

TIMBERLAKE COMMUNITY
ASSOCIATION

ARCHITECTURAL
STANDARDS AND RULES

Revised Edition
August 10, 2009

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I. General Criteria

1. Complying with Design Covenants

- Design of the guidelines is according to the Declaration of Covenants, Conditions and Restrictions (CC&Rs) in case of any conflicts between these guidelines and the Articles of Incorporation, the By-Laws, or the Declarations of CC&Rs of the Association, the Articles, By-Laws, and Declarations shall take precedence over these guidelines. These guidelines have been developed with the advice of the Association's attorneys.
- The developer's original designs provide the basis for the underlying design criteria of the Association. The Timberlake community includes single family units, attached townhouse units, and Quadravillas that have wood, vinyl, brick, and or similar sidings and materials. The compatibility of exterior changes varies from section to section based upon the original design criteria.
- The purpose of the Architectural Control Committee's (ACC) approval is to maintain and enhance the Associations homeowner property values through enforcing aesthetic compatibility within the community.
- The homeowner is responsible for following all federal, state and local law. The ACC's approval is not approval of compliance with federal, state, or local laws, ordinances, or codes. Additionally, ACC approvals are not approval of encroachments upon common areas, city property or easements, nor property owned by others. It is the applicant/homeowner's sole responsibility to ensure any changes or additions are drawn to scale and positioned appropriately in submitted drawings. The ACC's approval does not ensure that any structure or addition is structurally sound or architecturally correct. That again is the responsibility of the applicant/homeowner. Renters, tenants, contractors, and others are responsible for obtaining the property owner's permission to make changes to a property. The ACC approval does not grant that permission.

2. Request/Approval Process

- The Architectural Control Committee meets once per month and will review requests only at that meeting, except for emergencies (fire at property catastrophe, or other emergency needs). Applicant/homeowners may attend the committee's meetings normally held at the Windsor Oaks Recreation Center to provide clarifying information. Written requests must provide complete details sufficient enough to help the ACC in making a timely decision.
- The ACC will automatically deny incomplete requests. In lieu of denying the request, the ACC may request a fifteen (15) to thirty (30) day extension of the request for research. If an extension is not requested a request is considered approved if not specifically disapproved within thirty (30) days of the request receipt date. Resubmission will be handled at the next regularly scheduled ACC meeting
- Those additions or modifications requiring a contract must have ACC approval before a contract is signed. No contractor has blanket approval for their products or services.
- It would help the ACC to have the contractor present the request so that any questions may be resolved on the spot.
- Each type of request must be submitted on a separate form that shall include the following:
 1. Type of change
 2. Address of property
 3. Mailing address of owner
 4. The owner's name, signature, and day /evening phone numbers
 5. Date request is submitted
 6. Anticipated date of completion
 7. Sufficient word description, drawings dimensions, locations, and color samples. The ACC needs as much detail as possible to enable the committee to make a sound decision.
- Once the ACC has completed a review of the request, the request will be either approved or disapproved. The applicant/homeowner will receive notification of the decision. Assuming approval, it is the applicant/homeowners responsibility to complete the work in a timely manner as approved and as indicated as an anticipated completion date. The quality of the work should be equal to or better than that originally constructed. Remember, all additions and changed should improve or enhance the original dwelling. **City codes do not supersede ACC rules and regulations.**

- Normal safety procedures should be followed. To ensure safe practices, the applicant/homeowner is not permitted to store building materials, equipment, tools, or personal property on common areas. Work areas are to be kept clean and safe during construction or reconstruction. Temporary fencing should be used to keep children from incomplete structures and/or construction.
- The ACC has no responsibility for the Association's common areas, and cannot approve or disapprove any request for usage, planting, horticultural improvement, or construction on the common area. This is the sole responsibility of the Association's Board of Directors. If an applicant homeowner plans construction that would ease by crossing the common area, the applicant/homeowner must submit a request to the Board of Directors in a timely manner.

