Vinyl or PVC composite materials.

6.2.4 SPAS, HOT TUBS AND KIDDY POOLS: Spas and hot tubs shall be located on existing decks, patios, or free standing decks. Exterior units shall be finished in muted colors. The ARC may, at its discretion, require landscape screening, or may permit privacy fenced screening. Spas and hot tubs may be permitted at a residence with proper ARC submission and approval. Kiddy pools at a residence are limited to a height of 1.5 feet and a width of 6 feet.

6.2.5 DRIVEWAYS: Approved pavements for driveways include:

Clean gray or brown river gravel
Asphalt
Standard or exposed aggregate concrete
Patterned embossed concrete
Brick pavers
Interlocking concrete pavers

A. Additions to existing paved areas shall be of the same material as existing.

B. Gravel driveways shall be finished and maintained with a defined edge, using metal or plastic landscape edging, landscape timber or dimensional timber (4x4 or 6x6). Timber edging shall be set no more than 4" above adjacent turf or landscape beds.

6.2.6 WALKS AND PATIOS: Approved pavements for walks and patios include:

Standard or exposed aggregate concrete
Patterned embossed concrete
Brick pavers
Interlocking concrete pavers
Flagstone (set in mortar)
Wood deck walkways including steps and stairs where needed for grading.
Slate or cut stone (set in mortar)

Miscellaneous paths in rear yards only and constructed as part of an overall landscape plan may be constructed of any approved materials listed above, or of loosely laid stone or brick or fine gravel with solid continuous borders (landscape edging, brick or treated wood)

6.2.7 FUEL TANKS: ARC application and written approval is required prior to installation.

Fuel tanks shall be installed according to the applicable state and county codes. Such tanks shall be screened from view on all sides and any opening shall not be visible from the street.

Screening materials may be wood or vinyl fencing or lattice or shrub plantings. The height of such screening shall be at least as high as the object being screened.

6.3 SITING FOR COMMUNITY AND PRIVACY

6.3.1 The following minimum setback requirements shall apply to Site Structures:

	Front Setback	Side Setback	Corner Side Yard adjacent to street	Rear Setback
Gazebo	Behind rear plane of house	10'	15'	10'
Free Standing Deck	Behind rear plane of house	10"	15'	10'
Spas, hot tubs	Behind rear plane of house	15"	25'	15'
Driveways	None	None	None	15'
Walks	None	5'	10'	5'

6.3.2 **PRIVACY:** In general, the siting of site structures shall not create a breach of privacy between neighboring houses, nor shall it create a visual nuisance to neighboring houses. Where this is unavoidable, the ARC may require screening of the view or the structure by the Applicant. Spas or hot tubs shall be screened from view with landscape screening or fences where other adequate natural screening does not exist in the opinion of the ARC.

6.4 ENVIRONMENTAL PROTECTION

6.4.1 Except for areas specifically approved for construction or as otherwise permitted in this section, no existing living trees over 6" in dia. shall be removed from any site in Battlefield Green without prior approval from the ARC.

6.4.2 General clearing for construction of site structures shall extend no farther than 10' outside of the actual footprint.

6.4.3 Alteration of existing topography will be generally permitted as required to create positive drainage away from the structure. Concentrated drainage may not be directed on to adjacent properties, however.

ARTICLE VII: FENCES

7.1 GENERAL

Any structure or planting designed to define or enclose land area, or screen view to an area of land, shall be defined as a fence for purposes of review and approval. This may include, but is not limited to, split rail, rail fences, picket fences, solid board fences, lattice, trellises, solid walls not enclosing a structure, hedges, and shrubs or trees planted in a row. Construction of any fence must be approved by the ARC. It is the homeowners

responsibility to ensure that all fencing complies with all applicable Hanover County regulations and zoning requirements.

The following guidelines apply to fences. They are specific requirements, which are in support of the Primary Guidelines. The ARC has the authority to waive requirements where it deems appropriate. * See Appendix A

7.1.1. Fences more than four (4) feet to a maximum of six (6) feet in height must be of privacy type construction – subject to individual approval.

