

LEE'S HILL

COMMUNITY ASSOCIATION

ARCHITECTURAL GUIDELINES

2014
EDITION

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PREFACE

The initial Architectural Guidelines were prepared with the assistance of land-development professionals, with portions of them based on published guidelines of the Burke Center, Reston, Franklin Farm and Franklin Glen communities. In addition, many of these guidelines were supported by legal documents prepared by the law firm Hazel Thomas Fiske Beckhorn and Hanes. Thus, the Lee's Hill Architectural Guidelines are built upon a strong foundation.

Since the original guidelines were published, several revisions have occurred. This 2014 edition replaces the original guidelines and all subsequent revisions. Such updates are periodically needed to accommodate the introduction of new building materials, along with changing needs of the community.

In the event specific items set forth in this manual are in conflict with any Declaration of Covenants and Restrictions, Supplemental Declaration, or any other Governing Document of the Lee's Hill Association, the governing document(s) shall control.

The Board of Directors has the sole discretion regarding changes to this manual.

**ARCHITECTURAL GUIDELINES FOR
LEE'S HILL COMMUNITY ASSOCIATION, INC.**

ARTICLE I

OBJECTIVES OF LEE'S HILL ARCHITECTURAL GUIDELINES

The primary objectives of this manual are to: (1) address the architectural guidelines necessary to the maintenance and enhancement of the Lee's Hill Community; (2) explain the role of the Covenants Committee; and (3) serve as a readily-available guide to the Covenants Committee, the Board of Directors, the Lee's Hill Community, and the Lee's Hill Managing Agent in the implementation of exterior alterations.

The guidelines described herein address exterior improvements for which homeowners most commonly submit applications to the Covenants Committee. They are not intended to be all-inclusive, but rather serve as a guide to the type of improvements and how they may be done.

The specific objectives of the guidelines are:

- Increase the residents' awareness and understanding of the Lee's Hill Covenants.
- Describe the architectural review procedures used by the Covenants Committee.
- Illustrate design principles that will aid residents in the development of exterior improvements that are in harmony with the immediate neighborhood and the entire community.
- Assist residents in the preparation of a correct Exterior Alteration Application.
- Provide the Covenants Committee with uniform guidelines for the review of applications. These guidelines reflect the goals of the governing documents of the Lee's Hill Homeowners Association, Inc.

ARTICLE II

PROTECTIVE COVENANTS

The Association Documents, as defined by Section 1.1. (e) of the Declaration for Lee's Hill Community Association Inc. (LHCA), set the standard by which Lee's Hill's quality-of-design is implemented and maintained. Per Article 9 of the Declaration, Architectural Review, the Covenants Committee administers these Architectural Guidelines.

New members to the Community should have received a copy of the Association's Documents provided at settlement. These documents provide the framework for the governance of LHCA and the administration of the Lee's Hill property.

The collected governing rules and regulations contained in the association documents are termed the "Covenants". The association documents have been recorded among the land records of Spotsylvania County, Virginia, and all property within Lee's Hill are subject to the Covenants.

The Covenants are binding on all property owners and their successors in title, and thus should be periodically reviewed and understood by each property owner.

FAILURE TO COMPLY WITH CURRENT GUIDELINES CAN RESULT IN FINANCIAL OR OTHER PENALTIES.

ARTICLE III

THE COVENANTS COMMITTEE

SECTION 3.1 PURPOSE

A responsibility of the Lee's Hill Association, of which every homeowner is a member, is to conserve and enhance the resources of the total community.

To ensure that this responsibility is accomplished, the governing documents established the Covenants Committee, herein known as the "Committee". The Committee's purpose is to ensure the retention of harmonious, though diverse, design qualities throughout the Community. Surveys of planned communities show that the existence of a Committee is essential to the preservation and enhancement of real estate values, and is of prime importance to residents.

The Committee performs its task of ensuring aesthetic quality of the homes and their environs by meticulously following an architectural review process, according to the guidelines set forth in this manual.

All restrictions and procedures set forth in this manual are in addition to the applicable ordinances of Spotsylvania County, Virginia. **Compliance with these guidelines and the ordinances of Spotsylvania County are prerequisite to the alteration or addition to any lot within Lee's Hill.**

SECTION 3.2 CHANGES REQUIRING COMMITTEE REVIEW

Article 7.5 of the Declaration of Lee's Hill, Additions, Alterations or Improvements by the Owners, explicitly states that all exterior alterations, whether permanent or temporary, require the approval of the Committee; this does not include the normal upkeep and limited natural landscaping of a property. Approval by the Committee or Board of Directors shall not relieve property owners from the obligation to obtain the proper county permits.

It is important to understand that the need for Committee approval is not just limited to major alterations such as adding a room or deck to a house, but also for such things as changes in color, materials, etc. Furthermore, per Article 7.5 of the Declaration, the homeowner shall not deviate materially from the approved plans without prior written consent of the Committee. Additionally, Committee approval of an application does not relieve the applicant of the legal responsibilities and liabilities attendant to the requested architectural change.

Article 11.1(b) of the Declaration of Lee's Hill, When Construction or Repair Required, Lots, explicitly states that if a building or other major improvement located upon a Lot is damaged or destroyed, the Owner thereof shall restore the site either (i) by repairing or reconstructing such building or other major improvement or (ii) by clearing away the debris and restoring the site to an acceptable condition compatible with the remainder of the Property. Unless the Covenants Committee permits a longer time period, such work must be commenced within six (6) months after the casualty and substantially completed within eighteen (18) months after the casualty.

It should be noted too, that Committee approval is required when existing items are planned for removal. This especially applies to trees.

ARTICLE IV

COMMITTEE REVIEW OF APPLICATION

SECTION 4.1 REVIEW CRITERIA AND DEFINITIONS

The Committee reviews all submissions for exterior changes on the individual merits of the application. What may be an acceptable design for one exterior may not be for another. For example, exterior changes to townhouses, due to their relative closeness, usually are more noticeable and have more impact on adjoining properties than do changes to detached houses. Consequently, evaluation of the design proposal includes the consideration of the housing type and individual site.

