

SETTLERS LANDING HOMEOWNERS ASSOCIATION
ARCHITECTURAL GUIDELINES

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Revision 2
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SETTLERS LANDING HOMEOWNERS ASSOCIATION ARCHITECTURAL GUIDELINES

I. INTRODUCTION

A. AUTHORITY. This guideline document is issued under the authority of the Settlers' Landing Homeowners Association Covenants, section V., paragraph 5.4 titled Architectural Control Committee Rules, dated July 26, 1988.

B. PURPOSE. Settlers' Landing is a development of approximately quarter acre lots. Because of this close proximity, homeowner actions which alter the appearance of their property will most likely affect the well being of their neighbors. One way of managing this interdependence is to develop a guidelines document.

1. **Document Objectives.** This document accomplishes several things: It is a primary means of adding specificity to the broader provisions of the covenants document. It also provides a means of informing each resident of what are acceptable changes to the exterior appearance of their property. It is the primary vehicle by which the Architectural Control Committee (ACC) accomplishes its goals (stated below). And finally, it is a homeowner's tool to ensure all requests receive fair and consistent evaluation.

2. **ACC Goals.** The following statement of goals was adopted on December 3, 1990 to provide the committee with an overall philosophy regarding management of their authority.

The objectives of the ACC are to maintain the architectural integrity of the association, property values of homeowners, and the safety and well being of all association members and their families.

C. APPEALS

1. Generally speaking, homeowners have a right to make whatever changes they want to their property. While most provisions in this document support this right and only moderate the scope or establish limits on projects for the common good, some, however, do establish outright prohibitions.

(Rev 1)

The ACC's intent in labeling an item as prohibited is to indicate those items that have been identified as undesirable by association members. If a homeowner feels there are "mitigating circumstances" that should be considered regarding a prohibited item, the homeowner has the burden of detailing the "mitigating circumstances" (as defined in the instruction for the ACC Form in Appendix A, Application For Architectural Change) surrounding the request to install a prohibited item. The ACC will discuss the mitigating circumstances with the homeowner before making a decision.

2. If your request for architectural change is disapproved outright by the ACC, you still retain the right to appeal the ACC's decision directly to the Association Board of Directors. A simple majority vote of the board members can overrule the ACC decision.

D. REVISIONS

1. The ACC can and will periodically revise this document to clarify, refine, update and expand, when necessary, its coverage to deal with situations not already anticipated.

2. The general membership of the association can also modify, repeal, or add a provision to this document by receiving the affirmative support of at least 3/5ths of the voters at any meeting (at least a quorum voting) that was specially convened for the purpose of making changes in this document.

3. This guideline document was implemented 23 August 1991 as revision 0. As guidelines are modified, revision numbers will be incremented and assigned an implementation date. A history of these changes will be included in this section.

(Rev 1)

a. The 23 August 1991 version of the ACC Guidelines were reviewed by the Settlers' Landing Homeowners Association Board so as to be more responsive to the homeowners needs. Changes implemented as a result of this review are indicated by a (Rev 1) preceding the modified sentences/sections. The effective date of the Rev 1 modifications is 30 June 1994.

(Rev 2)

b. On 03 March 1997 the ACC Guidelines were modified to accommodate a change in FCC regulations concerning satellite dishes. The change is identified as (Rev 2) and the effective date of the modification is 03 March 1997.

E. OTHER ISSUES

1. **Building Codes.** ACC approval of any project does not alter, in any manner, the requester's need to comply with the county/state building codes and to obtain necessary building permits.

(Rev 1)

2. Notification Requirement. As explained on the ACC 1A Form, Application for Architectural Change, the purpose of the notification process is to ensure your abutting neighbors are aware of the alteration/modification being requested. Simply stated, it's there to reduce the likelihood of unpleasant surprises; it is not a requirement that they approve the project but rather that they be made aware of the proposed project.

(Rev 1)

a. A homeowner having misgivings upon being notified that your neighbor intends to make changes which could affect the exterior appearance of his property. In this case, the homeowners should communicate their concerns to the ACC in writing or in person at the next scheduled ACC meeting. Homeowners may contact the ACC to determine the location of its next regularly scheduled meeting.

b. Homeowners who feel a request might impact their well being have the right to be heard and to have their opinions considered as part of the ACC's deliberation on the request. In the absence of any dissenting viewpoints, the ACC will consider the request as having at least tacit concurrence of all notified neighbors.

(Rev 1)

3. Eligibility. The ACC will only act upon "Applications for Architectural Change" from residents who are also "members in good standing" i.e. annual dues payments are up to date and have no current violations of ACC Guidelines/Covenants on record. (As defined in the Covenants Documents.) Further the ACC may deny any application from Lot Owners with violations of the ACC Guidelines/Covenants.