7.1.2. All lines of the fence must be of the same style, composition and design.

7.1.3. Top lines of the fence may have a straight or scalloped design – subject to individual approval.

7.1.4. Materials must be treated wood.

7.1.5. Finish must be left neutral or clear sealed.

7.1.6. Board design must be vertical for privacy type construction.

7.1.7. Finished side of the fence must face out from the property.

7.1.8. Maximum of eight (8) between vertical supports.

7.1.9. Style of vertical support posts may vary – subject to individual approval.

7.1.10. Be equal distance from Old Cavalry Drive (where applicable as existing fencing).

7.2 FORM AND CONTEXT

The following fence styles are permitted: Split Rail, Board Rail, Picket, and Solid Board. Siting restrictions are defined in paragraph 7.3. Construction of fences shall be as specified below. See illustrations in Appendix A. Note: Fences shall be constructed on-site. Prefabricated fence sections will not be approved.

7.2.1 SPLIT RAIL

Maximum height - 4'-0"

Maximum number of rails - Must be 3; first rail of three rail fence to be a maximum of 10" above the ground. Minimum number of rails allowed - must be 2; first rail of two rail fence to be a maximum of 14" above the ground and top rail to be at 4'-0" height. Maximum spacing of posts - 8'-0". Post should extend 4 to 6 inches above rail.

7.2.2 BOARD RAIL

Maximum height - 4'-0".

Maximum no. of rails - must be 3: first rail to be a max. of 10" above the ground. Horizontal board rails to be 1 X 6 boards.

Maximum spacing of posts to be 8'-0". Posts shall be 4 X 4 with a 1 X 4 vertical face over rails.

- 7.2.3 **PICKET**
Maximum height - 4'-0" (top of pickets).
Maximum spacing of posts - 8'-0". Posts shall be decorative style. Decorative posts shall extend 4 to 6 inches above the pickets. Pickets shall face to outside of fence.
- 7.2.4 **SOLID BOARD**
Maximum height - 6'-0"
Maximum spacing of post - 8'-0"
Vertical boards shall be 1x6.
Decorative posts shall be no larger than 6x6. They may extend up to 6" above the fence.
Square cut boards are not permitted. Board tops shall have angled corners, pointed tops, or shall be sculptured.
Vertical boards shall face to the outside of the fence.
- 7.2.5 **WELDED WIRE MESH:** Unfinished 2" x 4" rectangular welded wire mesh may be added to the inside of board rail and split rail fences. It may not extend above the top rail of the fence.
- 7.2.6 **FENCE MATERIALS:** Fences shall be constructed of treated wood, vinyl or redwood, and shall generally be unfinished or sealed with a clear sealer.
- 7.2.7 **PROHIBITED FENCE STYLES:** The following fences are not permitted: chain link, barbed wire, electrified wire, post and woven wire, pre-manufactured half-round stockade, vinyl and bamboo fences.
- 7.2.8 **RESTRICTED PERMITTED FENCE STYLES:** Other types of fences including lattice, trellises, masonry walls, or hedges will be considered on a case-by-case basis.

7.3 SITING FOR COMMUNITY AND PRIVACY

- 7.3.1 **FRONT YARD FENCE RESTRICTIONS:** No continuous fence may be constructed in any area of the yard in front of the house. Exceptions may be granted for discontinuous sections of decorative fence or posts incorporated as part of an overall landscape plan.
- 7.3.2 **PERMITTED FENCE LOCATIONS:** Siting guidelines for fences shall be as follows:
- A. Fences shall be designed to enclose rear yards and shall follow property lines, and be constructed within 6" of the property line, but not straddling it. The applicant is responsible for determining the location of the property lines.
- B. Fences may extend no farther forward than the mid-point of the house from front to back, and the fence must extend up to the house.

C. Partial fences, which are part of an overall landscape design, and fences, which are not intended to define property lines, will be considered case-by-case.

D. In cases where an adjacent lot already has a fence up to their property line, the applicant will be asked to bring his fence up to that fence if the fence styles are compatible. This is intended to reduce the visual clutter that can be caused by adjacent fences. If parallel fences are necessary, the adjoining section of fence shall be held back a minimum of 6'-0", and screening shrubbery shall be placed between the sections of fence to soften the appearance from the road.

E. Fences facing Old Calvary Drive shall be located at the same distance as existing fences.

F. Small fenced areas for dog runs or kennels are not permitted

G. Construction of screening fences on rear property lines only (not enclosing yards) will be considered for lots that back up to property outside of Battlefield Green.

7.3.3 Screening shrubbery may be required on the outside of fences facing streets, unless existing landscaping or vegetation sufficiently buffers the fence in the opinion of the ARC.