3. City Numbers for Reference

▪ Abandoned or Disabled Vehicles	385-5616
▪ Animal Control	385-4444
▪ Building/Housing maintenance	385-4421
▪ City Treasurer	385-4445
▪ Highway Maintenance/Drainage	563-1470
▪ Landscape Services	385-4461
▪ Miss Utility	800-552- 7001
▪ Mosquito Control Commission	385-1470
▪ Potholes in Streets	385-1470
▪ Public Utilities	385-1400
▪ School Administration	385-4585
▪ Street Lights	385-4131
▪ Street Sign Repair	385-1470
▪ Tax Assessor	385-4601
▪ Waste Management	385-4650
▪ Police Non-Emergency	385-5616
▪ Police-4th Precinct	385-2800
▪ Junked Vehicles	385-4421
▪ Zoning (RV's in driveways)	385-8074
▪ Basketball Hoops in Street	385-4161
▪ Environmental Crime Hotline	385-1901
▪ Illegal Dumping	385-4421

II. Major Additions/Modifications Requiring ACC Approval

A. Building Changes

The following subjects apply to the main residence structure on the property. **NO exterior change to any property is allowed without the written approval of the ACC.**

1. Exterior Alterations/Additions

- All alterations/additions **must** be approved by the ACC
- All additions **must** match the existing house in design and colors.
- Doors **must** be painted the same color as siding or trim. If using stain, doors **must** match as closely as possible.

2. Exterior Colors

When originally constructed, older homes in **Timberlake** were constructed with darker **earth tones**, which were in style at the time. Lighter **earth tones** are more favorable today.

- Exterior house paint or stain changes **must** be approved by the ACC.
- Colors **may not** duplicate the color schemes of homes on either side of the home or structure to be repainted.
- The colors chosen **must** coordinate as close as possible to the roof colors.
- All exterior colors **must** be a flat paint or stain (not high gloss), or clear natural preservatives.
- Exterior colors **must** be of a uniform finish and **maintained** as a uniform finish.
- Trim **must** be either a darker or lighter contrasting earth tone color and may be semi-gloss in finish.

- **White** is an acceptable **earth tone** color.
- House and trim **cannot be the same color**.
- Storm windows, storm doors, guttering, main doors, soffits, and garage doors **must** match siding or trim.
- Color chips **must** accompany all requests for paint and stain changes, except when using choices from the color palettes maintained in the Association office in which color numbers and descriptions will be used.

3. Chimney Enclosures

- Installation of wood stoves or fireplaces **requires** ACC approval because the chimney is an external modification.
- Metal chimney pipes **must** be enclosed with either a wooden or masonry enclosure and **must** match the house in existing materials and color. Pipes and covers that extend above the enclosure must meet City code.

4. Garage Conversions, Porches, Additions, or Expansions

- ACC **must** approve garage conversions, porches, additions or expansions.
- Each garage conversion will be considered and **must** match the existing house structure.
- Conversions may also require driveway modifications and horticultural screening.
- Garage conversions, porches, additions, or expansions **must** match existing structure in color and style **must not** overcrowd the homeowner's lot.
- Changes of these types **must** be compatible with surrounding homes.

5. Roofing/Roof-Line Changes

- If changing roofing color, the color **must** coordinate with the existing color of siding and trim.
- New rooflines **must** be architecturally compatible with existing rooflines.
- Townhouse roofs **must** be the same color as adjacent roofs in the same building line.
- Samples of new roof colors and roofline changes **must** be submitted to the ACC for approval.

6. Skylights/Solar Tubes

- Skylights and solar tubes **must** be compatible in style and color with existing dwelling.
- Proper details **must** be submitted for ACC approval.

7. Solar Collectors

- Solar collector panels must be attached directly to the roof and follow the angle of the roof.
- No panels shall extend more than four feet off the roofline.
- Proper details **must** be submitted for ACC approval.

8. Exterior Lighting

- High intensity lighting and/or specialty lighting must be submitted for ACC approval.
- Complaints from neighbors that lights interfere with their sleep or privacy should be referred to the City of Virginia Beach Courts.

9. Siding

- In some neighborhoods, natural wood siding is the design and vinyl siding **must mirror** the natural existing wood siding to remain harmonious with the other homes on the street.
- Homes with T-111 or fiberboard siding are encouraged to change to vinyl siding.
- The color choices of vinyl siding and trim **must** meet **Exterior Color** rulings as stated earlier in this document.
- Requests to change the direction of the siding from vertical to horizontal, horizontal to vertical, stucco or drivit to vinyl must be submitted for ACC for approval.

10. Windows

- All replacement windows **must** be submitted to the ACC for approval.
- If there are any changes in the style or color of the windows, all windows **must** be replaced at the same time.
- In **attached housing**, all replacement windows **must** match original windows in style and color.

11. Shutters

- On single family homes, shutters **must** be the length of the window and painted to match the trim.
- Shutters **must** be on all windows on the front of the house.
- ACC approval is required.