II ARCHITECTURAL STANDARDS AND GUIDELINES

A. ROOM ADDITIONS

1. General Design.

a. The design of room additions and expansions should be compatible in scale, materials, and color with the existing house and adjacent house.

b. New windows and doors should match the type used, and be located in a manner which will relate well to the exterior openings of the existing house.

c. These types of alterations/new construction will be subject to the same guidelines as set forth in Section VI (New Construction).

2. Application. An application is required for all room additions and home expansions or modifications. Information must include design, dimensions, location, material, color and any structural changes to accommodate the design and appropriate Stafford County

permits.

B. Chimneys

1. **General Design.** Chimneys and wood flue enclosures shall be used and compatible in design, location and color with the house. Chimney must be designed and erected in accordance with local and state regulations.
2. These types of alterations/new construction will be subject to the same guidelines as set forth in Section VII (New Construction).
3. **Application.** An application is require for all fireplace and chimneys, where new or rebuild. Information must include design, dimensions, location, material, color and any structural changes to accommodate the design and appropriate Stafford County permits.

C. Driveways and Walks

1. General Design.

- a. Driveways shall be adequate length or width to park two cars without intruding into the right-of-way.
- b. Driveway paving material to be non-porous material (i.e., not gravel) of asphalt or concrete paving.
- c. Primary walks to the front door shall be concrete, concrete pavers, brick or stone. Garden walks may use other materials.
- d. These types of alterations/new construction will be subject to the same guidelines as set forth in Section VII (New Construction). Any specialty walks of other surfaces will be approved on a case-by-case basis.

2. **Application.** An application is required for all driveways, walks whether new or rebuilt. Information must include design, dimensions, location, material, color and any structural changes to accommodate the design and appropriate Stafford County permits.

D. Attic Ventilators.

Attic ventilators, vents, or other apparatus requiring penetration of the roof should be as small in size as functionally possible. Vent apparatus should be located generally on the least visible side of the roof and not extend above the ridge line. Colors should closely approximate the roof colors. If these guidelines are met no application is required.

E. Exterior Painting and Residing

1. Color changes apply to house siding, trim, exterior doors, shutters, roofing and other related structures.
2. Adjacent houses shall not have identical color schemes, avoid houses of identical colors directly across the street from one another.
3. Applications are not required if the repainting, re-staining or residing matches the existing color or stain of the homeowner's structure. Color changes require an application and must be accompanied by actual color samples, not photos of colors.

F. Storm Doors, Screen Doors, Windows and Skylights.

Rising energy costs and the need to conserve natural resources have encouraged homeowners to take measures to conserve energy. However, energy conservation should be accomplished without compromising the visual quality of the neighborhood. The following guidelines are applicable:

1. General Design

- a. Storm doors should be full view glass with no ornamentation such as scallops, scrolls, and imitation gate hinges.
- b. Storm or screen doors should be painted the same color as the entry doors behind them. However, consideration will be given to doors that are the same color as the architectural trim, siding, and existing windows.
- c. Storm and screen window frames should match the trim of the window to which they are attached; however, white or anodized aluminum is accepted.
- d. Rear doors do not have to meet full view requirements although the color scheme should compliment the house. Rear doors do not require an application.
- e. Skylights should be located such that they are not visible from the front of the dwelling except for original builder skylights.

2. **Application**. An application is required for all driveways, storm doors, screen doors and windows whether new or rebuilt. Information must include design, dimensions, location, material, color and any structural changes to accommodate the design.

G. SUN CONTROL DEVICES.

Sun control devices, to include awnings, sun screen film on windows, etc., are prohibited.

H. SOLAR EQUIPMENT.

All solar equipment is strictly prohibited.

I. SHUTTERS.

1. **General Design.** Shutters should be compatible with the style, materials and colors of the house and should be of proper size and proportions to match the window to which they relate.

2. **Application.** An application is required for all shutters, whether new or rebuilt unless it is an identical replacement.

J. HOUSE NUMBERS. House numbers are required and should be legible but of the size and material which is appropriate for the style and size of the house. Grossly oversized numbers are not allowed.

K. UTILITIES/HEATING VENTILATION AIR CONDITION (HVAC) UNITS.

1. General

a. Exterior units (heat pumps) may be added or relocated only when they do not interfere visually and/or acoustically with the surrounding neighbors. All attempts should be made to minimize the visual impact from public spaces and adjacent property by architectural treatment, fence, or appropriate landscaping.

b. Window units are prohibited.

2. **Application.** An application is required for all utilities/H.V.A.C. additions or modifications. Information must include design, dimensions, location, material, color and any structural changes to accommodate the design.

III. SITE STANDARDS

A. FENCING. Fencing can be used to separate property, provide security, visual privacy or architecturally define space. In achieving any one of these goals, a barrier is created which has both a visual and physical impact on the boundaries of common land and properties of adjacent

homeowners. Careful consideration should be given to the location, basic fencing concept, architectural style of the house and the manner in which the concept is executed.