7.3.4 Where screening shrubbery is required, the minimum requirement shall be one row of 30" high (minimum) evergreen shrubs (any variety) planted a minimum of 35" on centers. Alternative planting plans using varied spacing and arrangement and/or several plant varieties will be considered by the ARC. Screening plans shall be submitted with fence plans for approval.

7.4 ENVIRONMENTAL PROTECTION

7.4.1 Clearing is permitted only as required to establish a line for construction of the fence. Fences should be located to avoid mature trees.

7.4.2 Hedges are not encouraged but will be permitted only in areas devoid of sufficient natural vegetative screening.

ARTICLE VIII: LANDSCAPING, SITE FURNISHINGS, PLAY STRUCTURES

8.1 GENERAL

All work defined in this article shall meet the requirements established for it herein, however, review and approval by the Architectural Review Committee (ARC) is not required prior to construction. The following limitations and restrictions should be read carefully. Work included under this Article is limited to the following:

General Landscaping Vegetable Gardens
Site Furniture – Benches, Planters, Tables, Decorative Objects

Temporary Party Tents
Play Houses
Wood Piles

Children's Play Equipment and Sports Equipment
Dog Houses
Exterior lighting

8.1.1 Clotheslines, whether temporary or permanent, are not permitted on any lot in Battlefield Green.

8.1.2 No dog pens, dog houses with chain link fencing, kennels or dog runs are permitted on any lot in Battlefield Green.

8.1.3 FLAG POLES Approval is required for any detached flag pole. The following must be submitted with the completed ARC application:

A. A description of the flag pole style, material, color and height including a site plan showing the relationship of the proposed flag pole to adjacent dwellings and properties

B. United States, Virginia State, Military branch and County flags are the only permissible flags allowed. All other should be house mounted.

8.2 WORK NOT DEFINED

Any proposed work that is not defined in this Article or in any other Article of these Standards, should be submitted to the ARC for determination as to whether it is a permitted use in Battlefield Green.

8.3 WORK NOT SPECIFIED

Any proposed work that falls under one of the above listed categories but which does not meet the guidelines specified below, shall be submitted to the ARC for review.

8.4 APPLICABLE GUIDELINES

The following guidelines apply to this Article. They are specific requirements, which are in support of the Primary Guidelines. Every requirement may not apply in every case, and the ARC has the authority to waive requirements where it deems appropriate, or to add requirements to the extent that either action does not contradict any of the Primary Guidelines.

8.5 FORM AND CONTEXT

The following size limitations apply to the work of this Article.

8.5.1 LANDSCAPING: none. Comply with Section 8.7 of this Article.

8.5.2 GARDENS: none within siting limits specified in Section 8.6 of this Article.

8.5.3 SITE FURNITURE: no objects greater than 8' in height.

- 8.5.4 PLAY EQUIPMENT: Open structures such as swing sets or climbing structures up to 10', and are to be located in the rear yard of the dwelling.
- 8.5.5 SPORTS EQUIPMENT: Basketball backboards may be mounted on the garage face, or on a pole. Pole mounted backboards shall be near the garage and to the side property line or rear property line side of the driveway. Any other permanently mounted sports equipment will be considered by the ARC on a case-by-case basis.
- 8.5.6 PLAY HOUSES: No larger than 36 square feet in floor area, interior no higher than 6', elevated no higher than 6' off the ground. Larger houses are accessory buildings and shall be reviewed accordingly.
- 8.5.7 DOG HOUSES: No larger than 20 square feet in floor area. No higher than 4'.
- 8.5.8 WOOD PILES: Kept neat, no higher than 6', no limit within siting limits specified in Section 8.6.
- 8.5.9 LIGHTING: Exterior post lamps, low intensity landscape lights, and floodlights mounted on the house are permitted. High intensity pole or building mounted area lights are not permitted except at the discretion of the ARC.
- 8.5.10 APPEARANCE: Site furniture, play equipment, playhouses, and doghouses shall be neat and orderly in appearance, constructed of finish grade materials, and finished in muted colors to be consistent with the overall design standards of Battlefield Green. **The front and side yard of home will be under review for stored items, items left in grassy areas, storage containers, etc.**
- 8.5.11 VISUAL NUISANCES: Any structure brought to the attention of the ARC by inspection or complaint, will be reviewed to determine if it is a visual nuisance by design or location. The ARC reserves the right to require screening or relocation in such cases.
- A. No miscellaneous items shall be stored on the front or side porches.
- B. Bicycles and other play equipment shall not be left out in the front yard or driveway.
- C. Temporary storage containers are not allowed on any property visible from the street. Large containers (i.e. PODS) are allowed for 15 days.
- 8.5.12 FISH PONDS, FOUNTAINS AND LAWN ORNAMENTS:
- A. Fish ponds are to be no taller than 1.5' or 6' wide.
- B. Fountains a maximum of 3' tall.
- C. Lawn ornaments a maximum of 2' tall.
- 8.5.13 SATELLITES/DISHES - see Appendix B

