

**FOX MEADOWS
HOMEOWNERS ASSOCIATION
ARCHITECTURAL GUIDELINES
REVISED – APRIL 2013**

REVISED RULES & DESIGN GUIDELINES
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April 2013

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INTRODUCTION

The Fox Meadows Homeowners Association (hereinafter "Association"), acting through its Board of Directors, has the obligation and authority to adopt and enforce Administrative Rules and Procedures in order to effectively carry out the responsibilities imposed on the Association by the Declaration of Covenants, Conditions, and Restriction, Articles of Incorporation, and By-Laws (hereinafter "Governing Documents"). Accordingly, the Board of Directors has adopted the following Administrative Rules and Procedures in order to:

- Establish and publish Association rules and procedures of general application;
- Provide for sound Association financial practices;
- Maintain consistency with the overall Fox Meadows design concept and promote harmonious architectural and environmental design qualities and features;
- Preserve and enhance property values for all members of the Association; and
- Promote fair and uniform interpretation and enforcement of the Fox Meadows architectural controls and lot use restrictions.

MATTERS WHICH REQUIRE APPLICATION AND APPROVAL

Except as specifically provided herein, every exterior addition or modification to a house or lot in Fox Meadows requires advance application and approval. If work is begun before receiving written approval, a fine of \$50 will be levied upon the homeowner. In addition to the fine, the homeowner would be responsible for redoing the project at **his / her** expense if it does not meet the Fox Meadows Architectural Guidelines. The basis for this requirement is found in Article V of the Declaration of Covenants, Conditions and Restrictions that provides:

"No dwelling unit, building, fence, wall, or other structure shall be commence, erected, or maintained upon [any lot] nor shall any exterior addition to or change or alteration therein be made (including change in color) until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association..."

Article VI of the Declaration of Covenants, Conditions, and Restrictions expressly prohibits a number of specific activities and uses upon lots in Fox Meadows. Accordingly, such activities and uses cannot be approved.

ROLE OF THE ARCHITECTURAL CONTROL COMMITTEE

The Architectural Control Committee is composed of volunteers appointed by the Board of Directors. The role of the Architectural Control Committee is to:

- Review and approve, modify, or disapprove written applications for additions, modifications to houses and lots in accordance with the Association's Administrative Rules and Procedures;
- Conduct periodic inspections to determine compliance with the Association Governing Documents;
- Recommend architectural rules and design guidelines for adoption by the Board of Directors;
- Adopt procedures for the exercise of its duties;
- Maintain complete and accurate records of all actions taken

NOTE: The Architectural Control Committee is not responsible for obtaining or mediating any required county permits for improvements or additions to house or property.

DESIGN REVIEW CRITERIA

To the extent possible, specificity has been incorporated into these Administrative Rules and procedures. However, total specificity is neither possible nor desirable. The appropriateness and acceptability of a particular addition or modification depends on a number of circumstances and factors that must be documented and evaluated on a case-by-case basis. A specific addition or modification that is appropriate for one type of housing, lot size, and location may be inappropriate in another situation.

The criteria listed below provide for the basis for both the development of design criteria guidelines and the evaluation of individual design proposals by the Architectural Control Committee:

1. **Design Compatibility.** The proposed addition or modification should be compatible with the architectural design, appearance, and character of the applicant's house, adjoining house, and the neighborhood in general. Compatibility is defined as similarly in architectural style, quality of workmanship, and similar use of materials, color, and construction details.
2. **Scale.** The scale of the proposed addition or modification should relate to the size of the applicant's home, location, and size of the lot, adjoining homes, and surroundings. The criterion applies to both structural and landscape modifications.
3. **Impact on Neighbors.** The proposed addition or modification should relate favorably to the landscape, the applicant's home, adjacent homes, and the neighborhood. Both visual and functional impacts on neighbors will be evaluated. *"Visual impact"* refers to the aesthetic appearance of the proposed improvement, which includes consideration of design, quality, scale, location, and architectural compatibility. *"Functional impact"* refers to concerns such as view, sunlight, and structural additions that would cause a material loss of sunlight or ventilation to a neighboring dwelling, or an alteration in topography

that would change natural drainage patterns to the detriment of a neighboring property.

4. **Color and Materials.** Continuity and compatibility of color and finishing materials with the original construction and surrounding dwellings.
5. **Relationship to Environment.** The proposed addition or modification should not have a negative impact on the natural environment. The removal of trees or other vegetation, grading, and other topographical alterations will be assessed for the potential adverse impacts, such as material change in the rate and/or direction of storm water run-off and soil erosion.

MATERIALS WHICH DO NOT REQUIRE APPLICATION AND APPROVAL

The following exterior additions or modifications do not require design review approval by the Architectural Control Committee:

1. Repair or replacement of any item to its original, approved specifications. The Association recognizes that slight variations in building materials and colors may be unavoidable.
2. Common landscape improvements that do not involve a change in topography or and which are not of sufficient scale to constitute a natural structure. (See landscaping, page 10.)

Homeowners are encouraged to seek guidance from the Architectural Control Committee if there is any doubt whether a proposed exterior change is exempt from design review and approval.