1. Location Fences will be restricted to the rear and side yards. Fences in the side yards of homes should be setback from the front corner of the house a minimum of one-third (1/3) the depth of the house. The depth shall include the main house structure and exclude porches, overhangs and the like.

2. Height Fence heights will be not less than three (3) feet nor greater than six (6) feet. Furthermore, solid fencing or the solid portion of any mixed design fence may not exceed five (5) feet in height. Only one height per lot is allowed. All fence heights are measured from the existing grade unless a change in grade has been previously approved by the ACC or is proposed in the application.

3. General Design and Style Design and style of fence will be considered based on the following factors:

- a. Only one style per lot is allowed.
- b. Proposed fence must be compatible with existing fences of neighbors.
- c. Fencing which is finished on one side only must be constructed with finished side facing toward the public view or adjacent property.
- d. Gates must match fencing in design, height, material and color.
- e. Examples of unacceptable styles of fences include stockade, wrought iron, chain-link, barbed wire, chicken wire, pig wire and hog wire. However, woven wire mesh (2 inch X 4 inch gage wire) may be approved for placement on wood fences (so long as mesh is not clearly visible from the street) on a case-by-case basis.

4. Color Fences should be left unpainted and unstained to weather naturally. Waterproofing with a clear water ESL is acceptable.

5. Maintenance Fences must be properly maintained, to include structural integrity.

6. Application

- a. An application is required for all fences, whether new or rebuilt. Information must include design, dimensions, location, material, color and any structural changes to accommodate the design and appropriate Stafford County permits.

b. Fences that abut pipe stems or private drives or are on “odd shaped” lots require special consideration. Each application will be closely reviewed to ensure that any negative effects on the adjoining property owners are minimized. Special conditions imposed upon approved applications may include, e.g., lower height limits, setbacks from lot lines, specific styles, and/or immediate placement of shrubs or trees of a size and type appropriate to suffice as an immediate buffer or screen.

B. SHEDS. Sheds are discouraged and will be subject to very strict scrutiny as to placement, color, design, size and visual impact on all members of the Association as well as abutting neighbors. Sheds may be of the free standing type or attached to the house. The ACC may impose more stringent requirements than actual guidelines enclosed here in for individual sheds based upon the particular circumstances of individual cases.

1. Location

- a. Sheds must be located in the rear yard.
- b. If the yard is fenced, the shed must be within the fenced area.
- c. Views from other properties should always be considered when locating storage sheds. Although no minimum requirements are specified, appropriate landscaping will be required to lessen the visual impact of storage sheds on view from adjacent property.
- d. The ACC may require alternate placement of the shed to soften the visual impact on surrounding neighbors and common areas.

2. General Design

- a. No prefabricated metal sheds will be allowed.
- b. Design and style of sheds should relate to or compliment the architectural design of the house.
- c. Materials and color should match (when applicable) the house and/or fence that shed will be near or attached to.
- d. While sheds should provide sufficient volume for their intended use, they must be of a size which is appropriate for the size of the property, but shall not exceed sixty-four (64) square feet of storage area, nor exceed eight (8) feet in height.

e. Structurally sound concrete/masonry foundations are required.

3. **Maintenance.** Sheds must be properly maintained, to include structural integrity, painting, staining and/or sealing.

4. **Application.** An application is required for all sheds, whether new or rebuilt. Information must include design, dimensions, location, material, color and any structural changes to accommodate the design and appropriate Stafford County permits.

C. PATIOS, DECKS, GAZEBOS AND SCREENED PORCHES. These structures, as extensions of living space of the house, have significant impact on its appearance, and may also affect the privacy of adjacent properties. These factors should be carefully considered when planning the design, location and vertical elevation or height of the proposed construction. Any ACC approval is contingent on homeowner obtaining appropriate county permits.

1. **Location** when planning patios and decks, careful attention should be paid to the impact on the external architectural design, as well as the compatibility between the detailing of the deck and the style of the house. Refer to Stafford County Zoning Department for current setback requirements before planning your deck or patio.

2. **General Design.**

a. Decks must be constructed of good quality, exterior grade wood.

b. Colors.

1. Color changes require an application.

2. Decks may remain unfinished to weather naturally.

3. Decks may be stained; however. Painting is restricted to the railing only. Any color or stain must compliment the existing color scheme of the house.

c. To minimize impact of clutter, under deck storage will be permitted only when screened from view using visual barrier or landscaping.

d. When design includes other exterior changes such as lights, plantings, awnings, hot tubs, etc., other appropriate sections of these guidelines must be consulted prior to application.

- e. Patios will be reviewed by the ACC on a case-by-case basis.
- f. Roof line of covered structures should be consistent with existing roof pitch of house to compliment the architectural design of the structure.
- g. Roofing materials of attached structures must be identical.

