

**Dawson Landing Homeowners Association, Inc.
Architectural Review Board's
Criteria and Standards**

April 1, 2005

Supersedes September 1995 and August 2002 versions as amended



Dawson Landing Homeowners Association, Inc.
P.O. Box 4401
Woodbridge, VA 22194
<http://www.dawsonlanding.com>

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1 INTRODUCTION

The purpose of this document is to provide the procedures and rules the Architectural Review Board uses to maintain and enhance Dawson Landing's appeal with a consistent architectural style. These procedures and rules address the criteria and standards to be followed by all homeowners in the maintenance, alteration and improvement of one's property and those specific standards to be considered when requesting prior approval by the Architectural Review Board. This document is not intended to be all-inclusive or exclusive, but rather to serve as a guide.

Please note – With this revision, it is not the intent of the Architectural Review Board, to make non-approved, that which was previously approved by application to home owner's improvements, but to clarify, where identified, concerns of the community's residences or address non-previously addressed criteria and standards for these improvements.

Please remember that compliance with these procedures and rules does not relieve the homeowner from also complying with any applicable federal, state or local laws, ordinances or regulations. In addition, obtaining a license, permit or other approval from a governmental entity does not relieve the homeowner from also complying with these procedures and rules.

Suggestions for change or addition to this document are encouraged. You may send them to either the Architectural Review Board or directly to the Board of Directors by either the web site (www.dawsonlanding.com) or by mailing to: P.O. Box 4401, Woodbridge, VA 22194.

2 OBJECTIVES

The primary objective of this document is to explain the procedures the Architectural Review Board will be using to maintain and enhance Dawson Landing's quality of living and property values. Any of the documents listed below are available from the Secretary of the ARB, the Board of Directors, or from the Association's web site.

The specific objectives of this document are to:

- Increase homeowners' awareness and understanding of the Declaration of Covenants, Conditions and Restrictions of Dawson Landing;
- Describe the organization and procedures of the Architectural Review Board;
- Assist homeowners in preparing applications for exterior alterations, improvements or additions to be submitted to the Architectural Review Board;
- Provide the standards to be used by the Architectural Review Board in reviewing applications as outlined in Article V and in reviewing compliance with the use restrictions and maintenance standards in Articles VI and VII of the Declaration of Covenants, Conditions and Restrictions of Dawson Landing;
- Explain basic design principles which will aid homeowners in developing exterior improvements that are in harmony with their immediate neighborhood and the community as a whole.

Related documents are listed below and can be obtained either by requesting them from the Board of Directors or by going to the web site: www.dawsonlanding.com.

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- Declaration of Covenants, Conditions and Restrictions of Dawson Landing
- Bylaws of Dawson Landing Homeowners Association
- Assessment Resolution
- Covenant and Rule Enforcement Resolution
- Request for Change, Modification, or Addition

3 DEFINITIONS AND ACRONYMS

- **Architectural Review Board (ARB):** The committee appointed by the Board of Directors that regulates the external design, appearance, maintenance, and use of homeowners' Lots and improvements on the Lots to preserve and enhance the general neighborhood environment and property values.
- **Articles of Incorporation (The Articles):** The Articles are filed with the Virginia State Corporation Commission and provide basic information about the formation and structure of the Homeowners Association.
- **Board of Directors, Dawson Landing Homeowners Association (the Board of Directors/the Board):** The Board of Directors refers to the elected governing body of the of the Association.
- **Bylaws of Dawson Landing Homeowners Association (The Bylaws):** The Bylaws contain provisions governing the operation and management of the Homeowners Association.
- **Covenant and Rule Enforcement Resolution:** This resolution provides the Board of Directors with the authority and procedures for enforcing the covenants and rules of the Association.
- **Declaration of Covenants, Conditions and Restrictions of Dawson Landing (The Covenants):** The Covenants are recorded as public records in the county's land records and govern the respective rights and obligations of the Association and lot owners, regarding, among other things, the use and enjoyment of the common area and the individual lots.
- **Homeowners Association (HOA or the Association):** The HOA or the Association refers to the Dawson Landing Homeowners Association, Inc., which is a "property owners' association" as that term is used in the Virginia Property Owners' Association Act.
- **Request for Change, Modification, or Addition (Application)** The form to be used in requesting prior approval from the ARB for any changes, modifications, or improvements to a homeowner's property.
- **Virginia Property Owners' Association Act (the Act):** The Virginia law regarding the responsibility and authority of homeowners' associations (or property owners' associations) within the Commonwealth of Virginia.
- **Web site:** The Dawson landing web site (www.dawsonlanding.com) has two components. The first is open to the general public and maintains information about Dawson Landing. The second contain specific information for the residents of Dawson Landing and requires an access password to gain access. This component contains the listing of residents, Board Meeting minutes, the Budget, and other information to which only current residents should have general access. An access password may be obtained by contacting webmaster@dawsonlanding.com.

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- **Immediate Neighbors:** Those Dawson Landing Homeowners Association residents who are in adjacent / adjoining properties, including those directly across the street (when improvement impacts them).
- **Affected Neighbors:** Those Dawson Landing Homeowners Association residents who may be able to see a change from their Lot and therefore be affected by it.