12. French Doors/Sliding Glass Doors

- Replacement of metal frame doors with vinyl or wooden doors is allowed as long as the overall appearance does not become different from the remainder of the structure and is submitted to the ACC for approval.
- Replacement French doors or sliding doors **must** match siding or trim color as close as possible.
- In **attached homes**, upper level doors **must** remain original style and color.

13. Storm Windows

- Storm window frames **must** match the trim or siding color of the house or the existing window color.
- **No** plastic coverings may be used to cover windows on the exterior, except in an emergency.
- Plastic coverings may be used inside.
- Tape and/or tape residue on windows due to inclement weather **must** be removed in a timely manner.

14. Storm Doors/Screen Doors

- Storm door frames **must** match the trim, siding, or window color of the house as closely as possible.

15. Entry Doors

- Replacement of entry doors **must** be painted or stained to match siding, trim, or window color.
- Doors with windows and/or sidelights are allowed.
- A picture of the proposed replacement door **must** be provided with the request to ACC to be considered for approval.

16. Patio covers/Awnings

- Patio covers, awnings, wooden trellises, arbors, or pergolas **must** be submitted with dimensions, colors, and diagrams to the ACC for approval.
- Color **must match** and/or compliment house or trim color.

17. Guttering

- Gutters **must** match siding or trim color of the house.
- Gutters **must not** drain onto a neighbor's property.
- Storm water **must** be directed to drainage easement areas.

A. Non-Building Changes

1. Bulkheads

- Bulkheads are **allowed only** in "The Waters" section of Timberlake where the owner's property line extends into the water.
- Bulkheads must be approved through the **City of Virginia Beach**.

2. Driveways

- Driveway replacement **must** be made with the same material as existing driveway.
- Concrete driveways **must not** be painted or covered in any manner.
- All driveway width extensions must be in the direction away from the front door.
- Requests for driveway extensions must be submitted to the ACC with a detailed diagram and measurements, and city approved site plans.
- Any design other than a driveway straight to the house **will be** disapproved.

3. Patios

- Patios shall be proportional in size to the property lot.
- Dimensions, placement and diagram must be submitted to the ACC for approval.
- Patios when approved are approved as patios. **Patios are prohibited to use as a vehicle parking space.** Violations of this nature are not in compliance with the ACC Standards and Rules and may result in removal of the patio at the owner's expense.

4. **Sidewalks/Paving Blocks**

- Sidewalks **must** be constructed similar to existing sidewalks and not more than 4 ft. in width. Paving blocks and other non-permanent materials may be used for walkways around a home.
- Any changes to sidewalks **must** be submitted with dimensions and a diagram for approval by the ACC.

5. **Fences**

- All fences **must** be constructed with the hardware and supports facing the interior of the lot with the finished side out. High quality fence wiring may be attached to the interior side of a fence no higher than the top rail (no chain link or chicken wire).
- All fences **must** be behind the front foundation line of the house/townhouse and **must** not extend into any common area.
- Natural wood fences may be sealed with clear preservatives.
- Vinyl or composite material fences **must** have the appearance of natural wood.
- Fences grand-fathered in that are currently stained or painted **must** be maintained in uniform color. If an entire fence is replaced, it **must** be left natural wood.
- Fencing **must** meet all city ordinances or codes.
- Privacy Fence - Solid fences, 4 ft. to 6 ft. in height.
- Open Fence - Round rail, split rail, finished wooden rail, 3 ft. to 5 ft. in height.
- Picket fence - 3 ft. to 4 ft. in height.
- Non-privacy fence - Solid fence 3 ft. to 4 ft. in height.
- All fencing **must** be properly maintained and/or repaired as required.
- **White fencing is not permitted.**
- In **Willow Wood Quadravillas**, no fencing is allowed other than the existing patio fences as built and painted by the original builder. Replacement fencing **must** be painted within six months and must be the same color as the original.

6. **Swimming Pools/Spas**

- Any swimming pool visible from neighboring property, common areas, or roadways **must** be adequately and appropriately maintained to meet city health codes.
- All swimming pools and spas must be enclosed by a fence and with lockable gates sufficient to keep persons from entering the pool or spa area unattended. (city code)

7. **Play Equipment**

- All permanent play structures, including playhouses, pre-engineered, and commercially available structures, must be submitted to the ACC with dimensions, placement, and diagram.
- The structure must not exceed twelve (12) feet in height
- Metal structures are not allowed.

8. **Basketball Goals**

- Request for basketball hoops with backboards **must** be submitted to the ACC with a diagram of placement, method of attachment, and materials being used.