3. Maintenance. Patios and decks must be properly maintained, to include structural integrity, painting, staining and/or sealing.

4. Application. An application is required for all patios and decks, whether new or rebuilt. Information must include design, dimensions, location, material, color and any structural changes to accommodate the design and appropriate Stafford County permits. No application is necessary when only repairing or re-staining above structures the same color.

- a. Design shall be sketched on a plat to scale to reflect location and size. In addition, one other drawing should be furnished that provides overhead and size elevation, to include typical railing design.

D. RETAINING WALLS

1. General Design

- a. Walls must be constructed of stone, brick, modular/pre cast concrete products, exterior grade wood or timbers, and located outside the drip line of existing trees when possible. Consideration should also be given to future growth of trees which might impair the integrity of the retaining wall.
- b. Concrete and masonry walls are required to have a finished surface.
- c. No creosote railroad ties, either new or used will be allowed.

2. Application. An application is required for all retaining walls, whether new or rebuilt. Information must include design, dimensions, location, material, color and any structural changes to accommodate the design and appropriate Stafford County permits.

E. SWIMMING POOLS, HOT TUBS AND SPAS.

1. In-ground Pools, Hot Tubs and Spas

a. **Location.** Locate all in-ground pools, hot tubs and spas in rear yards only. Pool walls should be kept an adequate distance away from adjacent property lines.

b. **General Design.**

1. Pool construction, fencing, and gates shall be in accordance with applicable state and local codes/regulations.
2. To provide a visual barrier, a perimeter yard fence which meets the guidelines as set forth in Section III.A of this document is required. This fencing is in addition to any stipulation required by state and local codes/regulations.
3. Screen pool; mechanical equipment from public view by architectural treatment, fencing or planting.
4. Although minimum requirements are unspecified, appropriate landscaping will enhance the pool environment, and lessen the impact on neighboring property.

c. **Application.** An application is required for all in-ground pools, hot tubs and spas whether new or rebuilt. Information must include design, dimensions, location, material, color and any structural changes to accommodate the design and appropriate Stafford County permits.

2. **Above Ground Pools.** Aboveground pools are prohibited. Children's play pools, not to exceed 2 feet above grade, are acceptable so long as they are stored out of sight after the summer season. Children's play pools do not require an application.

F. EXTERIOR LIGHTING

1. Exterior lighting must not shine outside the homeowner's property in a manner which could disturb neighbors.
2. Light fixtures which are to replace original fixtures must be compatible in style and scale with the architecture of the house.
3. No application is necessary when the above guidelines are followed.

G. RECREATION AND PLAY EQUIPMENT.

Homeowners often express interest in swing sets, tot lots, and other play equipment. Most equipment of this sort is commercially available but is often less than pleasing in appearance. The use of creatively designed equipment is encouraged. The guidelines

listed below are provided in an effort to reconcile the need for play equipment with the goal of minimizing their visual impact.

1. **Location.** Locate the equipment in rear yards only. Consideration must be given to lot size. Equipment design and size, and impact on views from neighboring properties.

2. **General Design.**

a. Equipment utilizing natural materials or colors is encouraged. Metal play equipment, exclusive of the wearing surfaces (slide poles, climbing rungs, etc.) Should be painted earth tones to blend with the landscape or painted to match the house.

b. Children's playhouses should not exceed thirty-two (32) square feet of five (5) feet in height. Color schemes are not applicable to pre molded plastic. Playhouses that exceed these requirements must follow guidelines established for sheds which require an application.

c. No "tree houses" will be allowed.

3. **Application.** No application is necessary when the above guidelines are followed.

H. BASKETBALL POLES/BACKBOARDS.

Basketball backboards attached directly to house or garage are prohibited. Free standing basketball poles require an application and will be evaluated on an individual basis.

I. FLAGPOLES.

1. Free standing flagpoles require ACC approval.

2. Permanent flagpoles must be of a height, color, and location which is appropriate for the size of the property and surroundings. Install and maintain flagpoles in a vertical position.

3. No application is required for temporary flag staffs which are placed at an incline on a front wall or pillar for the house and does not exceed six feet in length.

J. PERMANENT GRILLS/BARBECUE PITS.

Permanent barbecue grills/pits require ACC approval. They are to be located in the rear yard only and as far as practical from the adjacent property lines.

K. DOGHOUSES

1. Dog houses must be located in the rear yard and only where they will be visually unobtrusive.
2. Doghouses may not exceed sixteen (16) square feet of floor space and may not exceed four (4) feet in height at the highest point. The user of appropriate screening, i.e., fencing, landscaping etc., will be required in order to minimize the visual impact on surrounding neighbors and common areas.
3. No dog runs will be permitted.
4. No application is necessary when the above guidelines are followed.