4 AUTHORITY

The authority for maintaining the quality of design and maintenance in the community is founded in the Declaration of Covenants, Conditions and Restrictions of Dawson Landing, which are a part of the deed to every property in Dawson Landing and available from any Board member or on the web site: www.dawsonlanding.com. The Covenants establish the Dawson Landing Homeowners Association and the Architectural Review Board.

As a homeowner, you have been made aware of and likely received a copy of the Declaration of Covenants, Conditions and Restrictions of Dawson Landing in the homeowners' document package at least by settlement. These Covenants "run with the land," and are binding on all homeowners whether or not they received a copy of them prior to settlement. Thus, each homeowner should fully understand and comply with the Covenants, and the Association's rules and regulations adopted pursuant to the Covenants and the Act. In addition, please remember that homeowners are responsible for making sure that their tenants or other lawful occupants of their Lot are familiar with, and comply with, the Covenants and the Association's rules and regulations.

The Dawson Landing Homeowners Association, through its authorized officers, employees and agents have the right to periodically inspect the Property for compliance with architectural and maintenance standards and approved plans for alteration. Such persons shall not be deemed guilty of trespass by reason of such entry.

5 DISCLOSURE STATEMENT

When requested by a selling homeowner in accordance with Section 55-512 of the Act, a disclosure statement is required to be completed by the Association and issued to the seller of any property within the Association, who in turn must provide it to the buyer of this property prior to closing on the sale of the property. The disclosure statements are completed by the Association's property management company (currently, MJF) in coordination with the Chair of the ARB. The disclosure statement provides the governing documents of the Association, the current status of the seller's assessment payments, and the status of any violations of the Criteria and Standards which have not been corrected. The disclosure statement helps protect the future buyer by providing full knowledge of the HOA and its governing documents, and specifically any problems with current owners compliance with the Criteria and Standards or delinquent assessments.

6 ARB COMPOSITION

The ARB shall be comprised of three or more members appointed by the Board of Directors. Members shall serve staggered three (3) year terms as determined by the Board of Directors. Members of the ARB may be removed by the Board of Directors with or without cause. Appointments to fill vacancies in unexpired terms shall be made in the same manner as the original appointment.

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At the first meeting of the ARB following the Fall Meeting of Members, the ARB shall elect from among themselves a Chairman, a Vice Chairman and a Secretary who shall perform the usual duties of their respective offices.

7 APPLICATION PROCESS

The policy for submitting an application for processing is as follows:

Permanent or temporary improvements, modifications, repairs, changes of paint colors, excavations, changes in grade or other work which in any way alters the exterior of any lot or the improvements located thereon from its natural or improved state, existing on the date such property was first subject to this declaration, may be made only after approval of the Architectural Review Board. No building, fence, wall or other structure shall be commenced, erected, or maintained upon the Property without the prior written approval of the Architectural Review Board.

Once an application is approved by the ARB, it must be followed or a modification must be submitted to, and approved by the ARB. This modified application must be submitted to the ARB using the same process as a new application if the original application is being changed. The ARB will do periodic inspections of Lots to ensure that only what was approved is done. Any modifications made to the approved plan without the approval of the Architectural Review Board will be treated as an unapproved request and follow the normal process for handling unapproved requests.

7.1 Where to Get an Application

A copy of the ARB Application for Change, Modification, or Addition, is attached at the end of this document. Copies may also be obtained through any member of the Board of Directors or by downloading it from the Dawson Landing web site: www.dawsonlanding.com.

7.2 What to Include in an Application

The items listed below will be a part of every complete application. Two copies of the complete application must be submitted if the applicant wishes an approved copy of the request returned to them. Otherwise, the requestor will only receive the disposition letter from the ARB.

1. **A completed application form** with the signatures and recommendations of immediate neighbors as defined below:
 - For projects that are visible from the back or side of the house, recommendations must be obtained from immediate neighbors.
 - For projects visible from the front of the house, recommendations must be obtained from immediate neighbors, to include those directly across the street.

Note - it is to the applicant's advantage to discuss the application and have both immediate and affected neighbors provide input on the application. The Architectural Review Board reserves the right to send a copy of the application to any affected neighbor beyond those mentioned above, who has not submitted comments with the application, asking for comments on the application.

2. **A site plan (plat)** with all proposed changes indicated including dimensions and distances from adjacent property and houses.

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3. **A description of the materials and colors** to be used and an indication of the existing colors and materials must be provided. Where materials and/or colors are compatible but different from those of the existing structures, sample of color chips should be submitted for clarity.
4. **A graphic description** should be provided. This description may be in the form of manufacturer's literature, photographs, free hand or mechanical drawings. The amount of detail should be consistent with the complexity of the proposal.

Relationships of major architectural features such as existing and proposed roof lines, window sizes and alignment, building heights, roof slopes, height, latticework, exterior elevations for proposed structure, and if appropriate, plans or provision for landscaping, latticework, or grading, etc, should be shown as they affect the applicant's house, and as they relate to adjacent properties. In any case, the sketch, diagram, or photograph must be accompanied by a written description.