Design decisions made by the Committee are not based on individual opinions or tastes. Judgments of acceptable design are based strictly on the architectural guidelines and the following criteria that represent the standards of the Restrictive Covenants:

- a. ***RELATION TO THE LEE'S HILL OPEN SPACE CONCEPT.*** Fencing, in particular, can have damaging effects on open space. Other factors, such as the removal of trees and the disruption of the natural topography may also cause an adverse effect on open space.
- b. ***VALIDITY OF CONCEPT.*** The basic idea must be sound and appropriate to its surroundings.
- c. ***DESIGN COMPATIBILITY.*** The proposed improvement must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, and similar use of materials, color, and construction details.
- d. ***LOCATION AND IMPACT ON NEIGHBORS.*** The proposed alteration shall relate favorably to the landscape, the existing structure, and immediate neighbors. The primary concerns are access, view, sunlight, ventilation, and drainage.
- e. ***FRONT, REAR, AND SIDE PLANES.*** The front plane is the largest horizontal plane on the house front, excluding bay windows, porches, steps, porticos, cantilevers, and similar structures. The same applies for the rear and side planes.

- f. **FRONT, REAR, AND SIDE YARDS.** The front yard is that portion of the lot forward of the front plane of the house. The same logic applies for the rear yard. The side yards, however, are those portions adjoining the side planes of the house, between the front and rear planes, and extending to the side property lines.
- g. **SCALE.** The size (in three dimensions) of the proposed alteration should relate well to adjacent structures and its surroundings. For example, a large addition to a small house may be inappropriate.
- h. **COLOR.** Color may be used to soften or intensify visual impact. For instance, elements of an addition that are similar to the existing house, such as roof and trim, must match the color established by the developer/builder or a color change subsequently approved by the Covenants Committee.
- i. **MATERIALS.** Continuity for an alteration is established by using materials that are compatible with those used in the original house construction. However, it is realized that options may be limited somewhat by the design and materials of the original construction. This will be considered during the review of the homeowner's application.
- j. **WORKMANSHIP.** The quality of work shall be consistent with the original house. Poor workmanship can create safety hazards and be visually objectionable to others.
 - i. **TIMING.** All alterations must begin within six months after Committee approval, and be completed no later than twelve months after their start. The estimated start and completion dates must be clearly indicated on the project application.

SECTION 4.2 APPLICATION FOR EXTERIOR ALTERATIONS

An application for exterior alterations (see *Appendix A*) must be completed and submitted prior to beginning a project. The application requests information needed to determine the detail and scope of the planned project, and includes:

- a. **FINAL SURVEY PLAT.** A final survey plat is a scaled drawing of the homeowner's property (lot) that shows the exact dimensions of the property, location of the dwelling, and all improvements (including those covered by the application) to the property. Survey plats may be obtained through the Spotsylvania County Clerk of the Court's office.
- b. **PICTURES / DRAWINGS.** Pictures, drawings, or three-dimensional renderings that assist the Committee in understanding a proposed project should be included as part of the application.
- c. **TEXTUAL EXPLANATION.** A written explanation should be included with the application to assist the Committee in understanding the proposed project.
- d. **SIGNATURES OF PROPERTY OWNERS.** For the purpose of notifying neighbors of a proposed exterior project, the application shall include the signatures of **four immediate neighbors**. This is for their information only, and does not signify their approval or disapproval. Immediate neighbors are those on either side, in the rear of, and to the front of the applicant's property. If there are no neighbors in these locations, or if an immediate neighbor declines to sign, provide an explanation and obtain the signatures of the otherwise nearest neighbors. In all

cases, four signatures are required. This provision is intended to ensure that neighbors and other owners are aware of proposed alterations; allow them to examine an application in detail during the public review period (see Section 4.3, below) and allow them to notify the Management office and/or appear at the Covenants Committee meeting(s) to show reasons why the application should not be approved.

SECTION 4.3 REVIEW PROCEDURES

All applications shall be filed with the Managing Agent by the 25th of each month. Each application will be reviewed for completeness, prior to sending it to the Committee. If information pertinent to a project is missing, the application will be marked incomplete and returned to the homeowner. If it appears complete, it will be forwarded to the Committee for review at its next scheduled meeting, following the public review period.

All applications will be available for public review at the Community Association Office for five (5) days after the cutoff date for the month (25th). If a homeowner knows of the submission of a particular application, it may be reviewed during the open-for-public-review period.

During the application review, a site inspection may be required. Subsequent to the review, the application may be approved, approved with conditions, disapproved, or marked incomplete. In any case, a majority vote of the Committee is necessary for all decisions. The Committee shall act on all matters properly before it within forty-five (45) days; failure to do so within the stipulated time shall constitute an automatic referral to the Board of Directors.

It is recommended that applicants attend the meeting to answer any questions the Committee may have regarding their application.

No decisions will be rendered at the meeting. Applicants will be notified by mail of the Committee's decisions. Notification will be sent to owners and tenants of rental property according to their addresses on record.

Any application that is not in compliance with current Lee's Hill Architectural Guidelines **MUST** be disapproved by the Covenants Committee. The homeowner can appeal the Committee's decision to the Board of Directors as outlined in Section 4.4 below.

The applicant shall notify the Managing Agent upon completion of the project. All completed projects are subject to final inspection by the Managing Agent for conformance with the approved application.

SECTION 4.4 APPEAL PROCEDURES

An applicant may appeal an adverse decision by the Committee to the Board of Directors, in accordance with the procedures found in LHCA Policy Resolution No. 4 (Procedures Relevant to the Due Process in Enforcement Cases and Covenants Appeals Cases).

SECTION 4.5 ENFORCEMENT PROCEDURES

Enforcement procedures are detailed in LHCA Policy Resolution No. 4, and are not the responsibility of the Committee.

If the homeowner proceeds with any exterior changes not approved by the Covenants Committee, the Association has the right to initiate any action authorized by the covenants and/or the Virginia Property Owners Association Act including, without limitation, injunctive relief and/or monetary assessments.

ARTICLE V

ALTERATIONS NOT REQUIRING AN APPLICATION

There are numerous exterior alterations that do not require an application. However, when in doubt, file an application. With such alterations, though, many have restrictions or limitations. Examples are:

- a. ***BENCHES/TABLES***. Benches, tables, portable grills, and umbrella tables may be placed in the in the rear yard. One (1) small bench may be placed in the front yard.
- b. ***BIRDBATH***. Only one standard birdbath, not exceeding forty-eight (48) inches high, located in the rear yard.
- c. ***BIRDFEEDERS***. Limited to two (2) in the rear yard; may be hung on a shepherd's hook.
- d. ***BIRDHOUSES***. Limited to three (3) standard-size birdhouses that are attached or hanging from trees, decks, etc; none freestanding.
- e. ***BLUEBIRD HOUSE***. A standard size bluebird house may be mounted on the rear-side of the mailbox post. It may not extend above the top of the post, and shall be painted white to blend with the post.
- f. ***CHILD'S POOL***. A temporary child's pool not exceeding six (6) feet in diameter is permitted. **NOTE: Residents of the Greens** – Per the Greens Declaration, Article XI, Section 4i; No pools with capacity in excess of 50 gallons are permitted.
- g. ***DECORATIVE OBJECTS***. Decorative objects are limited to four (4) objects under four-feet (4) tall. They may be placed in the yard or front-foundation planter beds.
- h. ***FENCING***. Replacement of fencing with same style and design as existing is permitted.
- i. ***FIREWOOD***. Firewood shall be kept neatly stacked and located to the rear of the residence to minimize the visual impact on neighbors. No more than two (2) cords is allowed without an application, and it shall be stacked no higher than four (4) feet.
- j. ***FLAG STAFF***. A temporary flagstaff, not exceeding six (6) feet in length, may be attached at an incline to the house.
- k. ***FLAG STONES / STEPPING STONES***. Both may be used in all parts of the yard. If the flag stones/stepping stones will be used to create a patio, an application is necessary.