L. EXTERIOR DECORATIVE OBJECTS.

Because use of the following objects in the front yard can impact the exterior appearance of our community, exterior decorative objects, to include such representative items as: bird baths, wagon wheels, artificial animals, sculptures, flamingos, fountains, pools, stumps, driftwood piles, furniture, freestanding poles of all types, must be approved by the ACC. Use of these decorative items in front yards is discouraged.

M. STORAGE OR PARKING OF RECREATIONAL VEHICLES, BOATS AND VEHICLES OTHER THAN PRIVATE CARS

1. Recreational vehicle (RV) is the proper term to define a powered, wheeled conveyance more popularly referred to as "motor home". To prevent RV, boats, and vehicles other than private cars becoming an "eyesore" and impairing the general value of our community, the following guidelines apply: placement/location in the side yard. Storage in the driveway is prohibited. These types of vehicles can be stored in the garage provided they do not protrude from the garage and/or inhibit the closing of the garage door. Storage in rear yards is discouraged.
 - a. If any of these categories of vehicles are to be stored for more than seventy-two (72) hours, the ACC recommends
 - b. If storage in the side yard of the residence is selected, vehicles should be placed on an apron of skirt constructed of materials similar to the existing driveway. In addition, a visual barrier, fencing or landscaping, will be required to lessen the visual impact on these vehicles from adjacent properties.
 - c. Storage of these types of vehicles in road/shoulder in front of adjacent to homeowner's property is prohibited.

2. **Application.** An application is required for adding additional parking surfaces to accommodate vehicles. Information must include a description of the vehicle (a picture is preferred), design, dimensions, location, material, color and any structural changes to accommodate the design, any intended fencing or other screening devices and appropriate Stafford County permits.

IV. MISCELLANEOUS STANDARDS

A. FIREWOOD.

1. Locate firewood in side or rear yards neatly stacked. Stacks longer than eight feet should be two rows deep minimum. Stacks must not exceed four (4) feet in height for safety.
2. Do not use firewood stacks for storage of debris or other material.
3. Location should be in such a manner as to minimize visual impact. In certain cases, screening may be required.
4. If the above criteria are met, ACC approval is not required. If deviations from the above criteria are desired or for stacks larger than two cords, ACC approval is required.

B. CLOTHESLINES.

Clotheslines are prohibited.

C. GARBAGE AND TRASH.

1. Cans and other containers for garbage, trash, newspapers or other refuse must be stored out of clear sight from the street.
2. Trash containers shall be placed for pickup at designated locations no earlier than 6:00 PM on the evening prior to trash collection day.
3. Trash shall be placed for pickup in containers manufactured for trash storage purposes only.

D. MAILBOXES.

Street side mailboxes for all homes should meet U. S. Postal Service requirements.

E. SIGNS.

1. During and renovation or construction, a contractor may erect one sign no more than four (4) feet square in size.
2. Temporary real estate sign not more than four square feet in area advertising the lot for sale or rent are permitted.
3. There shall be no more than one sign on any residential lot at any time.
4. No signs or any other paraphernalia shall be attached to existing trees or fences.
5. Small signs in the form of decals or stickers may be affixed to an appropriate location on the dwelling for valid special purposes such as notice of security system on the premise or lost child symbol. Such signs should be as small and unobtrusive as possible while effectively accomplishing their intended function (eight (8) inches maximum is generally considered adequate).
6. Temporary signs are acceptable (i.e. garage sales, etc.) With a posting duration of no more than ten (10) days maximum.

(Rev 2) F. EXTERIOR ANTENNAS, SATELLITE DISHES, ETC.

1. No aerial or antenna shall be placed or erected upon any lot or affixed in any manner to the exterior or any building in Settlers' Landing without the approval of the ACC.
2. Written approval for a satellite dish is required prior to installation. However, given the recent changes in FCC regulations, it is highly recommended that the homeowner obtain an approval permit prior to purchasing a satellite dish. Only satellite dishes with an outside diameter of 18 inches or less are permissible and they should be installed only under the following conditions:
 - a. Satellite dishes must not be visible from the street you live on.
 - b. Recommended installation is on rear of roof, preferably behind existing chimney.
 - c. Satellite dish must be flush mounted to residence, and may not be installed in any other manner. Restrictions include, but are not limited to, the use of extension poles or any mechanism that causes the dish to protrude from the residence.
 - d. If satellite dish is mounted to a deck that is attached to the residence, and therefore part of the dwelling, the dish must be installed below the top railing.

e. No satellite dish wires, or wires connected or affiliated with the use of a satellite dish, shall be visible on the outside of the residence.

f. Satellite dish color should blend with the color of the area of installation.

g. Satellite dish shall be in working order and connected to satellite service at all times. All disconnected or non-working satellite dishes must be removed within one month of non-use.

h. Only one outside satellite dish is allowed per lot.

i. Every effort shall be made to facilitate the least obtrusive position and installation of a satellite dish.