8.6 SITING FOR COMMUNITY AND PRIVACY

- 8.6.1 General Landscaping may be undertaken in the areas of the site defined in Section 8.7 below.
- 8.6.2 All other permitted work in this Article shall be located in rear yards only, behind the rear wall of the house, and within side and rear house setback lines.
- 8.6.3 In general, the siting of any work of this Article shall not create a breach of privacy between neighboring houses, nor shall it create a visual nuisance to neighboring houses. Where this is unavoidable, the ARC may require screening of the view or of the structure by the Applicant.

8.7 ENVIRONMENTAL PROTECTION

- 8.7.1 Except for areas specifically approved for construction or as otherwise permitted in this section, no existing living trees over 6" in diameter shall be removed from any site in Battlefield Green without prior approval from ARC.
- 8.7.2 No general clearing will be permitted for any work included in this Article unless approved in advance by the ARC. Landscape features and play structures shall be placed in areas already cleared.
- 8.7.3 Alteration of existing topography, including the creation of berms, swales, ponds or other water features, mounds or pits will generally not be permitted. Alteration to solve drainage problems, to regrade areas such as driveways or walks, and to prevent erosion using terracing or retaining walls will be considered by the ARC on a case-by-case basis.

Livestock Rule: Animals and Pets. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any portion of the development, except dogs, cats and other common household pets. No pets shall be kept, bred or maintained for any commercial purpose.

**APPENDIX A
ILLUSTRATIONS**

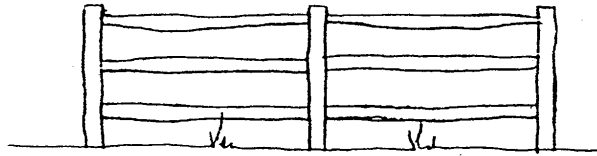
FENCE STYLES

TYPICAL FENCE PLAN

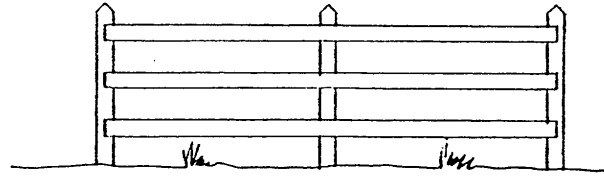
*TYPICAL HOUSE ADDITION
INFORMATION FOR SUBMITTAL*