5. An **estimate of the duration of construction time**. This is the time your neighbors may be impacted due to construction materials, noise, visual disruption, etc. Construction Time is to be less than sixty (60) days unless special conditions are described in the application and agreed to by the ARB.

7.3 Where to Submit a Complete Application

Complete applications must be submitted to the Chairperson of the ARB. There are three ways to submit an application:

Send the application(s) by certified mail, return receipt requested to:
Dawson Landing Architectural Review Board
P.O. Box 4401
Woodbridge, VA 22194

or

* Send the application(s) by regular mail to:
Dawson Landing Architectural Review Board
P.O. Box 4401
Woodbridge, VA 22194

or

* Hand-deliver the application(s) to the current ARB Chairperson. (Note that merely dropping off the application on the Chairperson's front porch or elsewhere is not proper submission; the application must be personally handed to the ARB Chairperson). You can find the name and address of the chairperson either by contacting a board member or visiting the association's web site: www.dawsonlanding.com.

Note *: Submitting applications by hand delivery or through regular mail (non-certified mail, return receipt requested) delivery methods, authorizes the ARB to communicate to the applicant, at their discretion, through these methods as well.

7.4 When to Expect a Letter of Disposition

The application will be reviewed for completeness by the ARB. If the application is incomplete, it will be returned to the homeowner for completion within ten (10) days after the next ARB meeting opportunity. The Architectural Review Board has forty-five (45) days after receipt to review a complete application.

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The decision of the Architectural Review Board will be sent by certified letter, regular letter, or hand delivered to the applicant's address provided on the application, with a copy also being mailed or delivered to the Board. If application is received by the ARB by certified means, disapproved applications will be sent to the applicant by certified mail with a copy of both the application and the certified mail receipt sent to the Board of Directors. Otherwise, regular mail methods will be used.

In the event the ARB fails to act upon any application within forty-five days after receipt, the application shall be deemed approved as submitted. The Board of Directors, the applicant, and all immediate neighbors will be advised of the approval of any application through this forty-five day default rule.

7.5 Application Review Meetings

Meetings of the ARB are generally held monthly. All ARB meetings are open meetings and will be announced on the web site. Additionally, any applicants, immediate, or affected neighbors may request to be advised when the application will be processed so they may attend the meeting to answer questions or voice an opinion.

7.6 Homeowner Rights

Rights of the applicant:

- The applicant may expect the immediate neighbors to either give a timely recommendation (within 48 hours) or advise the applicant that they will submit their recommendation separately. The applicant should indicate the latter on their application.
- The applicant may request to be informed when the application will be processed by the ARB.
- The applicant may appeal to the Board of Directors an application that is disapproved by the ARB.

Rights of the immediate and affected neighbor(s)

- Any immediate neighbor may submit their recommendation to an application separately.
- Any immediate neighbor may request to be informed when the application will be processed by the ARB or the decision of the ARB in the same manner as the applicant.
- Any immediate neighbor may appeal an application approved by the ARB.

8 APPEALING AN ARB DECISION

There are two types of appeals - those made to the ARB in order to suggest an update to the Criteria and Standards, and those made to the Board of Directors based on a decision made by the ARB.

8.1 Appeals to the ARB to Recommend Updates to the Criteria and Standards

An appeal may be filed with the ARB if the applicant, immediate, or affected neighbor feels that the Criteria and Standards do not represent the sensibilities of the community and should be modified. This appeal process will be done by submitting written notice of appeal, either by certified letter or hand delivery to the ARB Chairperson.

Once submitted, the ARB will discuss the issue at its next regular meeting. If, after a vote, the ARB agrees with the applicant, a revised Criteria and Standards will be submitted to the Board of Directors for review and possible approval. The applicant will be kept informed. If the Board of Directors approves the

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update, the status of the request will be changed from 'denied' to 'approved', providing it now complies with the revised Criteria and Standards, and is complete.

If the appeal is denied by the ARB, the applicant may submit an appeal to the Board of Directors.

8.2 Appeals to the Board of Directors

An appeal to the Board from any Architectural Review Board decision may be made if an applicant or immediate neighbor feels:

- proper procedures were not followed during the review process,
- the Architectural Review Board decision was arbitrary and had no rational basis, or;
- the ARB denied an appeal to modify the Criteria and Standards.

8.3 Appeals Process/Timeline

All appeals will be in writing. Appeals to the Board of Directors must be sent to the Board, at the Association's P.O. Box noted above, by certified mail within fourteen days of the ARB decision being mailed to the applicant. If an appeal is received from an immediate or affected neighbor within that same 14- day period, the Board of Directors will notify the applicant to cease all work until the appeal process has been completed. If the applicant, the neighbor, or the Board of Directors requests a hearing for the appeal, the process will follow that as defined in Section IV (Notice of Hearing), of the Covenant and Rule Enforcement Policy. In addition, the Board reserves the right to initiate an appeal on its own to review a decision by the ARB.

9 AMENDING THE CRITERIA AND STANDARDS

The Architectural Review Board may conduct an annual evaluation of these standards to determine if they need to be amended and then forward its recommendation to the Board for review.