- l. **FLOWER POTS / HANGING BASKETS.** These may be placed on the porch, deck, or screened porch. If flowerpots are placed along the driveway or in the yard, the limit is four (4).
- m. **GARDEN FLAG.** A small garden flag, hung on a wrought-iron hanger, may be placed in the yard or landscaped area.
- n. **GAZING BALL.** One (1) gazing ball may be placed in the rear yard.
- o. **HOLIDAY DECORATIONS.** Decorations for holidays that fall during the “Winter Holiday Period” of November 15th to January 15th may be installed up to thirty (30) days prior to the holiday and must be removed by the 15th calendar date after the holiday ends. Decorations for the other holidays can only be installed up to seven (7) days prior and must be removed by the 7th calendar day after. Decorations shall not make sound and if lighted, must not shine into other homes.
- p. **LIMITED LANDSCAPING.** Basic landscaping around the foundation of the house is permitted.
- q. **LEAF GUARDS.** Leaf guards may be attached to the gutters.
- r. **PLAY EQUIPMENT.** Heavy-plastic toddler play equipment may be located in the rear yard, as long as it is not visible from the street. The number of pieces is limited to two (2). Also see page 25 Recreation/Play Equipment.
- s. **SHEPHERD’S HOOK.** A shepherd’s hook no more than six (6) feet in height may be used in the rear yard for birdfeeders and like things.
- t. **STAINED GLASS.** Stained glass may show through the house windows.
- u. **STORAGE BOX.** Must be placed on the deck, not exceeding six (6) feet in length, three-feet (3) wide, and three-feet (3) high. Exterior color and texture must blend with deck and house. The exterior finish must be wood, vinyl or composite material to match or blend with the house.
- v. **STORM / SCREEN DOORS.** These doors shall be full-view or with no more than one horizontal bar in the middle for self-storing screens and clear, without reflective tint. The frames must either match the door or house trim, without ornamentation such as scallops, scrolls or imitation gate hinges.
- w. **TREE / SHRUB** A single tree and shrub may be planted each year. If either is expected to create a barrier or interfere with sight lines in the future, an application is necessary.
- x. **WINDOW BOXES.** These must be attached under the window, and constructed of wood or vinyl. Their color must be white or that of the house trim, and shall contain only live plants.

ARTICLE VI

ALTERATIONS REQUIRING AN APPLICATION

During the construction period of a project, whether exterior or interior, materials shall be stored to minimize the impact on neighboring properties. Also, debris shall not accumulate, and cleanup shall be completed as soon as the project ends. If a dumpster and/or portable toilet are needed, they shall be limited to thirty (30) days on the property. Exceptions to this are at the discretion of the Managing Agent.

For the repair or replacement of a like item, no plat is required for single-family houses. However, a plat is still required for townhouses and villas, due to their proximity to one another. The plat identifies the property as being a single house or townhouse/villa.

All exterior alterations shall include as part of the application those items described in *Section 4.2* of this manual. Any exceptions, or the need for additional information, will be noted with the type of project described below.

It should be noted that construction of a driveway, garage, or porch is allowed in the Lee's Hill Community.

Carports are prohibited.

SECTION 6.1 MAJOR EXTERIOR CHANGES

A major exterior change to a house substantially alters the existing house structure. Consequently, the overall design of the change must be compatible in scale, materials, and color with the applicant's house and that of the immediate neighbors.

Examples of a change to the house are the addition of a sunroom, garage, porch, or the expansion of an existing room. Others that do not directly affect a house are the expansion or addition of a driveway and the construction of an unattached garage, all requiring an application.

Changes in grade or other conditions that might affect drainage must be specified in enough detail to assess the impact on contiguous properties, and shall comply with the Spotsylvania County Building Code. In addition, the exact changes to the house structure or property must be specified in sufficient detail to evaluate the application.

The exterior of all additions or changes must match or complement the house exterior in such a way that it blends in with the color scheme and exterior of the house. The exception to this is the roof, which shall match that of the house.

The exact location and size of the proposed change relative to the house and property lines shall be shown on the final survey plat. A description of the materials and desired colors must also be specified.

SECTION 6.2 DECKS, SCREENED PORCHES, AND PATIOS

The exact location and size of the proposed deck, screened porch, or patio relative to the house and property lines shall be shown on the final survey plat. A description of the materials and the desired colors shall also be specified.

Decks, screened porches, and patios must all be located behind and within the side planes of the house.

a. DECKS – Decks may be elevated or placed at ground level. Acceptable materials are pressured-treated wood, vinyl, or composite materials. The dimensions and colors of railings, posts, stairs, benches, and like details must be specified.

Elevated decks shall comply with the Spotsylvania County Building Code, and shall have appropriate landscaping or lattice to lessen the visual impact of the support structure.

For privacy or decorative purposes, latticework may be installed, not to exceed 8' in height, measured from the deck flooring.

Latticework may also be used from the bottom edge of decks to the ground as an enhancement to the landscape. These lattice structures may extend up to decks, which are one (1) story above the ground.

The lattice material should match the color of the deck or deck rails as appropriate and may be constructed of wood, vinyl or composite material.

Under deck storage screening or landscaping is required to shield the storage area from all neighbors.



b. SCREENED PORCHES – Screened porches may be placed at ground level or elevated, and shall comply with the Spotsylvania County Building Code. The screened porch must look like and be an integral part of the house – same roofing, color and siding, if used, and use standard home-building materials.



c. PATIOS – Patios must be located in the rear yard, according to the definition provided in *Section 4.1.f*. However, consideration will be given to a small connector-path to accommodate basement doors located on the side, and near the rear of the house. A complete description of the materials and color must be provided, as well as needed grading or drainage.