*TYPICAL SMALL OR LARGE SHED
INFORMATION TO BE INCLUDED WITH SUBMITTAL*

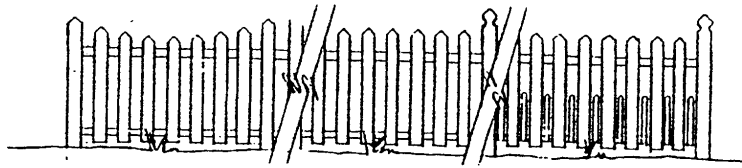
FENCE STYLES



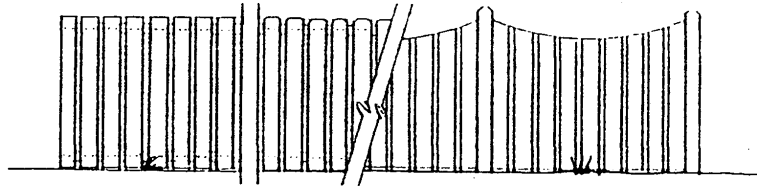
SPLIT RAIL FENCE



BOARD RAIL FENCE

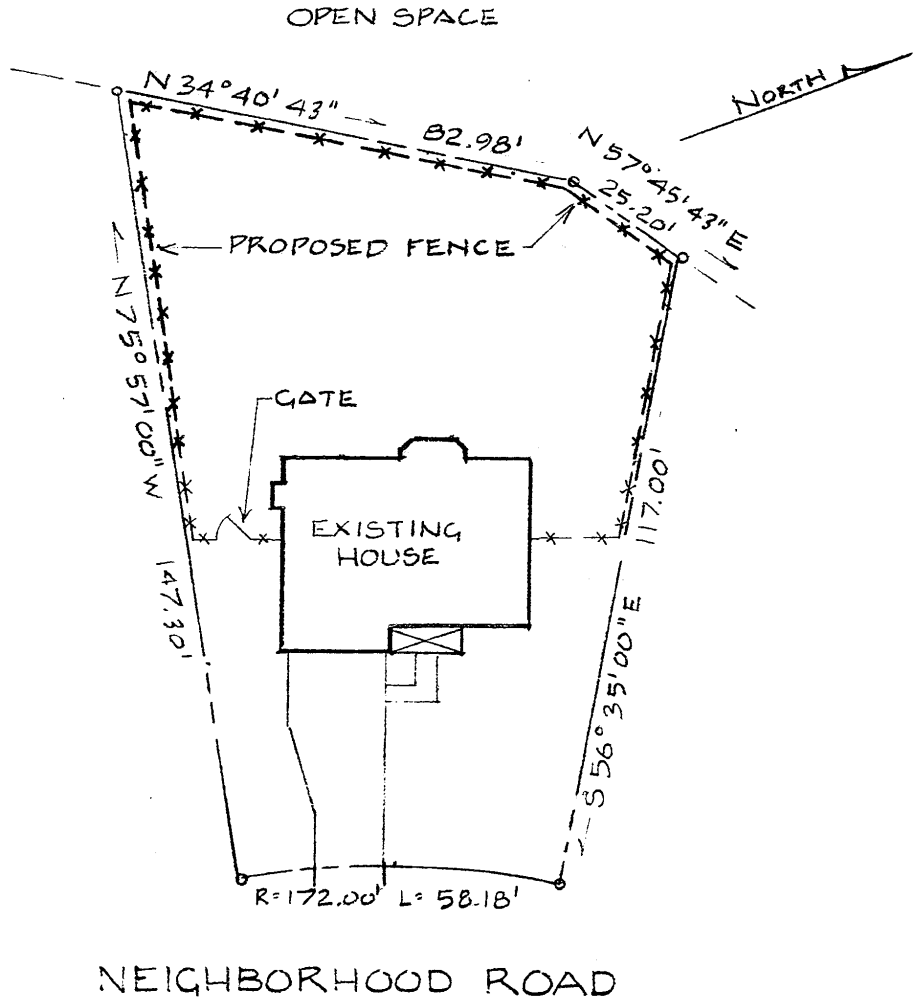


PICKET FENCE

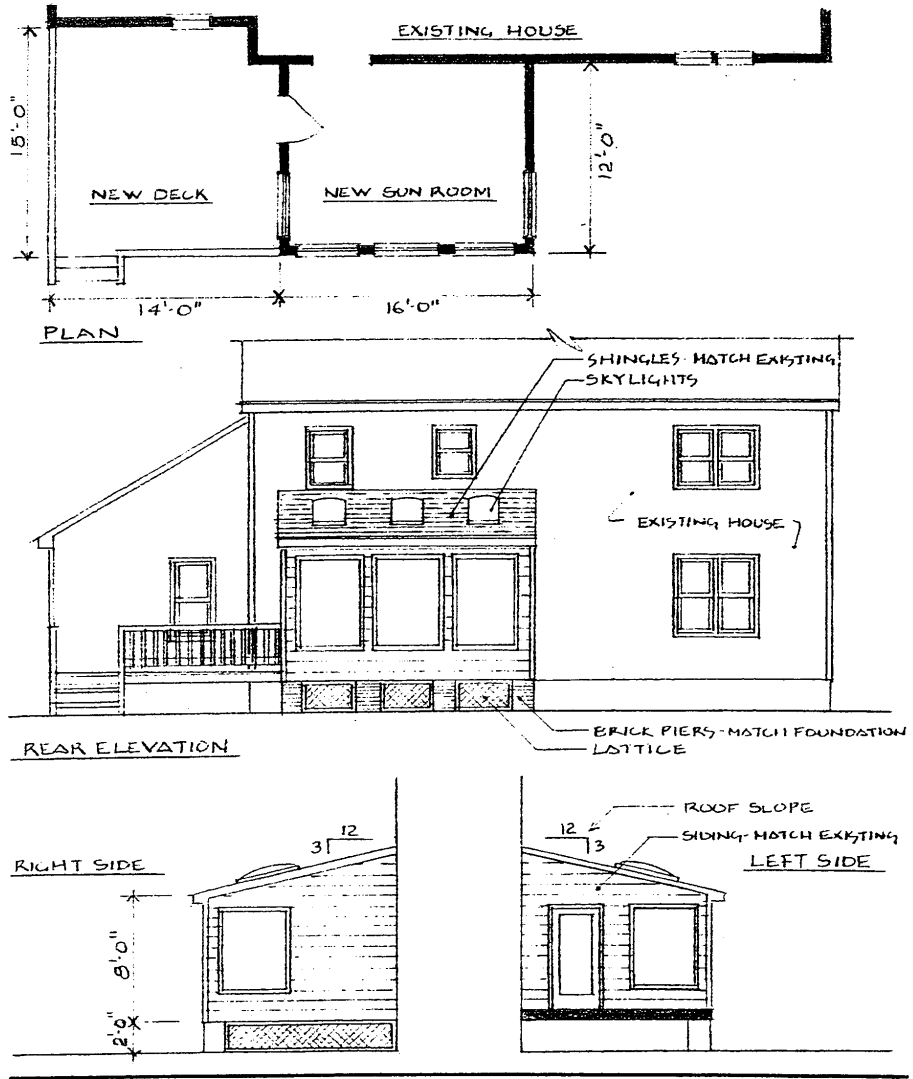


SOLID BOARD FENCE

TYPICAL FENCE PLAN



**TYPICAL HOUSE ADDITION
INFORMATION FOR SUBMITTAL**



SAMPLE DRAWINGS FOR AN ADDITION

Note: These should be scale drawings accurately showing the addition size, height, roof slope, windows, doors, materials and other exterior features such as steps and decks. Drawings for additions must show the portion of the house to which the addition is attached, including existing house windows, doors, roof, chimney, and any other features that will remain after the addition is built.

APPENDIX B

Architectural Control Guidelines Regarding Satellite Services

In accordance with the Telecommunications Act of 1996

In keeping with the Covenants, Conditions and Restrictions of Battlefield Green which require architectural control approval for any exterior change to a lot in our community, any homeowner planning to install an antenna for DBS, MMDS, or TVBS services must receive approval prior to the installation taking place.

The approval process requires the submission of a completed Homeowner Request for Approval form, a survey of the subject lot showing the proposed location of the antenna, and any other pertinent information requested by the Architectural Control Committee.

Guidelines for Satellite Dishes

General Statement: Any DBS, MMDS, or TVBS antenna must be placed in a location and must be of a color that is architecturally compatible and complimentary to the surrounding neighborhood.