G. INSECT CONTROL

1. No insect control device shall be installed or operated in such a way as to cause discomfort to the neighbors and may only be operated during those times when the immediate area protected by the device is occupied by the owner and guests.

2. Insect control devices shall be turned off by 10:00 PM on week nights and 12:00 PM on weekends.

V. LANDSCAPING

A. INTRODUCTION.

Per the Covenants, all landscape design is subject to ACC approval. To minimize time and expense, the ACC has elected to allow the homeowner to plant any natural materials (e.g. trees, shrubs, annuals etc.) Without an application. The ACC does reserve the right to review and mandate changes to landscaping/alteration which are subsequently found to be deficient or otherwise out of character with the overall architectural integrity of the community.

B. LANDSCAPE DESIGN

1. When contemplating site improvements, consideration should be given to a well designed, comprehensive plan that could be completed in future phases as budget allows. This comprehensive site and landscape plan might consider such future construction as pools, decks, trellis', walks, retaining walls, sheds, and fences. In this way, the

homeowner will be able to phase the improvements and embellish upon the basic planting in guided and coordinated way and with the assurance that the effort is expended toward a well defined goal.

2. Trees and shrubs must not be planted in locations which should obstruct the line of sight for vehicular traffic or public or Association walkways.

3. An application is necessary when the landscaping includes retaining walls, brick walls, sidewalks, walkways, steps, foundations or similar materials or devices.

C. FOUNDATION PLANTING.

1. Maintain mulch around trees and foundation planting in order to discourage weed growth, conserve moisture in planting beds, and to create a neat overall appearance. The ACC recommends the mulch should be a fine grade, shredded, hardwood mulch at recommended minimum depth of four (4) inches and be consistent throughout the yard.

2. Consider the use of additional shrub plants or groups as accents to the basic foundation planting that will provide color, texture and an attractive and pleasing overall landscape planting complimentary to the house.

D. Vegetable Gardens:

1. Location. The garden must be between the rear of the house and the back of the property line, unless the rear yard is enclosed in which case the garden may be in the enclosed area. It must be planted on a grade of less than five (5) feet to one hundred (100) feet. It must not encroach on the Association common grounds

2. Maintenance. The garden must be neatly maintained throughout the growing season. After the growing season, all debris, dead vegetation, unused stakes, of trellis must be removed.

3. Application. An application is not required for vegetable gardens that meet the above guidelines. The ACC reserves the right to restrict location and size of individual gardens.

E. ROCK GARDENS:

An application must be submitted for rock gardens in the event rock or collections of rocks

exceed twenty-four 24 inches in any direction. All rocks shall be left their natural color.

F. COMPOST PILES

1. Compost piles must be constructed of a wood frame with wire or masonry block, shall not exceed four (4) feet in height, and must be located in rear yards only, at least eight (8) feet from the lot lines.
2. Compost piles must have a planting screen to minimize impact on views from neighboring properties.
3. Active compost piles must be covered with a six (6) inch layer of straw at all times to prevent odors from escaping. Compost piles must be maintained and turned periodically to ensure the proper destruction of bacteria and weed seeds by heat.
4. An application is necessary only when the above guidelines are not followed.
5. Failure to maintain a satisfactory compost pile and/or the point at which the compost pile becomes a public nuisance shall indicate an abandonment of the compost pile which constitutes a violation of these guidelines.

VI. MAINTENANCE STANDARDS

A. EXTERIOR APPEARANCE

Homeowners are responsible for maintaining the exterior appearance of their house, landscaping, and other improvements on their lots in good order and repair. While it is difficult to provide precise criteria for what may be deemed as unacceptable conditions, the following cases represent some of the conditions which would be considered a violation:

1. Peeling paint
2. Damaged mailboxes
3. Fences with either broken or missing parts.
4. Sheds, playhouses, or dog houses with broken doors or in need of painting or other types of repair.
5. Decks with missing or broken railings or parts.

6. Unkempt lawn and landscape in need of mowing and pruning, or diseased, dying or dead plants.
7. Missing shutters.
8. Storage or play items, yard equipment, and other clutter in front or rear yards.

(Rev 1) Most homeowners, undoubtedly, would not allow any of the above conditions to exist, as they seek to preserve and protect their investment in their homes and to limit their personal liability by keeping all improvements on their lots in good condition.

B. LANDSCAPE MAINTENANCE

1. Mow lawns, prune, control weeds, pests and disease, apply supplemental water, replace mulch and other necessary maintenance measures to sustain the landscape in a neat, orderly, vigorous and healthy condition.
2. Turf areas need to be mowed at regular intervals, maintaining a maximum height of six (6) inches and a minimum height of two (2) inches.
3. Given the hilly terrain and poor soil conditions that are characteristic of Settlers' Landing, particular attention should be given to maintaining the adequate ground cover to prevent erosion and other unsightly conditions that may occur. If growing grass on slopes is difficult, consideration should be given to using such natural items as landscaping and/or mulch, rocks, or flower beds.