10 ENFORCEMENT PROCESS

All owners and residents of Dawson Landing will comply with all of the provisions of the Covenants, Bylaws, and all rules and regulations, including these Architectural Criteria and Standards. Failure to comply with these documents is grounds for enforcement action, including but not limited to filing suit to recover damages or obtain injunctive relief, suspending voting rights, filing and foreclosure of liens, or any other administrative, legal or equitable relief deemed appropriate.

For a full description of the violations enforcements and process, please see the Covenants and the Covenant and Rule Enforcement Policy. These can be obtained through any Board of Directors member or on the web site: www.dawsonlanding.com.

Please note: failure of the Board or ARB to enforce any provision, covenant, restriction, rule or regulation will in no event be deemed a waiver of the right to do so in the future.

11 CRITERIA

The following criteria represent the general standards that will be used in reviewing and evaluating applications for change. The Architectural Review Board will evaluate all submissions on the individual merits of each application. The characteristics of the house type and the individual site will be considered when evaluating the particular design proposal.

- **Validity of Concept:** The change must be sound and appropriate to its surroundings.

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- **Design Compatibility:** The proposed change must be compatible with the architectural characteristics of the applicant's house, the adjoining houses and the neighborhood setting. Compatibility is defined as similar in architectural style, quality of workmanship, similar use of materials, color, proportion, pitch, and construction details.
- **Location and Impact on Neighbors:** The proposed change should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are access, view, sunlight, ventilation, and drainage.
- **Scale:** The size of the proposed change should relate favorably to adjacent structures and its surroundings. For example, a large addition to a small house may be inappropriate.
- **Color:** Color may be used to soften or intensify visual impact. Parts of the addition that are similar to the existing house such as roofs, siding, and trim should be matching in color.
- **Materials:** Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house. For instance, horizontal siding on the original house should be reflected in an addition. On the other hand, an addition with siding may be incompatible with a brick house.
- **Workmanship:** Workmanship is another standard which is applied to all exterior modifications. The quality of work should be equal to or better than that of the community. Poor workmanship, besides causing the owners problems, can be visually objectionable to others. Poor workmanship can also create safety hazards.
- **Timing:** Once a project is started, it must be completed within a reasonable time frame for the scale of the project, generally within sixty days. Other than cases of hardship, progress must be shown, or demonstrable, on a weekly basis.

12 STANDARDS

In accordance with provisions of the Declaration of Covenants, Conditions, and Restrictions of Dawson Landing, the Architectural Review Board, with the advice and consultation of the Homeowners Association's Board of Directors, has adopted these Architectural Review Board Standards to interpret and implement the architectural control requirements of Articles V through VII of the Covenants by regulating the external design, appearance, maintenance, use and location of property and improvements thereon in such a manner so as to preserve and enhance values and to maintain a harmonious relationship among structures and the natural vegetation and topography. These standards are not intended to supersede the Covenants, but to enunciate the consensus of the Board and ARB as representatives of the community as a whole on the standards which should be followed by the ARB in discharging its duties and responsibilities.

These standards address a broad range of exterior modifications for which the homeowners frequently submit an application to the Architectural Review Board. It would be impossible to address each specific design condition. Thus, these standards present the principal factors that should be considered when developing a design. More specifically, these standards define the limits to size, quality of construction, location, materials and color based on the intended use and relationship to adjoining properties rather than focusing on a particular construction detail or a specific design alternative.

The Standards that follow are divided into four categories. These categories are designed to clarify whether something requires prior ARB approval or not, and under what circumstances. The definitions

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and examples are given to help in the process, not as stand alone items. Please refer to the Standard item list for the full information. If you are unsure whether a particular alteration or improvement requires the ARB's prior approval, you are encouraged to contact the ARB for guidance before starting on your project. If an alteration or improvement is made without the required prior approval, you will be responsible for bringing your property into compliance by submitting an application for approval and then making (and paying for) any changes that are required by the ARB or the Board.

These categories and their descriptions are as follows:

Require ARB approval - These are items that require prior approval under all circumstances, regardless of the manner or location of installation or construction. Examples of this category are: decks, in-ground swimming pools, and fences.

Do not require ARB approval - These items, while not requiring ARB approval, nevertheless have standards that must be met or are listed to explicitly separate them from other items. Examples of items in this category are:

- Animals - you can have a dog, cat, etc., but you cannot have horses or cows.
- Portable barbeque grills - permanent ones require approval. Portable ones are listed separately to clarify the difference.

Items not requiring ARB approval must be designed and implemented according to the criteria listed for that item. Items that are not installed, maintained, or otherwise do not comply with the standards listed for them will be considered in violation.

Approval may be required - In general terms, if you're planning on changing the appearance of something, it requires approval. If, however, you're maintaining or replacing something with one similar in design, color, and scale, approval is not required. Examples of items in this category are:

- Mailboxes - if the replacement mailbox is similar in color, design, and scale, it does not require ARB approval, but any other permanent changes to or replacement of mailboxes do require approval.
- Exterior Painting - approval is required for changing any exterior paint color, but repainting items in the same color do not.

Not applicable - ARB approval is never required, but there are still standards that must be met. These are generally maintenance issues such as mowing and compost piles.