- One meter (39.6") or less in diameter
- Only one per lot
- Installation on fence not allowed
- NOT allowed in front yards nor attached to front of house unless homeowner can provide satisfactory evidence from the equipment or service provider that an "acceptable" signal quality cannot be obtained in any other location. When front installation permitted, antenna must be placed where it is least visible from homeowner's main street. Reasonable screening of the installation may be required.
- Only allowed in side yard or attached to side of house when the standard rear yard/house installation does not provide "acceptable" signal quality. When side yard installation permitted, antenna must be placed where it is least visible from homeowner's main street. Reasonable screening of the installation may be required.
- The standard back of the house, deck, or back yard installation must be done in a manner complimentary to the surrounding neighborhood. In so far as the ability to receive an "acceptable" signal quality is not compromised, visibility of the antenna from surrounding lots or streets must be minimal. Reasonable screening of the installation may be required.
- Must be installed in accordance with manufacturer's or service provider's installation standards and procedures. The Architectural Control Committee along with the homeowner will make an inspection after the antenna is installed to insure proper installation.

IT IS NOT THE INTENT OF THESE GUIDELINES TO UNREASONABLY DELAY OR PREVENT INSTALLATION. THEY ARE DESIGNED TO INSURE THAT INSTALLATION IS DONE IN A MANNER THAT IS COMPATIBLE TO THE STANDARDS OF A PLANNED COMMUNITY.