

# Architectural Guidelines and ARC Processes

## CORY FARM HOMEOWNERS ASSOCIATION, INC. (CFHOA)

### *Architectural Review Committee*

The Cory Farm Architectural Review Committee (ARC) has the responsibility for maintaining the architecture, design, and landscaping features that make our community unique. Its purpose is to provide guidance for property owners and to assist them in recognizing the unique opportunities of their individual sites, while at the same time recognizing the similar rights of the adjoining property owners.

These following restrictions and procedures have been adopted by the CFHOA Board of Directors and are administered by the Architectural Review Committee (ARC) pursuant to authority set forth in the AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("Amended Declaration") dated 16 December, 2003. These restrictions and regulations will remain in force until such time as the CFHOA Board of Directors shall amend, replace, or terminate them.

#### I. ARCHITECTURAL REVIEW COMMITTEE

1. The ARC shall consist of at least two (2), but not more than five (5), individuals and may include architects, engineers and other persons who are not members of the Association. Members of the ARC shall be elected for one-year terms as part of the Annual Meeting, said election to be held in accordance with the Declaration and Bylaws.

#### II. THE ARCHITECTURAL REVIEW PROCESS

1. When required, approval must be granted by the ARC before any construction or alteration commences. If you find it necessary to change your project design after receiving ARC approval, you must submit a revised application and obtain approval from the committee before proceeding with construction.
2. All applications for ARC review must include:
  - a. The ARC Application for Alterations and Additions including neighbor contact information.
  - b. A copy of your plat showing the exact location of any proposed structure, drawn to scale, and its exact distance from property lines. Materials to be used should be clearly labeled (i.e., cedar siding, brick foundation, treated lumber). Additional drawings, diagrams, pictures, etc. are also welcome.
  - c. If you are applying for an addition to your home, covered porch or garage, you are required to submit dimensioned drawings to scale showing all elevations, roof plan and roof pitches, and floor plan.

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3. The ARC meets monthly to review completed applications. This meeting will regularly be held on the first Monday of every month (one week prior to the regular Board of Directors (BOD) meeting). Applications which are incomplete, vague or unclear will be rejected or returned with a request for more information. The ARC is required to notify the requesting homeowner upon receipt of the request. If the ARC fails to act on a complete application within thirty (30) days following ARC acknowledging the receipt of the application, the party making the application shall deliver written notice to the ARC of its failure to act, with carbon copy to the CFHOA BOD. If approval is not granted or denied within five (5) days after the ARC acknowledges receipt of the second request, the request shall be deemed to be approved.
4. After completing your approved project, you will need to contact the Architectural Review Committee to set up a follow-up visit to inspect the project for compliance with your application.
5. Building Permits – The County of Albemarle requires an approved building permit for any permanent fixed structure such as decks, garages and home additions before construction begins. This permit is required even if you are doing the work yourself. This ensures that your project meets minimum safety standards and county Building Code requirements. We recommend that you call the Albemarle County Department of Building Permits and Inspections for more details. If you hire a contractor, you are responsible for making sure they submit the required plans and obtain an approved building permit. This provides you added protection because the Contractor must be licensed, bonded and insured for permit approval. Note: Projects that do not require County building permits may still require approval from the ARC before you proceed.
6. Zoning Requirements – Albemarle County zoning law requires minimum setbacks for permanent fixed structures within property lines. We recommend that you call the Albemarle County Zoning Commission to discuss the setback requirements.
7. Baseline Conditions Acceptance- Upon approval of these guidelines, the ARC will conduct a “baseline” review of the Cory Farm properties to note property conditions in accordance with the Amended Declaration and these Architectural Guidelines. The ARC will provide a report to the BOD at the next regularly scheduled meeting of all items that would have required ARC approval under these guidelines. The conditions noted will either be approved and grandfathered into the record or noted in conflict with the Declarations or these Guidelines. Conditions in conflict with the Declarations or these Guidelines may need further action (i.e. structure removal or modification) if any of the following circumstances exist:
  - a. The structure presents a safety hazard or nuisance as defined by the Amended Declaration.
  - b. The structure is not in sound condition or presently maintained.
  - c. The condition negatively impacts other lot owners.

The BOD will then notify each homeowner in writing of all items noted on their property including those items that are accepted and those items that need further action. The homeowner will be asked to provide feedback regarding any conditions that are of concern. After reviewing input from the homeowner, if provided, and receiving a recommendation from the ARC, the BOD will make a final vote on the baseline decisions. Note - Property line determination will not be within the scope of this baselining effort.

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## III. DESIGN REQUIREMENTS

Houses in Cory Farm have been designed and situated to blend with the natural contour of the land, maximize views, maintain a harmonious relationship among structures and preserve existing natural vegetation.