Other - There are also two spots where one specific part of the item requires approval. These are:

- Security systems - do not require approval, but any outside lighting that accompanies an otherwise internal security system does require ARB approval.
- Clotheslines - do not require approval, but must be accompanied by appropriate screening. The screening requires ARB approval.

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12.1: Major Exterior Changes - Require ARB approval

Major alterations are generally considered to be those which substantially change the existing lot either by subtraction and/or addition. Major exterior changes include, but are not limited to construction or modification of driveways, garages, porches, decks, swimming pools, greenhouses, rooms, fireplaces, sheds, gazebos, and chimneys, and other additions or changes to a home or property.

The design of major changes should be compatible in scale, materials, and color with applicant's house and adjacent houses. The location of changes should not impair the views, or amount of sunlight or natural ventilation on adjacent properties. The roof pitch should be architecturally compatible with the existing pitch of the roof on the applicant's house. New windows and doors should match the type used elsewhere in the applicant's house and should be located in a manner which will relate well to the rest of the house.

If changes in grade or other conditions affecting drainage are anticipated, they must be indicated. Approval will be denied if adjoining properties are adversely affected by changes in drainage.

Construction materials must be stored so that impairment of views from neighboring properties is minimized. Excess material should be immediately removed after completion of construction.

12.2: Exterior Appearance - Not applicable

Residents are responsible for maintaining the exterior of their dwelling, any other structures on their lots, such as decks, fences, sheds, playground equipment, swimming pools, spas, and landscaping such as trees, lawns, flowers, hedges, driveways, etc.

12.3: Exterior Maintenance - Not applicable

Residents are responsible for keeping their lot and all improvements therein or thereon, in good order and free of debris, including but not limited to the seeding, watering and mowing of lawns, the pruning and cutting of shrubbery, and the painting (or other appropriate external care) of all buildings and other improvements, in a manner and with such frequency as is consistent with good property management.

Homeowners are expected to maintain their property up to the street and up to adjoining Lots.

12.4: Animals - Do not require ARB approval

No animals, birds, fowl, property, or livestock, other than a reasonable number of generally recognized household pets shall be maintained on any property within Dawson Landing and then only if they are kept, bred, or raised thereon solely as domestic pets and not for commercial or profitable purposes. No structure for the care, housing, or confinement of any animal shall be maintained so as to be visible from neighboring properties.

Upon the written request of any owner, the Architectural Review Board shall determine whether, for the purposes of this paragraph, a particular animal is a generally recognized household pet, or a nuisance, or whether the number of animals on any such property is reasonable. Any such decision rendered by the Architectural Review Board shall be enforceable to the same extent as other restrictions contained herein.

It is the responsibility of each resident having household pets to ensure these pets are absolutely controlled on the property of the resident and that they are not creating either a health or noise nuisance for their neighbors.

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12.5: Antennas and Satellite Dishes - Require ARB approval

Section 207 of the Federal Telecommunications Act of 1996 ("Section 207") gives homeowners certain rights to install certain antennas, including satellite dishes, in order to receive video programming and broadcast signal reception, and to receive and/or transmit fixed wireless signals. Accordingly, the standards stated below are intended to comply with Section 207. For further information on Section 207, you are encouraged to visit the Federal Communications Commission's website at www.fcc.gov.

Homeowners are not required to have prior approval from the ARB for antennas and dishes covered by Section 207. However, all antennas and satellite dishes are subject to the guidelines below, and homeowners will be required to correct any violations.

1. Exterior satellite dishes larger than one meter (39.3 inches) in diameter, and any other exterior dishes or antennas not specifically covered by Section 207, are not permitted on any Lot or the common area. Examples of dishes or antennas not covered by Section 207 include, but are not limited to, those that are used to transmit AM/FM radio, amateur ("HAM") radio, Citizens Band ("CB") radio, and Digital Audio Radio Services ("DARS") signals.
2. Homeowners should place the permitted antenna or dish in the least conspicuous place possible. These devices are not to be installed in the front of the lot or on the front facade of a house if another location exists on the lot or house where the device can receive an acceptable quality signal and would not unreasonably increase the cost of installation, maintenance or use of the device. Whenever possible, the device should be placed to the rear of the house in the most non-conspicuous, least visible location that allows for proper operation. Under no circumstances shall a device (or its related equipment) be installed on the Association's common area or otherwise encroach upon the common area. Antennas shall be installed no higher than is absolutely necessary for reception of an acceptable quality signal.
3. All antennas that transmit signals must meet all applicable FCC guidelines regarding radio-frequency (RF) exposure limits, and must be professionally installed due to safety concerns related to such exposure.
4. No more than two antennas or dish for each type of service may be installed within a Lot.
5. The device should be reasonably screened from view from any other lot or common area, and should be ordered in a color (to the extent available), or should be painted (in a manner that will not interfere with reception or void a warranty) so that it blends into the background against which it is mounted. Wires or cables shall be secured and screened as much as possible without unreasonably increasing the cost of installation, maintenance or use.

12.6: Attic Ventilators - Do not require ARB approval

Attic ventilators or other mechanical approaches requiring penetration of the roof should be as small in size as functionally possible, and should blend in as much as possible to their surroundings. They must be located on the least visible side of the roof and not extend above the ridge line.