▪ **Single Family Homes**

▪ **Backboards mounted to dwellings:**

1. Pre-engineered commercially available kits are preferred.
2. Backboard and mounting material may be required to match the color of the house or trim.

▪ **Permanent Pole Mountings:**

1. A single pole of at least 6" x 6" treated wood or 3" to 4" metal pipe **must** be used for the upright.
2. Placement of portable basketball units **must** adhere to city code. (playing in the street is not allowed)

▪ **Townhouses**

- Only portable basketball units are allowed in these areas.
- The goals should not interfere with traffic or the parking of a neighbor's parking space.
- The units should be positioned so the ball does not bounce onto neighboring property, vehicles or buildings. (city code, playing in the street is not allowed)

- **Quadravillas**

- Due to no personal property being owned outside the units and because of the close proximity of the homes and parking areas, basketball goals are not permitted.

9. Antennas/Satellite Dishes

- Television, Ham, CB, or large satellite dish antennas (greater than one meter in diameter) are prohibited.
- Small satellite dishes (less than one meter in diameter) may be placed in the most advantageous position for satellite reception.
- If the small satellite dish is located in the front yard of the home (visible from the street), the ACC may require plant screening, a built in enclosure, or other camouflage not to exceed \$150.00 in cost.
- See Specific Satellite Dish Policy Resolution

10. Sheds/Greenhouses/Gazebos/Storage Buildings

- All sheds must have similar rooflines, style, color, and materials as the home structure.
- Sheds must be painted, stained, or sided to match the color of the house or trim.
- The roof shall be of the same material as the house.
- Sheds shall not exceed twelve (12) feet in height and shall be maintained in good condition.
- Metal sheds are prohibited.
- Laws, codes, and permit requirements of the city must be complied with.

11. Decks

- All decks and railings must be of treated wood or composite material construction (wood like) and be compatible in design with the house.
- No white vinyl.
- Decks shall be natural in color and can be sealed with clear natural preservatives.
- First floor decks should be no higher than one (1) foot from the ground. Exceptions are allowed only where grading of the yard requires a higher clearance from the ground or when the deck immediately surrounds an above ground pool, hot tub, or spa.
- Decks must be proportional to the property and the structure.
- Requests for decking must be submitted to the ACC with proper dimensions, materials, and placement details (front, back, or side).
- Decks must be maintained and repaired as required.

12. Flagpoles/Flags

- Flagpoles may be attached to the house or townhouse structure either vertically or at an upward angle. No flag apparatus or flagpole may be placed on any common area.
- All city codes pertaining to flagpoles must be complied with.
- The occupant/homeowner may display any flag provided; however, residents are urged to consider not displaying which may offend others.
- No flag with obscene words or images may be displayed.
- Flags are required to be maintained in appearance. (not ragged)
- There may be only one, non-mast, 12ft max, height, free standing flag pole per residence. A maximum of three flags may be displayed at anyone time.

13. Ponds

- Ponds shall be appropriate to the size of the yard.
- A detailed drawing showing size, location and drainage must be submitted with request to the ACC.
- No pond shall drain onto a neighbor's property.
- Ponds shall meet city health code. (no stagnate water, debris, or dead fish)

III. Attached Townhouses

ALL OF THE PREVIOUS STANDARDS AND RULES SHALL REMAIN THE SAME FOR TOWNHOUSES, WITH THE FOLLOWING EXCEPTIONS OR ADDITIONAL STIPULATIONS:

A. Alder Circle, Birch Court, Birch Road, Maplehurst Court, Maplehurst Road, Thistle Circle

- Trim color that also includes, but is not limited to balconies and entryway arbors, may be the standard dark brown or may be upgraded to a lighter earth tone color. Vinyl siding must have a vertical format.
- The color of the new windows can be cream or dark brown and must match the trim.
- The parking areas adjacent to the street arc situated on the lots and must be maintained in aesthetically acceptable conditions by the homeowner.
- For cost efficiency purposes, homeowners in the same parking area are encouraged to have any resurfacing work done by one contractor under one contract.

B. Willow Wood Quadravillas

- No color change will be approved for the exterior of the units unless all four (4) unit owners of the same building submit the same request simultaneously.
- All four (4) units must then paint with approved colors within thirty (30) days of the start of the first unit being painted. The unit owner must agree, as part of the request and approval process, to grant the Association access to complete the requested painting at the unit owner's expense if the unit owner fails to complete this work within the allowed thirty (30) days.
- Other exterior alterations or changes shall be limited due to the nature of the change. A request for a change will require agreement of all four (4) unit owners in the same building to make the same change simultaneously. Vinyl siding is allowed if all four (4) owners in one building agree on style, color, and agree to install simultaneously.
- All unit owners within the same building must maintain the same roof color.