SECTION 6.3 TEMPORARY STORAGE CONTAINERS

Temporary storage containers are primarily used for moving household goods into or out of the home, and for temporarily storing goods on the homeowner's property. The storage containers must be off the street, and placed on the driveway or some unobtrusive place to lessen the visual impact to the neighbors.

The storage containers being addressed are portable units like Smart Boxes, PODS, and MINIS; not the small storage boxes that can be placed on a deck.

Since the need for such containers can pop up very quickly, and be on and off the property in a relatively short period of time, there is no requirement for an application to the Committee. The control of these containers shall reside with the Community's Managing Agent.

The Managing Agent shall be notified at the outset of their use, and again when they are removed. A written consent from the Managing Agent shall be obtained if the need for a storage container exceeds fourteen (14) days.

SECTION 6.4 STORAGE SHEDS

While sheds must provide sufficient volume for their intended use, they must also be of a size that is appropriate for the homeowner's property, as well as adjoining properties. There are separate shed standards for single-family homes and townhouse/villa homes.

Storage sheds must be architecturally compatible with the applicant's house, and may be freestanding or built below an elevated deck. All sheds must be placed in the rear yard, within

the side planes of the house as defined in *Section 4.1.e*, and must comply with setbacks established by county ordinance. Not more than one (1) shed will be placed in a yard.

SINGLE FAMILY HOMES

- a. **SIZE.** All sheds must be within 150 square feet (example being 10' x 15') and 8-feet high to the plate, where the roof meets the wall.
- b. **COLOR.** The color scheme must reflect that of the applicant's house, or blend with the house color in a complementary manner.
- c. **ROOF.** The roofline must be an A-frame or a gambrel/barn roof, as shown below. Roofing material must be roofing shingles matching or blending with those of the house.
- d. **MATERIALS.** The exterior finish must be wood, vinyl, brick or composite material to match or blend with the house.



Gambrel (Barn Style Shed)



A-Frame Roof

TOWNHOMES/VILLAS

Due to the limited backyard space of townhouses and villas, small vertical storage sheds/storage units will be considered for approval for townhomes/villas only. The following guidelines apply to vertical storage sheds.

- a. **SIZE.** The vertical sheds are not to exceed 24 square feet and are normally wider than they are deep (example being 6' wide x 3' or 4' deep). Maximum height is 6.5 feet. See *Appendix B, Section B7.3*.
- b. **COLOR.** Earth tone colors which blend with the house color in a complementary manner are required.
- c. **ROOF.** The roofline may include a shed roof type slope and the roofing material may be vinyl stamped.
- d. **MATERIALS.** The exterior finish must be wood, composite material or vinyl to match or blend with the house.
- f. **LOCATION.** The vertical storage units are to be placed within 6 feet of the rear of the house. Locations under a deck will be considered. End unit homes, which have fences beyond the side plane of the unit, must place the storage shed within the side planes of the house.



SECTION 6.5 STORAGE BOXES

The application for storage boxes not placed on a deck must show their location relative to the dwelling and property lines on the final survey plat. They must be adjacent to the dwelling and located in the rear yard, within the side planes of the house. Their dimensions may not exceed six (6) feet in length, three-feet (3) wide, and three (3) feet in height. The exterior finish must be wood, vinyl or composite material and color to match or blend with the house.

The application must contain a drawing or picture of the boxes, indicating the color and dimensions, along with the color of the house, rear door(s), and the trim.

SECTION 6.6 AWNINGS AND CANOPIES

a. *AWNINGS* – Awnings are only permitted over the deck, patio, or rear windows. They shall be straightforward in design, without fringes or other decorative embellishments. They must be of fiber construction and neutral in color, with solid colors preferred; however, stripes are allowed.



b. *CANOPIES* – Canopies are allowed only on deck and patios and shall be constructed of a fiber material. The canopy shall be of a solid neutral color, without stripes or other embellishments. If the canopy frames are to be left on the deck when the canopy is removed, they shall be painted an earth-tone color to soften their view to neighbors, and maintained in good order.

Canopies must not be confused with tents, which are prohibited.



SECTION 6.7 FENCES

Fences are quite different for unattached houses than those for townhouses or villas. Those differences are reflected in the types of fencing, height restrictions, and fence styles. Although there are several fence styles allowed for unattached houses, only one style and height is available for townhouses or villas due to their close proximity.

For unattached houses, the acceptable fence styles, as well as those that are unacceptable, are depicted under *a. Single Family Homes*. For picket fencing, pickets are to be spaced 2 inches apart. If board on board pickets are desired, pickets must be flush with each other on both sides and cannot alternate. Vinyl fencing is restricted to the metal style types in either white or black and to the picket style in white only.

The acceptable fence style for townhouses and villas is depicted under *b. Townhomes/Villas* and must match in all aspects that which a builder may have already provided on adjacent properties.

All fence posts, and the boards of those fences with vertical members, must be installed plumb. For those fences that are only finished on one side, the unfinished portion must face in toward the homeowner's property. Too, the fence posts must be installed on the inside of the fence whether or not all sides of the fence are finished. All gates that are part of the fence structure must be compatible with the fence design, material, height, and color.

All fences that completely enclose an area are required to have an access gate.

NOTE: Residents of the Greens – Per the Greens Covenants, Article VII, fences are not permitted.

a. *SINGLE FAMILY HOMES*

EXAMPLES OF ACCEPTABLE FENCE STYLES

Wooden Fencing



Split Rail w/either 2 or 3 rails



Split Rail w/mesh



Four Board Estate
(Cross buck)

Wooden Picket Fencing



Concave Picket



Straight Picket



Convex Picket

Vinyl Fencing



Concave Picket



Straight Picket



Convex Picket

Metal Fencing (In Black or White)