12.7: Barbecue Grills (permanent) - Require ARB approval

The definition of a permanent barbecue grill is one that is made of masonry, is permanently built or affixed to the Lot or a structure on the Lot, or that is otherwise designed not to be moved, such as built into a deck and permanently affixed to a gas supply (in lieu of being attached to a propane refillable bottle).

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Permanent barbecue grills must be located in the rear of the house and as far from adjacent property lines as is practical.

12.8: *Barbecue Grills (portable) - Do not require ARB approval*

Barbecue grills should be located so as to not create a nuisance for other residents, and to comply with the County's fire code and/or regulations.

12.9: *Clotheslines - Screening requires ARB approval*

Clotheslines are prohibited upon any lot unless obscured from view of adjoining lots and streets by a fence or appropriate screen approved by the Architectural Review Board.

12.10: *Compost Piles - Not applicable*

Compost piles may be maintained on the resident's property if they are maintained at least eight feet from any property line and to the rear of the property. Active compost piles must have a six-inch layer of straw or leaves over top of them to prevent odors from escaping.

The Architectural Review Board will notify any residents whose compost pile has become a nuisance and ask them to rectify the problem or remove the compost pile.

12.11: *Dog Houses and Runs - Not applicable*

See Animals, above.

12.12: *Driveways – Approval may be required*

Driveways may be resurfaced using like materials. Driveway resurfacing does not require ARB approval. However, if resurfacing includes changes to the existing size and / or location of the driveway, then ARB approval is required.

Driveway modifications can include use of different materials (i.e., blacktop, concrete, other hard surface materials, and / or a combination of hard surfaced materials) and can be resized, however modifications of this nature require ARB approval.

Gravel or other loose material driveways, in whole or in part, will not be approved. Lawn surfaces are not considered acceptable driveways or driveway extensions.

12.13: *Electronic Insect Traps - Do not require ARB approval*

Electronic insect traps may only be utilized in such a way as to not cause discomfort or annoyance to adjacent owners from the noise or light and then only during those times when the immediate area protected by the trap is occupied by the owner or guests. Under no circumstances will electronic traps be permanently installed or maintained.

12.14: *Erosion Control - Not applicable*

Each resident is responsible for seeing that their lot area is protected from erosion and that storm drain structures are not blocked so as to cause erosion problems. It is the responsibility of each homeowner not to create or allow an erosion problem. As a reminder, installation of new structures requires prior ARB approval.

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12.15: Exterior Portable Unit Air Conditioners - Not applicable

Portable air conditioning units such as those normally designed to extend from windows are prohibited, except that the Board may grant a waiver on a case-by-case basis to the extent required for a reasonable accommodation under federal or state law.

12.16: Exterior Decorative Objects - Approval may be required

Items that fall under this category include representative items such as birdbaths, wagon wheels, sculptures, fountains, non-recreational pools, stumps, driftwood piles, freestanding poles of all types, and items attached to approved structures.

Approval is required for all introduced exterior decorative objects that will be put forward of the rear foundation. Approval is not required for items in this category that are located towards the rear of the house.

12.17: Exterior Lighting - Approval may be required

Approval *is not* required if the new item is replacing an existing one and is similar in color, design, and scale.

Approval *is* required to replace existing lighting where replacement is not similar in color, design, or scale, or if the homeowner is introducing new lighting. This includes lighting associated with security systems.

Approval is required for landscape lighting.

12.18: Exterior Painting - Approval may be required

Approval is required for exterior painting where color changes are made. Color changes apply to the house siding, doors, shutters, trim, roofing, and other approved structures such as a deck or shed.

12.19: Fences - Require ARB approval

Fences are used to separate property, provide security, visual privacy, or to architecturally define space. In achieving any one of these goals, a barrier is created which has both a visual and a physical impact on the boundaries of common land and property of adjacent homeowners. Careful consideration should be given to the basic fencing concept and the manner in which the concept is executed.

In the absence of any specific aesthetic or safety oriented considerations, the Architectural Review Board will not approve the installation of any fence forward of the midpoint of the side foundation walls of any structure in Dawson Landing. If a homeowner plans to install a fence forward of the rear foundation wall to the midpoint of the side foundation wall or adjacent to another homeowner's front yard, that side of the fence must be landscaped so it is hidden from view, and a landscaping plan must accompany the application.

Approved fencing can be constructed of different types of materials, to include pressure treated natural wood, simulated wood, and black anodized aluminum. Guidelines that must be used in the design of fences include:

- Design and style must be compatible with the community.
- Fence posts must be located to the interior of the fence (style permitting) with finished side facing out.

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- Picket spacing will be consistent and should be three to six inches apart. (if picket style fencing is used).
- Will not exceed forty-eight (48) inches in height, except for purposes of compliance with laws or ordinances pertaining to swimming pools.
- Double fencing is not permitted. Double fencing refers to a fence within a fence. Fences around pools and fences containing gardens and compost piles (see Landscaping and Vegetable Gardens) are exceptions, which are allowed and are within these guidelines.
- Chain link, chicken wire, or similar styled metal fencing is not permitted unless it is temporary and falls within the restrictions of the section referring to Landscaping and Vegetable Gardens.
- Solid Fencing (i.e., concrete, block, stone, or other similar hard surface or simulated material) is not permitted.