1. Nothing contained herein shall be construed to limit the right of an Owner to remodel the interior of his or her Lot, or to paint the interior of his or her Lot any color desired; provided however, modifications or alterations to the interior of screened porches, patios, and similar portions of a Lot visible from outside the Lot shall be subject to approval.
2. The land included in Cory Farm shall be used only for private residential purposes and no building of any kind, whatsoever, shall be erected or maintained thereon, except for:
  - a. One private dwelling house;
  - b. A private garage for the sole use of the respective owners or occupants of the building lot upon which the garage is erected;
  - c. A building for the storage of non-commercial vehicles, equipment, tools or plants; and
  - d. A building or buildings to shelter domestic pets kept for the pleasure of the occupants of the lot.
2. Not all projects require this review and approval process. However, the following improvements *do* require review and written approval prior to the start of construction:
  - a. Sheds or outbuildings
  - b. Home additions
  - c. Landscaping projects that require the removal or addition of soil or that affect storm water drainage
  - d. Fences
  - e. Decks or railings
  - f. New or extended driveways, patios, walkways
  - g. Any external design changes such as color or stain changes or modifications
  - h. Removal of living trees greater than 3 inches in diameter
  - i. Shutters or storm doors
  - j. New doors or windows
  - k. Lattice work
  - l. Installation of swing sets or other outdoor playground equipment
3. If you are not sure whether your project requires review, please contact an ARC member. Projects that do *not* require ARC Review include:
  - a. Paving or resurfacing driveways in accordance with the guidelines herein
  - b. Removal of dead or dying trees
  - c. Repainting or residing house or outbuildings with same materials and color
  - d. Mulching
4. Avoid damage to living trees. Removal of any living trees greater than 3 inches in diameter requires ARC approval before proceeding.
5. Particular care should be taken to preserve ground cover and maintain home sites to minimize soil erosion and ensure proper storm water runoff. The property between the lot lines and the paved portion of any roads shall be maintained by the owner of such lot. Nothing shall be done on any lot that interferes with the drainage or surface water to the detriment of any other lot.
6. No noxious or offensive activity or condition shall be permitted upon any lot nor shall anything be done, placed or stored thereon which may be or become an annoyance or nuisance to the

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neighborhood or occasion any noise or odor which will disturb the peace, quiet, comfort or serenity of the occupants or surrounding properties.

7. Driveways should be considered from the standpoint of safety access upon the main road, ease of grade, minimizing the amount of required clearing, and compliance with all appropriate Virginia Department of Transportation (VDOT) standards. Driveways must be paved with asphalt, not tar and chip. All driveway entrances must conform to VDOT Standard PE-1, Standards Private Entrances. More specifically, no part of the Driveway shall be closer than 15 feet to the side property line within the right of way; however, driveways may be closer to the property line so long as there is 30 feet from center of line of the driveway to the centerline of the driveway on the adjoining lot. Two entrances per lot shall not be allowed. Standard CMP road pipe (minimum 15" X 24') must be installed at builder's expense at driveway entrances before site excavation begins. All driveways that do not comply with VDOT specifications will be corrected at the owner's expense.
8. Walks of stamped cobblestone concrete, exposed aggregate concrete, standard concrete or brick designed as an integral part of the house and landscape must be provided from the driveway to the front door. Asphalt, loose gravel and flagstone "dropped" on top of the ground in an ill-defined pattern are not acceptable.
9. Porch railings, doghouses, playhouses, gazebos, and other outbuildings must be painted or stained to blend with the house and/or natural landscaping.
10. Fencing is a very sensitive issue. The ARC or its designated representative will review each fence application on an individual basis and will determine whether the fence will be approved. Factors taken into consideration will include the height of the proposed fence (maximum height of 4'), distance between fence slats (minimum of 1.5"), the visibility from the road, and style of fence in relation to the architectural design of the house. All fence proposals must include a foundation survey showing the current location of existing structures with the proposed fencing area drawn in, as well as a picture or drawing, and accurate description including materials to be used, height, and color. Metal or chain link fences, privacy fences (no gap exists between the slats and or above 4') and split rail fences will not be allowed. No fence will be allowed to project past the front corners of the house. However, special exceptions to *this* provision may be made on corner lots after careful review. In situations where a new fence is proposed adjacent to a fence that was accepted during the initial baseline condition acceptance process, the ARC may allow for deviation from these fencing guidelines if, in the opinion of the ARC, such deviation is warranted.
11. No fence, wall, tree, hedge or shrub planting shall be maintained in such a manner as to obstruct lines of sight for vehicular traffic.
12. If you or your contractor damage any utility equipment, you are liable for repairs. The ARC recommends that you call "MISS UTILITY" at 1-800-552-7001 prior to any excavation. They will contact all the utility companies (electric, cable, water/sewer, and telephone) to come out and mark the utility lines to prevent their being damaged during construction. Also, if you build within an area containing a utility easement and the company needs to repair the line, they are not responsible for rebuilding, repairing, or putting back any structure or fence they need to move or dismantle to make the utility repair.
13. No unpainted naturals (mill finished) aluminum or galvanized flashing is permitted.
14. Wood windows, including vinyl clad, and vinyl windows will be permitted. Where the window color does not match the color of the trim or siding, particular attention will be given to the selection and

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approval of the exterior colors. Wood windows must be painted to match the trim or body color of the house. No storm windows will be allowed. Screens and storm doors will be anodized bronze, white or painted to match the trim.