EXAMPLES OF UNACCEPTABLE FENCE STYLES



Stockade



Chain Link



Barbed Wire

**EXMAPLE SAMPLES OF
UNACCEPTABLE FENCE STYLES
CONTINUED**



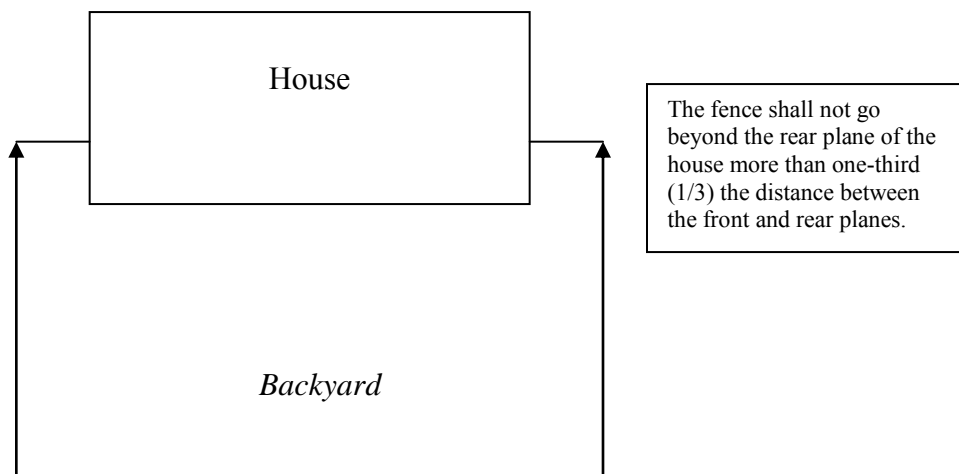
Basket Weave

Side-yard fences are allowed with the following limitation: the fence shall not go beyond the rear plane of the house more than one-third ($1/3$) the distance between the front and rear planes. For example, if the distance between the front and rear planes (defined in *Section 4.1.e*) is thirty (30) feet, then the fence shall go no farther than ten (10) feet beyond the rear plane toward the front of the house.

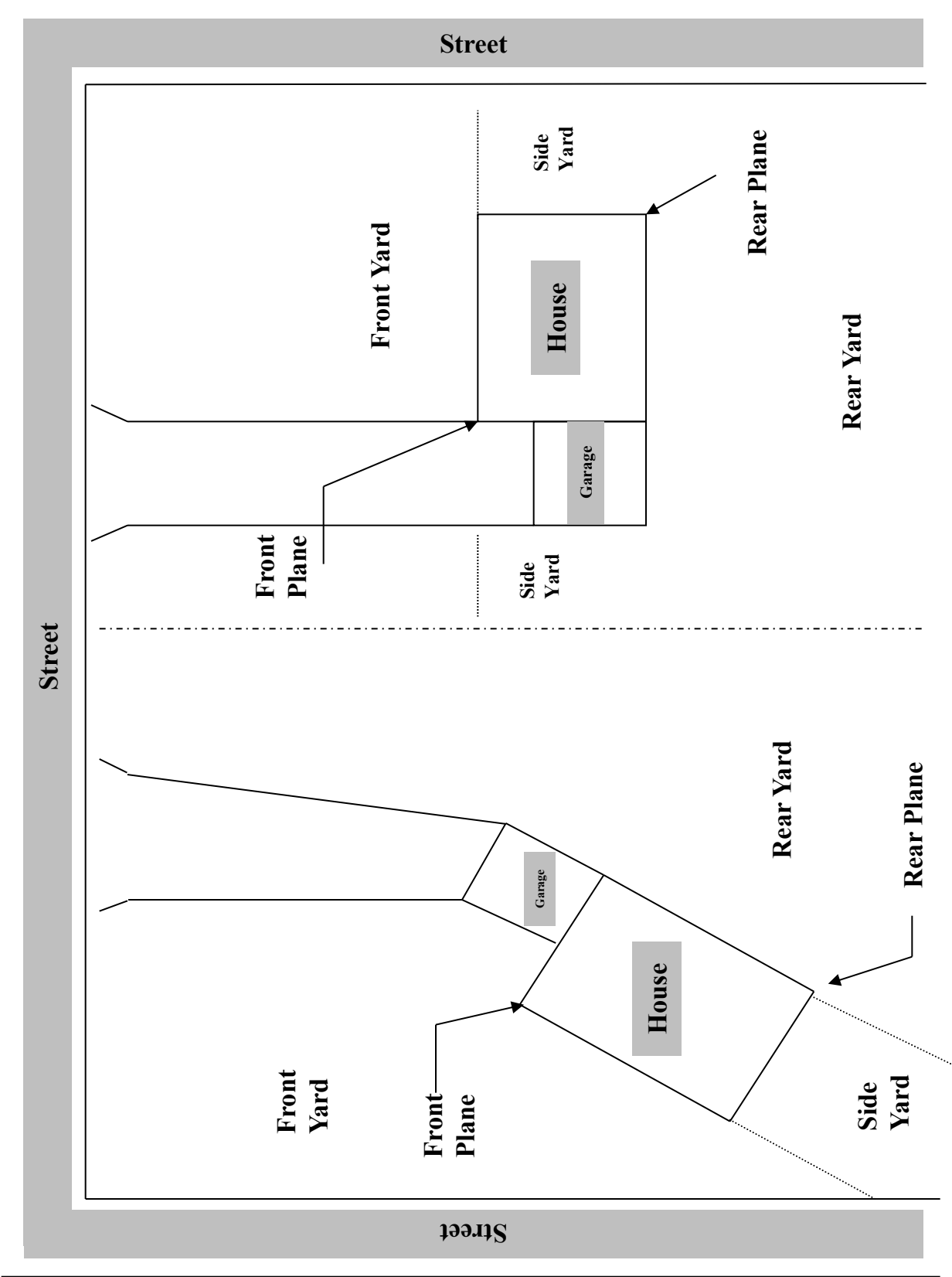
For a corner lot house, fencing shall not extend beyond the front plane of adjacent houses and in no case may the side yard fence, of the corner lot, extend beyond the rear plane of the house more than one-third ($1/3$) the distance between the front and rear planes.

All fencing shall be four (4) feet in height. Exceptions are: (1) if the rear of the property borders on non-Lee's Hill property, then a privacy fence not exceeding six (6) feet in height is authorized along this particular border. This fence shall be board-on-board, with dog-eared or square-cut tops; (2) for enclosing a yard with a pool, a five-foot (5) fence is allowed. However, the intent to install a pool later is not justification for the five-foot (5) fence today.

CONSTRUCTION CRITERIA –There are different materials with which to construct a fence. For an open-style fence, wire mesh screening may be affixed to the interior of the fence, as long as it does not protrude above the top rail. For those made of wood, they may be allowed to weather naturally or coated with a transparent stain in a neutral muted color.



FENCE AREAS (CORNER LOTS)



b. TOWNHOMES/VILLAS - End unit side yard fences are allowed so long as the front of the fence is no closer to the front plane of the house than one-third the distance from the rear plane to the front plane. For example, if the side of the house is 21 feet long, the fence can be no more forward than 7 feet from the rear plane/corner. For interior units, fencing shall be in the rear of the property only.

CONSTRUCTION CRITERIA – A privacy fence not exceeding six (6) feet in height is authorized. This fence shall be board-on-board, with dog-eared or square-cut tops.



SECTION 6.8 DOGS AND SMALL ANIMALS

Wood, vinyl or composite material doghouses are acceptable and must be placed behind and within the side planes of the house. Dog pens/runs are not permitted.