VII. NEW CONSTRUCTION

A. INTRODUCTION

As currently provided for in the Covenants, every unit constructed on a lot in Settlers' Landing **MUST** contain no less than one thousand four hundred (1,400) square feet of fully enclosed heated floor area devoted to living purposes, exclusive of roofed or unroofed porches, terraces, and garages. (See special ruled for split level/foyer homes.)

B. CONSTRUCTION OPERATIONS

The following construction standards shall apply during new construction or renovation:

1. During any renovation or construction the contractor is responsible for the conduct of all construction personnel to ensure that adequate temporary and permanent utilities are provided and maintained. Contractors must ensure that adequate and safe sanitary facilities are provided and maintained.
2. Restrict construction personnel parking to the applicant's property and in front of the applicant's property, in so far as is practical.
3. Construction hours are limited to 7 a.m. to 7 p.m.
4. Construction personnel are prohibited from living on the property during construction or renovation.
5. Restrict construction activity, to include materials and equipment storage, on the lots for which an ACC approval has been received and a building permit has been issued. Any ground, adjacent parcel, public property and rights of way, community facility or green space damaged during construction shall be promptly restored to its original condition to the satisfaction of the ACC.
6. Store construction materials in an inconspicuous area of the applicant's property and in a neat and orderly manner. Do not store materials and equipment within the drip line of existing trees.
7. Maintain construction sites in a clean and orderly manner and complete all improvements or construction in a timely manner.
8. The homeowner and contractor are responsible for providing adequate receptacles for collection of trash and debris and enforcing their use by construction personnel. Empty the receptacles when full and collect windblown trash in order to maintain the community free of trash and debris.
9. All debris blown from the construction site will remain the contractor's responsibility to clean-up.
10. Comply with applicable state and local regulations with regard to sedimentation and erosion control. Site work should be accomplished in a manner that does not disrupt existing natural or manmade drainage and erosion control (i.e. slit fence, soil stabilization, etc.).
11. The homeowner and contractor are responsible for keeping dirt and mud off the public streets; and, if necessary, the cleaning, washing and sweeping of streets as needed.
12. It is the responsibility of the contractor to provide and maintain safety barriers throughout the new construction of renovation.

13. Upon completion of construction, immediately remove construction debris and equipment from the lot.

C. GENERAL DESIGN.

In order to maintain the architectural integrity of Settlers' Landing, new residences will be required to meet the following standards:

1. Styles should be similar to and consistent with existing structures in the community.
2. Foundation/poured concrete or block with standard purged treatment and painted to match siding is required with new construction.
3. A minimum of one car garage per lot is required.
4. Exterior finishes to include doors, windows, primary walks, driveway with culverts and finished wall or dressing, lamp post, exterior house/garage lighting, mailboxes and roofing materials should be considered with new construction.
5. Color schemes are subject to ACC approval.
6. No exterior structure or portion of a structure will be left in an unfinished state.

(Rev 1)

D. LANDSCAPE SPECIFICATIONS.

1. Lots should be graded to maximize useful area while maintaining proper drainage and erosion control.
2. Lots must have sod or be seeded with a suitable stabilizing material.
3. Basic foundation planting must include a minimum of six (6) plants at a height and diameter of eighteen (18) inches.
4. The contractor is required to plant within each lot two (2) canopy trees, minimum of 2 2 in caliper, with the exception that corner lots and pipe stem lots require a minimum of three (3) canopy trees. (See appendix D)

E. CODES AND REGULATIONS.

Meeting the minimum ACC guidelines set forth in this document does not in itself minimize, modify or alleviate your responsibility to comply with all existing local and/or state regulations.

F. APPLICATION.

1. An application is required which must include complete specifications, formal list of building materials and associated samples for all exterior finishes, and house drawn to scale on plat. Supporting documentation must be authenticated by initials and date of all principals of company submitting application.
2. The ACC recognizes that it is not uncommon for additional work of changes beyond those approved in the original design to occur during the course of construction. These additional amenities, e.g. decks, porches, fences, etc., require separate approval from the ACC.
3. Upon completion of exterior finish and landscaping, notification to the ACC is required for the purpose of final review.