15. Roof pitch will be reviewed in the context of the total design of the house, its relationship to adjacent houses and to its site. Massing of various elements, such as garages and chimneys, proportions of windows in relation to solid walls, finishes, colors, roof pitch, etc. must be carefully considered. Any alterations to these elements shall require approval by the ARC.
16. Houses must be designed and located so as to minimize exposed foundations. Proper grading of the site so as to "sink" the house into the ground, and siting to grade are acceptable means of disguising awkward foundations. Front and side exposed foundations must be brick. The exposed rear wall of basements may be stamped concrete, parged, brick, or siding consistent with the exterior of the house. All walls, including the rear basement wall, may be covered with siding to within 8" of grade.
17. Exposed chimneys must be brick or identical to the composition of the house. Vents for direct vent pre-fabricated fireplaces shall be allowed. Cantilevered (no foundation under) gas fireplaces will not be allowed unless they are on the rear of the house. If located on the front or side of the house the chimney must include a foundation, and conform to item 13 mentioned above. All brick and mortar selections must be approved by the ARC from samples submitted. Buff colored mortar is approved.
18. Non-brick homes must be painted or have a painted appearance. Natural wood finish, and semi-transparent, or opaque stains will not be allowed. The color palette for homes will not be limited to a restricted list, but no extremely bright, offensive or "loud" colors will be approved.
19. No houses may be repeated side by side or directly across the street from each other in the same neighborhood unless the exteriors are substantially different in design. Further, paint colors should be dissimilar on houses next door or across from each other. The decision as to whether a design is "substantially" different will be at the discretion of the ARC.
20. All homes shall have gutters, unless otherwise approved by the ARC.
21. Above ground swimming pools shall not be allowed.
22. The location of all television and/or radio antennae shall be approved by the ARC. Satellite dishes shall not exceed 36" in diameter. Satellite dishes, aboveground fuel tanks, stored materials of any kind and clothes lines shall be screened from view from the street.
23. No sign shall be placed on any lot or structure without the written consent of the ARC except "For Sale" signs not to exceed 2'x 3'.
24. No lot in Cory Farm shall be further subdivided.
25. Vehicles owned, leased or operated by an Owner or an occupant or his or her tenant, guest, family member or other invitee shall be parked only in the garage or driveway serving the Lot, or in such other paved areas as have been designated by the Board of Directors for parking vehicles. Routine overnight on-street parking is prohibited. Overnight on street parking by guests shall not exceed a 72-hour period.
26. Mailboxes of an approved design will be supplied by, and installed by the Builder prior to the closing of the house. All mailboxes in Cory Farm must conform to the approved design.

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## IV. RULES FOR CONSTRUCTION

In order to protect the investment of owners and to minimize inconvenience to families already living in Cory Farm, the following regulations apply to all construction:

1. A gravel surface to the construction area must be maintained at all times to keep mud from being tracked on hard surface roads.
2. All equipment must be loaded and unloaded on the lot. No tracked vehicles or equipment are allowed on hard surface road for any reason.
3. When parking is not possible on the lot due to inclement weather, parking will be allowed on the hard surface along the lot under construction, except during periods of snow removal. Any damage to the grass area is the responsibility of the lot owner. **PARKING WILL NOT BE PERMITTED ON ANY ROAD SHOULDERS.**
4. Owners are required to keep trash on construction sites consolidated in orderly piles and protected from the wind. Construction sites must be cleared of trash piles a minimum of every two (2) weeks.
5. Before any excavation begins, the locations of all underground utility lines shall be marked. All disturbed areas must be reseeded.
6. It is the responsibility of the homeowner to make sure that the foregoing procedures are followed by all contractors, suppliers, and their employees.

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Please understand that these guidelines exist both for your protection and to maintain the architectural integrity of the neighborhood. We hope that you will design your structure to blend with and not detract from the natural environment of Cory Farm. We also encourage you to discuss your changes or project with your neighbors.

Members of the Architectural Review Committee are available to answer your questions and provide you with ideas and suggestions. We are committed to responding to you in a timely manner after we receive your complete application.