Fencing around swimming pools will be approved on a case-by-case basis.

The color of the fence must be included in the application.

12.20: *Firewood - Approval not required*

Firewood maintained for wood-burning fireplaces must be kept to the rear of the house, neatly stacked, and within the resident's property. As with clotheslines, screening may be required to minimize visual impact. Firewood piles should not exceed four feet in height for safety. Firewood piles must contain firewood only, no storage of debris. Note - it is strongly recommended that firewood piles not be kept near or in the residence because of insect infestation. Any firewood that is infested or rotted shall be considered rubbish and must be disposed of accordingly.

12.21: *Flagpoles - Approval may be required*

One temporary flagpole staff, which does not exceed six feet in length and is attached at an incline to the front of the residence, does not require approval of the Architectural Review Board. All other requests for flagpoles require approval.

12.22: *Greenhouses - Require ARB approval*

Requests for approval of Greenhouses will be reviewed under the same criteria as storage sheds with consideration for the special requirements of sun orientation. Greenhouses will have special attention given to visibility of interior activities and appearance.

12.23: *In-Home Business - Not Applicable*

No part of Dawson Landing shall ever be used or caused to be used or allowed or authorized in any way, directly or indirectly, for any business, commercial, manufacturing, mercantile, storing, vending or other such non-residential purposes, except the Developer and Participating Builder may use the Property for model home sites and display and sales office during the construction and sales period.

In-home business may further be defined in that if "customers" come to the residents' home for the product or service, this is considered to be an "in-home business" and is strictly prohibited to maintain the residential environment and limit the traffic created by in-home businesses.

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12.24: *Landscaping and Vegetable Gardens - May require ARB approval*

Landscaping timbers, pavers, and other similar landscaping containment materials that are greater than one foot high and are installed forward of the rear foundation require ARB approval. Landscaping and materials done in the back yard do not require ARB approval, but must meet the criteria listed below.

Care should be exercised in the planting and maintenance of trees and shrubs to prevent obstruction of sight lines required for vehicular traffic, and that any landscaping materials used to surround these are confined within the property. It is the responsibility of the homeowner to ensure that all vegetation is neatly maintained throughout the growing season. Flowerbeds will be maintained throughout the year.

Removal of trees more than six inches in diameter must have approval of the Architectural Review Board unless there is a risk of imminent collapse, in which case, removal may be done prior to approval, but a request must be submitted to keep property records up-to-date. Trees being removed adjacent to Neabsco Creek may require special requirements from either the County or the Chesapeake Bay Authority.

An active and thriving vegetable garden or compost pile is the exception to the 'no metal fencing' rule. These gardens may be immediately enclosed by a fence in order to provide a barrier to pests. These fences must comply with the Fences standard except:

- Cannot exceed 36 inches in height unless it matches the height of its immediately surrounding fence
- Must be a dark color, such as hunter green or black, and must be externally landscaped to hide most of the fencing. Surrounding the outside of this fence with a wood or wood-like material is encouraged.

12.25: *Mowing - Not applicable*

Grassed areas are required to be maintained and mowed at regular intervals with reasonable frequency, so that the height of the grass does not exceed six inches.

12.26: *Mailboxes - Approval may be required*

Replacing an existing mailbox with one that is similar in color, design, and scale does not require ARB approval.

Any other permanent changes to or replacement of mailboxes require approval from the Architectural Review Board.

12.27: *Patios, Porches, and Decks - Require ARB approval*

Decks, porches and patios must be designed and constructed so as to minimize any visual impact from neighboring properties. Patios and decks should be located toward the rear of the houses. Side yard locations will be evaluated on their individual merits.

If patio and deck schemes include other exterior changes, such as fencing, lighting, landscaping, latticework, etc., other appropriate sections of these standards must be addressed in the application.

Decks are to be constructed of natural or wood tone, pressure treated wood, or acceptable alternatives such as simulated wood materials, and may have either a natural wood stain or a color compatible with the house. The application must include the height of deck off the ground.

Porches will be constructed of material so as to match the existing structure in color, style, and texture. Porch roofs must complement the rooflines of the existing structure.

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Porch and Patio top surfaces, including but not limited to slate, flagstone, brick, concrete, black-top, etc., must be addressed in the application.

12.28: Recreation and Play Equipment - Does not require ARB approval

Playground equipment: including but not limited to swing sets, trampolines, gym sets, sand boxes, etc. must be maintained to the rear of the house.

Portable playground equipment, such as street hockey, soccer goals, skate ramps, etc., must be put away or stored toward the rear of the house when not in use. Portable basketball backboards are authorized to remain in owners' driveway during the season of daylight savings time; otherwise they must follow the guidelines for other portable equipment.

In the interest of safety and maintaining the aesthetic quality of our community, it is strongly recommended that portable basketball backboards and all other recreational or play equipment not be placed or used in the roads or streets of the community or placed in such a manner where the participants using them would be in the roads or streets.