Animals may not be bred, kept or maintained for commercial purposes.

NOTE: Residents of the Greens - Per the Greens Declaration, Article XI, Section 4d: Small animals are limited to two (2) dogs and/or cats per lot.

Pictures and/or dimensional drawings must be part of the application for all of the above.

SECTION 6.9 EXTERIOR FINISHES

Any changes to the color of house siding, shutters, doors, trim, roof or other structures from that originally provided by the builder or later changes approved by the Covenants Committee, requires an Application for Exterior Alterations be submitted and approved prior to making any changes. A color change includes any change whatsoever, including a change in shade or hue.

If unsure that the colors you want to use have been previously approved, check with the Lee's Hill community management office or submit a new application.

ANY HOMEOWNER THAT CHANGES COLORS WITHOUT COVENANTS COMMITTEE/BOARD APPROVAL MAY BE REQUIRED TO CORRECT THE UNAPPROVED CHANGES AT THEIR OWN EXPENSE.

Application Contents: A complete application must include the following information:
(1) A list of all exterior finishes on the house and other structures.

(2) A color sample of new color(s) to be used.

a. SINGLE FAMILY HOMES AND TOWNHOMES (Except The Greens)

Changes to the colors of exterior finishes must be compatible with the houses in the immediate area.

b. VILLAS AND THE GREENS

All units in a building must be the same colors. Colors must be the same as originally provided by the builder or later color changes approved by the Covenants Committee. Colors in a building can only be changed if all homeowners in the building agree on the new color, all agree to change the colors at the same time and the Covenants Committee approves the new color.

Homeowners should check with the Lee's Hill management office to find out the authorized colors for their particular building prior to making changes.

SECTION 6.10 EXTERIOR LIGHTING

Exterior light fixtures must be compatible in style and scale with the applicant's house.

Exterior lighting shall be clear, white, or amber, and shall not be directed outside the applicant's property. Neon or flashing lights are not permitted.

No other colored lights are permitted except in conjunction with religious holidays.

SECTION 6.11 LANDSCAPING

In the planting of trees and shrubs, care shall be taken to prevent the obstruction of sight lines relative to vehicular traffic. Also, consideration shall be given to shade patterns on neighboring properties by large trees or other plantings.

Trees with a trunk diameter of four (4) inches or greater, and flowering trees and broadleaf evergreens with a diameter of two (2) inches or greater, all measured twelve (12) inches above ground, shall not be removed without written consent from the Committee.

Trees that present a hazard may be removed prior to obtaining Committee approval. However, an application for exterior change MUST be submitted after the fact, explaining the action taken, why it was removed and if the tree will be replaced. It is highly recommended that trees removed be replaced by another tree appropriate to the area involved.

Yard structures such as arbors, archways, and trellises are allowed; however, the placement of these will be a critical factor for their approval. These structures may be

constructed of wood, vinyl, metal or composite material and shall be of a white or neutral muted color. However, for wood, they may be allowed to weather naturally.



Materials such as railroad ties, garden timbers, bricks, and stones are acceptable for landscape retainer walls, borders or gardens. Stamped and colored concrete may be used on a case-by-case basis with committee approval. Adherence to the standards in Article IV, Section 4.1, validity of concept, scale and color will be considered when reviewing applications.

Live vegetation on slopes greater than twenty (20) percent gradient or marked 'no cut' areas on original plans shall not be removed without the Committee's written consent.

The application must provide a description of the types and sizes of plantings, and a site plan showing the dimensions of the planting areas, grading changes, and locations relative to the property lines must be included.

EXAMPLES OF RETAINER WALLS, BORDERS AND GARDENS





SECTION 6.12 VEGETABLE AND ROCK GARDENS

A vegetable garden shall be confined to the rear yard. If located on a hill, the garden must be terraced to minimize the effects of runoff.

The rocks of a rock garden shall remain in their natural color.

All gardens shall be neatly maintained.

SECTION 6.13 IN-HOME BUSINESS

Spotsylvania County regulates in-home businesses. In addition, though, the LHCA is concerned about the impact of an in-home business on adjacent neighbors and the overall character of the neighborhood. While an in-home business is allowed, customer-oriented businesses are not allowed in the Lee's Hill Community. In this instance, a customer-oriented business is one that produces an increase in pedestrian or vehicular traffic, whether by patrons or delivery service.

In addition to compliance with the county's Home Occupation Regulations, the following special restrictions shall apply:

- No signs or other advertising devices shall be placed on any lot within Lee's Hill.

- The number of non-resident workers is limited to one.
- Exterior storage of business-related material is prohibited.

The application for an in-home business shall provide the following information:

- How products, services, or materials will be distributed and advertised.
- The estimated impact of traffic and parking on neighbors.
- The estimated number and type of daily deliveries.
- The number and type of vehicles used in conducting the business and how they will be parked.

SECTION 6.14 RECREATION AND PLAY EQUIPMENT

All recreation and play equipment shall be located in the rear yard, directly behind the dwelling. A photograph or sketch of the equipment, along with the color and type of construction material, shall be included as part of the application.

SECTION 6.15 BASKETBALL GOAL

Only one goal is allowed per household. The support post shall be black in color or painted a dark earth tone to blend with the surroundings. All parts of the goal shall be maintained in good order at all times. No additional ballast material is allowed on the goal structure.

The basketball goal shall be placed in a side yard, rear yard, or driveway of the applicant's property; none allowed on common property. Due to noise and space issues, a goal is only allowed with unattached houses; none are allowed for townhouses or villas.

A portable goal shall not be laid down unless it is stored out of view from the street. When basketball is not being played, portable goals shall be stored at least 10' (ten feet) from the front property line. A permanent goal may be placed over a grassy or hard-surface area. If secured to the house, the color of the backboard must be considered for approval to be granted.

The application must indicate its intended location, with a picture or description of the goal and house color.

SECTION 6.16 SOLAR PANELS

Flush-mounted or elevated solar panels may be mounted on the rear roof, as long as they do not extend above the roof peak. Only flush-mounted panels are allowed on the front roof section. No other locations are approved.

The application shall indicate the location and size of the panels, along with their relative position to the roof peak.



SECTION 6.17 PERMANENT FLAGPOLE

According to the Virginia Property Owners Association Act, the LHCA does not put restrictions on lot owners to display the flags of the United States, the Commonwealth of Virginia, and branches of the armed forces of the United States, or any military valor or service award of the United States. Also, the flag of the United States shall be displayed according to federal law, as specified in 4 USC Chapter 1 – The Flag.