VIII. APPENDIX

SETTLERS' LANDING HOMEOWNERS ASSOCIATION APPLICATION FOR ARCHITECTURAL CHANGE

INSTRUCTIONS TO APPLICANT:

1. The Architectural Control Committee (ACC) meets the first Tuesday of each month. Applications must be postmarked by the 25th of the preceding month in order to ensure timely review at the ACC's monthly meeting. Applications postmarked after the 25th of the month will be taken up the next monthly meeting.
2. Refer to the Architectural Standards and Guidelines to identify alterations/modifications which require ACC approval. Be sure to consult the Architectural Standards and Guidelines thoroughly paying particular attention to the sections relevant to the proposed change.
3. Applications, drawings, plats, pictures, etc. should be submitted in **DUPLICATE** and typed or printed legibly. Upon ACC action, one copy of all materials submitted will be returned to applicant.
4. Drawings should be to scale.
5. Provide all dimensions, including height, roof slope, etc., on new construction.
6. Certified plats will be required for new construction, including additions to a present structure, new structures on the lot, fences, etc. Area of proposed construction must be indicated on the plat. Plats are NOT required for paint changes, storm windows, or other such modifications.

7. Provide a list of all major components and materials to be used in the proposed construction. This listing should identify the type and size of the materials not quantities.

8. Present colors and any proposed colors MUST be indicated. Applications for colors which are not the original color must be accompanied by actual color samples, not photos of colors.

9. The signatures and addresses of all abutting property owners in necessary. These property owners may indicate their approval or disapproval of the change in the space provided, which indicates that the ACC that other property owners have had the opportunity to review the architectural change being submitted. Notwithstanding the foregoing, if any property owner shall refuse to sign the application r not be available, the applicant may attach a statement certifying that (1) the adjacent of abutting property owner was presented with the application but refused to sign or (2) despite reasonable efforts by the applicant, the abutting property owner was not available to compete the form. The ACC reserves the right to notify other potentially affected property owners of the proposed change.

10. Statement of mitigating circumstances is not mandatory. If you believe that what you are requesting/proposing might be controversial, or if you think that requests similar to yours have been denied in the past, you may include a statement of mitigating circumstances on a separate sheet of paper. Use this statement as a vehicle to convey any special situations or conditions that might impact the ACC's consideration of your request. Such things as location, stands of mature trees which obscure viewing, terrain, whether or not your property adjoins other developments or common areas, etc., are among the items of information to be included here.

11. Applications not meeting these instructions and the procedures set forth in the Architectural Standards and Guidelines may be returned without processing. The ACC also reserves the right to request any additional information deemed necessary to process your request/proposal. This additional information may take the form of, but is not limited to, more on-site inspection of the structural/alteration site, and/or including your attendance during the open portion of the ACC meeting.

12. Return your completed application to:

Settlers' Landing Home Owners Association
(Attn: Architectural Control Committee)
Post Office Box 369
Stafford, Virginia 22555

Appendix A. ACC Application form

SETTLER'S LANDING
APPLICATION FOR ARCHITECTURAL CHANGE
HOMEOWNERS ASSOCIATION

An on-site inspection of the structural/alteration site, and/or including your attendance during the open portion of the ACC meeting.

12. Return your completed application to:

Settlers Landing Homeowners Association (SLHOA)
(Attn.: Architectural Control Committee) (ACC)
P.O.Box 369
Stafford, Virginia 22554-0369

Applicant's Name: _____

Address of Proposed Change: _____

Home Phone: _____ Work Phone: _____ Lot No: _____

Resubmittal : YES ___ NO ___ First Submittal: YES ___ NO ___

Describe Proposed Changes (Attach additional sheets if needed):

Est. Start Date: _____ Est. Completion Date: _____

The undersigned also understands that it is their responsibility to become aware of the next Architectural Control Committee (ACC) meeting if they feel any concerns about this request that need to be addressed. Notification requirement for shutting property owners affected by change:

Name	Address/Lot #	I have been notified yes/no
_____	_____	_____
_____	_____	_____
_____	_____	_____

Reminder: Dues must be paid before submitting this form

All previous versions of these forms are obsolete.

1. I agree that compliance with Settler's Landing Architectural Standards and Guidelines and that approval by the ACC does not constitute compliance with county building and zoning codes. Furthermore, I agree that ACC approval shall not be construed as a waiver or modification of any code restriction.

2. This application is not valid and will not authorize any construction or building changes until the application is received by the ACC and the proposed changes and /or construction is approved by your Association or as otherwise provided the Covenants.

3. I agree that members of the ACC shall be permitted to enter upon my property after prior notification to me, and at reasonable time, for the purpose on inspecting the proposed change, the project in progress, and the completed project. Such entry shall not constitute trespass.

4. I agree that the authority granted to make the proposed changes will be revoked automatically if the changes requested have not been commenced within 180 days of the approval date and completed by 180 days thereafter.

Homeowner (s) Signature: _____ Date: _____
_____ Date: _____

ACC ACTION

DATE ACC RECEIVED: ___/___/___ REF. # _____

APPROVED ON: _____ APPROVED AS MODIFIED ON: _____

DISAPPROVED ON: _____

COMMENTS: _____

Chairman
Architectural Control Committee

All previous versions of these forms are obsolete.