The most desirable material for recreational and/or play equipment is wood in its natural color. If the recreational and play equipment becomes a nuisance to neighboring properties, or the equipment falls into a state of disrepair to include rusting, the Architectural Review Board in their discretion, will require removal of the equipment from the property.

12.29: Retaining Walls or Other Hard Surface Free Standing Walls require ARB approval

Retaining walls can be used to control erosion or enhance the physical characteristics of landscaping and / or garden designs; however, they require approval from the Architectural Review Board. If changes in grade or other conditions affecting drainage are anticipated, they must be indicated.

Retaining walls or walls of a similar nature, (concrete, block, pavers, brick, timber, etc.), used to separate property boundaries will not be approved or considered. See the section labeled Fencing.

12.30: Security Systems - Exterior Systems and Lighting require ARB approval

Exterior security systems and security lighting require ARB approval. Internal security systems do not.

Security systems must meet all local and state statutes and must not be of the type that creates a noise nuisance for the residents of Dawson Landing, such as exterior alarms that can only be turned off by the residents from inside the house. Security lighting systems must be such that they do not shine directly into the home of a neighbor. Any security device that can possibly create a safety hazard for the residents of Dawson Landing, or any utility personnel with access to property through easements, are absolutely prohibited.

12.31: Sidewalks and Pathways - Require ARB approval

Sidewalks or pathways including but not limited to flagstone, brick, concrete, black-top, etc. require approval from the Architectural Review Board if located, in whole or in part, forward of the front foundation of the house.

12.32: Signs - Real Estate Sales/Rent Signs - Not applicable

See Declaration of Covenants, Conditions, and Restrictions Article VI, Section 3.

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12.33: Solar Panels - Require ARB approval

Solar panels require approval from the Architectural Review Board. Panels must be mounted to the rear side of the dwelling's roof and may be flush or extended. If extended they may not extend above the roof peak such that they are visible from the street (or pipe-stem). No other mounting locations are acceptable.

12.34: Storage Sheds - Require ARB approval

Storage sheds must be compatible with both the architecture and the landscaping surrounding the house and constructed of materials so as to match the existing home in color, style, and texture. They will only be approved as a stand-alone object and if landscaped in such a manner as to have a minimum visual impact. A landscaping plan must accompany the application.

The shed must be designed to respect the visual rights and aesthetic interests of neighborhood properties. Sheds may not exceed one hundred fifty square feet in size nor exceed ninety-six inches in height unless they are the lower part of a raised deck and totally enclosed for storage. Approved storage sheds must be placed upon a solid masonry foundation floor.

12.35: Storm and Screen Doors - Approval may be required

The color of storm doors must conform to the existing color scheme surrounding the door. Only plain full view storm and screen doors will be permitted. Full view is defined as having total view from top to bottom, either with glass or screen or both with a middle bar allowed for support of the top and bottom sections. Variances must be requested and may be considered on a case-by-case basis.

The Architectural Review Board on a case-by-case basis will consider requests for installation of rear and / or side security doors.

12.36: Storm and Screen Windows - Require ARB approval

Requests for storm windows must be submitted to the Architectural Review Board for approval. No plastic covering will be permitted on the exterior doors or windows of any houses in Dawson Landing.

12.37: Sun Control Devices - Require ARB approval

Sun control devices include but are not limited to latticework or awnings.

Applications for exterior sun control devices require a site plan showing the location of the devices; sketches and or photographs of the house and adjacent homes as appropriate; sketches, photograph, or manufacturer's product information of proposed sun control devices including indication of dimensions, construction details, showing how the devices are to be attached to the house, materials, and color. In the case of fabric awnings, submission of material and color must be included.

12.38: Swimming Pools, Spas, and Hot Tubs - Require ARB approval

In-ground swimming pools, spas, and hot tubs are allowed but require ARB approval.

All such structures approved must be located to minimize sight and noise impact on neighboring properties. A minimum of ten feet from the property lines will be reserved for landscaping. A landscaping plan must accompany the application. The application for a swimming pool, spa, or hot tub must include the fencing requirements required by local statute. See the section regarding fences when submitting this portion of the application.

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No above ground pools will be considered, except that above-ground swimming pools designed to hold less than 24" of water depth are allowed, but must be maintained toward the rear of the house and be stored out of site when not in current use. Above-ground swimming pools that meet these standards do not require ARB approval.

Above-ground swimming pools designed to hold more than 24" of water depth are not allowed.

12.39: *Trashcans - Not applicable*

Trash must not be placed out for pick-up before 5:00 pm the night before pick up, and all receptacles should be retrieved from the street as soon as possible after the trash is picked up, but no later than 11:00 pm that evening. Trashcans are to be stored out of sight, such as in the garage or behind the house and obscured from view by an approved fence or screening.

12.40: *Trash Removal - Not applicable*

Residents are responsible for picking up litter on their property and securing trash and recyclables properly to prevent windblown debris from originating from their property.

It is the responsibility of each resident to have inorganic and/or organic waste material removed from the property either by a waste disposal or by removing it to an authorized dump.

12.41: *Vehicles - Not applicable*

See Declaration of Covenants, Conditions, and Restrictions, Article VI, Section 6.