Permanent flagpoles shall be of a height, color, and location that are appropriate for the property and size of the flag. They shall be freestanding and installed in a vertical position. The application shall show the relationship of the pole to the house, property lines, and immediate neighbors. The dimensions of the pole and flag, along with the material and color of the flagpole, shall be included.

SECTION 6.18 SWIMMING POOL, HOT TUB, AND SPA

Only an in-ground pool is allowed. All pools, hot tubs, and spas are restricted to the area behind and within the side planes of the house, and shall comply with Spotsylvania County Ordinances.

Each pool application must be accompanied by a **fence application**. The types of fences are shown in *Section 6.7* and are restricted to a maximum height of five (5) feet. The pool dimensions and its location relative to the house and property lines must be shown, as well as that of the pool-related equipment. Also, plans for deck areas, lighting, walkways, landscaping and pertinent information concerning the water supply and disposal systems are required.

Child's Pool – A temporary child's pool not exceeding six (6) feet in diameter is permitted.

NOTE: Residents of the Greens – Per the Greens Declaration, Article XI, Section 4i: No pools with capacity in excess of 50 gallons are permitted.

The type of hot tub or spa and its placement in the restricted area must be indicated on the application. No more than one hot tub or spa is permitted per home.

SECTION 6.19 GREENHOUSE

A detached greenhouse will be reviewed under the same criteria as storage sheds, which were outlined in *Section 6.4*. Attached greenhouses will be reviewed under the same criteria as major exterior changes, which were addressed in *Section 6.1*.

The application shall show the greenhouse in relation to the house, property lines, and adjacent houses, with detailed drawings, material descriptions, and the desired color.

SECTION 6.20 ELECTRONIC INSECT TRAPS

No traps shall be installed in such a way that the resulting noise could be an irritant to neighbors. Such traps are restricted to the rear yard area and shall only be in operation during the times when the homeowners and/or guests are in the vicinity.

The application shall show the area where the traps will be placed relative to the house and property lines, along with the type of traps and their elevation above ground.

SECTION 6.21 PERMANENT GRILL/FIRE PITS

A permanent grill or fire pit shall be located in the rear of the house, not visible from the street, and positioned according to the applicable county code. The application shall describe the grill, its fuel type, and the type of material used in its construction.

SECTION 6.22 COMPOST CONTAINER

A homemade compost container may be constructed of wood, with a wire or block interior. Homemade and commercial structures shall not exceed four (4) feet in height and must be positioned at least three (3) feet from all property lines. It shall not be visible from the street.

Some sort of screening shall be provided for the compost container, and a six-inch (6) layer of straw shall cover an active compost pile for odor control. An application for a container shall indicate its planned location along with its dimensions, and a description of the intended screening. Examples are provided below.

EXAMPLE OF HOMEMADE COMPOST CONTAINER



EXAMPLES OF COMMERICALLY MANUFACTURED CONTAINERS



SECTION 6.23 LANDSCAPING PONDS

Landscaping ponds are generally restricted to the side and rear yards. However, one may be placed in the landscaped area next to the front foundation, as long as it is not visible from the street. Although landscaping ponds are restricted to a maximum of eight (8) feet by six (6) feet. The one in the front must be of a size that fits the landscaped foundation area.

All ponds may have only submersible or surface low-voltage lighting, and those in the side and rear yards shall have landscaping rocks and shrubs to blend the ponds into the environs of the homeowner's property.



SECTION 7.3 SATELLITE DISH / EXTERIOR ANTENNA

The Managing Agent shall be notified before a satellite dish or exterior antenna is installed. If either is installed before notification, the homeowner shall inform the Managing Agent within three (3) days after installation.

Generally, an application is not required, but the planned location may make an application necessary. The Managing Agent will make this determination. Policy Resolution No. 8 (Satellite Dish and Exterior Antenna Guidelines) applies.

SECTION 7.4 CLOTHESLINES

Clotheslines are not permitted in the Lee’s Hill Community.

SECTION 7.5 EXTERIOR AIR CONDITIONING UNITS

Window air conditioner units are prohibited. Full-house units may be added or moved as long as they don’t create a visual eyesore for the immediate neighbors.

SECTION 7.6 TRASH AND RECYCLING CONTAINERS

All containers shall be placed for pickup no earlier than 6:00 pm on the evening prior to pickup, and stored by 7:00 pm the evening of pickup.

At all times, residents must consider the effects of weather and animals when placing their trash container by the street for pickup. Trash overflow must be contained.

All trash containers provided by the contractor remain the contractor’s property.

a. SINGLE FAMILY HOMES/GARAGED TOWNHOMES/VILLAS

Trash cans shall not be permitted to remain in public view from the Common Area or another Lot. It is most desirable when the containers are stored in the garage. When stored outside, they shall not be visible from the street or stored in the front of the home. Containers shall be completely screened from view using natural screening shrubs (i.e. shrubs that are tall enough to completely screen the containers from view). Lattice may also be used to hide trash and recycling cans from view. In either case, an application is required.

The location of the screening must be shown relative to the house and street. Once approved, the Managing Agent shall make the determination as to the adequacy and effectiveness of the screening material.

b. NON- GARAGED TOWNHOMES

Subject to the provisions of Policy Resolution No. 13 (Relating to Trash Container Storage at Non-Garaged Townhomes), the owners of non-garaged townhome units only shall be permitted to store their containers in the front of their townhomes.

Containers may not be stored on the porch or stoop and may only be stored next to the stoop or in front of the porch.

Containers stored next to the stoop or in front of the porch shall be completely screened from view from the Common Area or other Lots using natural screening shrubs (i.e. shrubs tall enough to completely screen the containers from view) or a white trash container screen. Either of these options may be implemented without approval from the Covenants Committee.



Any other screening options will require prior approval from the Covenants Committee.

SECTION 7.7 SIDEWALKS, WALKWAYS, PATHWAYS, AND DRIVEWAY MODIFICATIONS

Stone and brick pathways, shall be set back from the property line in accordance with county code and generally be installed flush to the ground.

Steps may be placed flush with the driveway from the house/garage to the street. Steps must be laid in accordance with county code. Materials can be stone, rock, brick, pavers, concrete or railroad ties, and landscaped to improve its looks.

Driveway repair, extensions, or replacement must be of asphalt with the exception of homes originally built with concrete driveways **in which case concrete shall be used.**

All driveway extensions require Covenants Committee approval. Applicants are responsible to ensure their plan meets all county property line setback requirements.

Those properties built with driveways in front of the house or circular driveways also require Covenants Committee approval for extensions.