C. Spence Circle, Jared Court, Shane Court, Christa Court, Federal Court, Foxmoore Court, Jolor Way

- All roofs in a building line must be of the same color, shade, and style.
- Replacement of shingles must match the majority of roofs in the building line.
- All vinyl siding must be horizontal.
- Window replacements must be of the same style, but may be a lighter earth tone color.

Exceptions: Spence Circle Any townhouses that share the same front and back foundation lines and roof lines must remain the same color and style of siding, windows, and roofs.

D. Waters Drive

- All roofs in a building line must remain the same color, shade, and style.
- Replacement of natural cedar shakes can only be replaced with natural cedar shakes or vinyl cedar looking shakes.
- Window replacements must match original style and color.
- Replacement siding can only be natural wood or vinyl wood grain in appearance and must match original colors.
- Replacement siding must match existing siding in direction (horizontal remains horizontal and vertical remains vertical) and the width of original materials on the home.

IV. Guidelines to Follow/Changes Not Requiring ACC Approval

1. Interior Alterations

- Interior alterations and improvements are beyond the authority of the ACC and are left to the discretion of the homeowner.

2. Seasonal Lighting/Displays

- Seasonal lighting and displays must be removed two (2) weeks after the holiday.
- Year round decorative yard/deck lighting is required to remain in good working condition.

3. Clotheslines

- Clotheslines are allowed behind the rear foundation of the house and must be inside a fenced yard.

4. Decorative Symbols/Objects

- The use of decorative symbols and objects should be small, unobtrusive and compatible with the design of the house and the natural aesthetics of the community.

5. Dog/Pet Houses

- All structures for the care, housing, or confinement of any animal must be located behind the rear foundation line of the home, not visible from the front of the house, and preferably within a privacy fence

6. Firewood

- Firewood should be neatly stacked and not visible from the street.
- Firewood cannot be stored on the common area. The Association will discard without notice any firewood left on common area.

7. Landscaping

- Planting does not require ACC approval.
- Trees, hedges, or shrubs may not restrict sight lines of vehicular traffic.
- Grassed areas and shrub beds are to be mowed, trimmed, and free of weeds.
- Dead/dying trees and limbs are to be removed in a timely manner.
- Landscaping materials, up to twenty-four (24) inches in height, does not require ACC approval.
- Planting is not allowed in common areas.

8. Refuse Containers/Debris

- For all single-family homes, garbage or trash containers shall not be maintained in the front of the home.
- Townhouse residents without access from the rear, containers should be stored in an unobtrusive manner as possible. Plant/shrubbery screening is recommended to use as a buffer for containers.
- Refuse containers may be placed out on the street the night before trash pickup.
- Containers must be returned to the property the same day as pick up.
- No rubbish or debris shall be placed or allowed to accumulate on any homeowner's lot or common area.
- Bulk items that require special pickup can be placed at the curb the night before pickup. The Waste Management Department of the city must be called for special pickups. (430-2450)

9. Recreational Vehicles (RVs), Boats, Utility Trailers (reference Declaration of Covenants pg. 9 sec.)

- Recreational vehicles are defined as camping trailers, tent trailers, mobile homes, and motor homes. Boats include personal watercraft and the boat or watercraft trailer.
- RVs and boats must be stored where not visible from neighboring property, street, or common area. Storage must be behind a six (6) foot privacy fence or in a garage.
- Crossing the common area to get to a backyard is prohibited.
- RVs and boats may be kept at the property forty-eight (48) hours before and forty-eight (48) hours after usage for loading and unloading.
- Spaces in the Association RV lot are issued on a space available basis to members in good standing. Vehicles kept in the RV lot must be licensed and have up to date inspection stickers.

10. Commercial Disabled Vehicles

- Commercial vehicles as defined by city ordinance (7 ft. tall or more and/or 21 ft. or more in length) are not allowed to be parked in a residential neighborhood.
- Disabled vehicles as defined by city ordinance are any vehicles that are missing exterior parts, without current state license plates or valid state inspection sticker.
- Disabled vehicles must be removed within thirty (30) days.

11. Signs

- No commercial signs are allowed.
- One standard "For Sale" or "For Rent" sign can be posted in the yard, not to exceed 24 "x36" including mounting structure.
- "Well Water In Use" signs can be displayed.