All requests will be considered based upon the Review Criteria set forth in Article IV Section 4.1.

a. FRONT LOAD GARAGES:

Extensions will not encroach into the front plane of the house. Extensions of the width will not exceed 12 feet and will be on the side of the existing driveway closest to the adjoining property line. Driveway extensions beyond the front plane of the house (beside garages) should not extend beyond the rear plane of the garage.

b. SIDE LOAD GARAGES:

Extensions will not encroach into the front plane of the house. Extensions will not intrude into the front plane of the house including that portion which includes the front plane of the garage. Generally, side load garage driveway extensions will be towards the closest property line or towards the rear yard.

SECTION 7.8 RAILINGS

Safety railings are allowed from the front stoop to the ground. Material color shall be either black or white. Safety railings from the house/garage to the street are authorized in black wrought iron or aluminum only. Applications should accompany an application for a walkway from the house to the street in Section 7.7 above.

Front Stoop to the Ground



House/Garage to the Street



ARTICLE VIII

PROPERTY MAINTENANCE

Residents are responsible for maintaining their property. This includes the grounds, dwellings, and all other approved structures. Maintenance affects the visual character and economic values of the property and neighborhood, and in some cases, safety.

SECTION 8.1 EXTERIOR APPEARANCE

The following examples represent some of the conditions that the Association deems as unacceptable and are considered to be in violation:

1. Peeling or faded paint on exterior of houses and garage doors.
2. Warped, rotting, cracked, missing and/or broken exterior components to include trim, shutters, siding, spindles, railings, steps, porches, chimneys, window/door glass, light fixtures and garage doors.
3. Dented mailboxes, or mailboxes and/or posts in need of repair, repainting or replacement.
4. Playground equipment in need of repair or repainting.
5. Fences, steps, stoops, porches and siding in need of repair, power washing or repainting.
6. Sheds in need of repair or repainting.
7. Decks in need of repair or repainting/re-staining or power washing
8. Concrete or masonry block foundations in need of repair/repainting or power washing.
9. Maintenance/repair of asphalt/concrete driveways and walkways.
10. Pet waste.

SECTION 8.2 MOWING/LAWN CARE

Turf areas, including culverts need mowing and trimming at regular intervals. A maximum height of six (6) inches and a minimum height of two (2) inches shall be maintained. Homeowners shall make every effort to maintain a healthy lawn. This includes but is not limited to removal of weeds, excess clippings on lawn, sidewalks and driveways, annual seeding, and fertilizing as needed. Planted beds must be kept in a neat and orderly manner, and free of weed growth.

Special care shall also be taken to minimize runoff of fertilizer, pesticides, and herbicides that may pollute ponds, waterways, and adjacent properties.

SECTION 8.3 TRASH REMOVAL

Residents are responsible for picking up litter on their property and preventing windblown debris originating from their property.

Dumping of debris in open space, woods, culverts or drain inlets is prohibited. This includes organic debris such as leaves, grass clippings, branches and limbs.

APPENDIX A

Exterior Alteration Application

INSTRUCTIONS:

1. Please review the Architectural Guidelines Manual prior to completing this form. Application guidelines for your change(s) are listed in Sections IV and VI. Incomplete applications may result in delay or possible disapproval of your request. Applications are due no later than the 25th of each month.
2. Describe in full detail your exterior changes or modifications with attached exhibits. Include materials used, colors, and any other useful information. Exhibits can be sketches, photos, drawings, blueprints, and catalog illustrations.
3. Attach a copy of your plat or site plan showing the location of the project on your property.
4. The application shall include the signatures of **four (4) immediate neighbors**. **Immediate neighbors are those on either side, in the rear of, and to the front of your property**. If there are no neighbors in these locations, or if an immediate neighbor declines to sign, provide a written explanation and obtain the signatures of the otherwise nearest neighbor. **In all cases, four signatures are required.**

NAME: _____ LOT #: _____

SUB-ASSOCIATION: _____

LEE'S HILL ADDRESS: _____

HOME PHONE: _____ ALTERNATE PHONE: _____

EMAIL: _____

DESCRIPTION OF ALTERATION: _____

COLORS: _____

MATERIALS: _____

ESTIMATED START DATE: _____ ESTIMATED COMPLETION DATE: _____

COLORS OF EXISTING EXTERIOR FINISHES:

ROOF _____ SIDING _____

SHUTTERS: _____ TRIM _____ DOORS _____

STEPS _____ PORCH: (Spindles/Railings) _____

(Trim) _____

Please read the following before signing this application:

1. Nothing herein contained shall violate any of the provisions or Building or Zoning Codes of Spotsylvania County, to which the above property is subject. Further, nothing herein contained shall be construed as a waiver or modification of any said restrictions.
2. I understand that the Building Ordinance of the Spotsylvania County Building Department requires that I file plans with the Building Inspector in Spotsylvania, Virginia, for construction requiring a building permit.
3. I understand that any construction or exterior alteration undertaken by me, or in my behalf, before approval of this application is not allowed. If alterations are made, I may be required to return the property to its former condition at my own expense, if this application is disapproved wholly or in part, and that I may be required to pay all legal expenses incurred.
4. I understand that members of the Covenants Committee are permitted to enter upon my property at any reasonable time for the purpose of inspecting the proposed project, the project in progress, and the completed project, and that such entry does not constitute a trespass.
5. I understand that any approval is contingent upon the construction or alterations being completed in a workmanlike manner and satisfactory to the Covenants Committee.
6. I understand that the application review process usually takes not longer than 15 working days if a "conforming" application is submitted and that a Committee decision is required on all complete applications within 45 working days of the receipt of said application by the Committee.
7. It is understood that I am aware of Lee's Hill Declaration of Covenants and Restrictions in regard to the review process established by the Board of Directors.
8. I understand that the alteration authority granted by the Committee will be automatically revoked if the change and/or modification requested has not commenced within 180 days of the approval date and/or completed by the date approved by the Committee.

APPLICANT'S SIGNATURE: _____ DATE: _____

Final Notes: 1. You will receive written approval or disapproval of your request within 5 business days of the Covenants Committee decision or you may contact the office at (540) 891-0582 anytime after the Covenants Committee meeting (usually the 2nd Wednesday of each month).

2. Remember to contact Miss Utility at (800) 552-7001 before you dig.

3. The Spotsylvania County Building Office can be reached at (540) 582-7044.

4. If you disagree with the decision of the Committee, you may appeal. For appeal procedures, please refer to Article IV, Section 4.4 of the Architectural Guidelines.

Committee Recommendation:

_____ Approved _____ Approved with Conditions _____ Disapproved

Additional Remarks: _____

_____ Date: _____