APPLICATION AND REVIEW PROCEDURES

1. **Written Application.** All applications for proposed additions or modifications must be submitted in writing. Applications may be hand-delivered to any member of the Architectural Control Committee or mailed to the Association Managing Agent.
2. **Attachments to Applications. Applications must be complete in order to commence the review process.** Incomplete applications will be returned to the applicant with a statement of deficiencies that must be remedied in order to be considered for review. Supporting documentation will often be required for many types of improvements. Examples of supporting documentation that may be required include: a site plan showing the location and dimensions of the proposed improvement; architectural drawings or plans; landscape plan, material and / or color samples; Spotsylvania building permit. To avoid any delay caused by an incomplete application, applicants are encouraged to adhere to the

application form approved by the Architectural Control Committee. Any application that is not acted upon within thirty (30) days from receipt is deemed to be approved.

- 3 **Thirty Day Review Period.** Applicants will be given written notice of the Architectural Control Committee's decision (including requests for supplemental documentation if needed) within 30 days from the date of receipt of a properly completed application. However, the thirty day review period will only commence upon the receipt of a **complete** application form, including any necessary supporting documentation.
4. **Notice to Surrounding Neighbors.** Applicants are required to provide notice of the proposed addition or modification to surrounding neighbors so they have the opportunity to provide comments, if any to the Architectural Control Committee. Applicants contemplating substantial improvements are strongly advised to first ensure that they are aware of all required supporting documentation prior to submitting a design review application.
5. **Fine.** A \$50 fine will be levied for failure to submit an application and obtain approval for an addition or modification (See HOA Resolution # 7152002)

APPELLATE PROCEDURE

Applicants may appeal a decision of the Architectural Control Committee by submitting a written request to the Board of Directors along with a complete copy of their application. This request should include any new information that could clarify the appropriateness of the requested addition or modification. Applicants will be given notice of the Board's decision within thirty (30) days from the date of receipt of the written request.

ENFORCEMENT

The Board of Directors has the obligation and authority to enforce compliance with Association's governing documents. All lot-owners and residents of Fox Meadows are expected to comply with all of the Association Governing Documents. Failure to comply shall be grounds for action to suspend voting rights and use of common areas, assess charges for violations, impose liens, and seek any available judicial relief. Such range of actions stated is for illustrative purposes and is not all-inclusive or exhaustive.

The following enforcement rules and procedures will be employed to ensure compliance with the Association Governing Documents:

1. **Reporting a Violation.** A suspected violation may be reported to the Board of Directors by a member of the Board, the Association Managing Agent, or homeowner. In the case of a homeowner wishing to report a potential violation, a

written notification must be transmitted to the Board of Directors or Association Managing Agent.

2. **Investigating.** The Board of Directors will be responsible for investigating the alleged violation and, in doing so, will refer to the Association Governing Documents. The Board must complete its investigation within a reasonable time and notify the complainant of its determination.
3. **Notice of Violation.** If the Board of Directors determines that a violation exists, the lot-owner will be contacted and asked to resolve the violation. The goal of the Association is correct the violation without placing undue burdens on the lot-owner. The Board will make every effort to accommodate reasonable requests for additional time to resolve a violation. There will be no need for further enforcement action if an agreement to correct the violation can be reached with the lot-owner.
4. **Notice of Hearing.** If an agreement to correct the violation **cannot** be reached, the Board will conduct a formal hearing on the complaint. A written notice of the hearing will be hand-delivered or mailed by registered or certified mail, return receipt requested, to the lot-owner at the address of record with the Association at least 14 days in advance of the hearing. The notice of request shall specify: (a) the time, date, and place of the hearing; (b) that the lot owner shall be given an opportunity to be heard and to be represented by counsel; (c) the specific violation, citing the supporting provisions of Association Governing Documents; and (d) the potential enforcement actions that may be taken.
5. **Hearing and Notice of Decision.** The formal hearing shall be scheduled at a reasonable and convenient time and place within the discretion of the Board of Directors. After proper notice has been given, if the lot-owner fails to respond or appear, the hearing may continue as scheduled and the Board may take final enforcement action on the complaint. Immediately after the hearing, the Board shall notify the lot-owner in writing of its decision and the enforcement action taken.
6. **Assessment of Charges.** In addition to any other available enforcement action, the Board may, in accordance with the Virginia Property Owners' Act, assess charges against any lot-owner for any violation of the Association's Governing Documents, including these Administrative Rules and Procedures, for which the lot-owner, family members, tenants, guests, builder, subcontractor, or other invitees are responsible. The amount of charges assessed shall be up to fifty dollars (\$50.00) for a single offense or up to ten dollars (\$10.00) per day for any offense of a continuing nature. Such charges are individual assessments and shall be collectible as such and shall also constitute a lien against the lot to the extent permitted under Virginia law. Charges assessed by the Board will relate back to the time the violation occurred. See timeline below.

Fox Meadows Violation, Hearing, and Fines Timetable

Date # 1: Initial Violation Letter Sent

- Giving 30 days to correct a construction type issue
- Giving 10 days for movable (trailer, commercial vehicle, etc.) type issue

Date #2: Second violation letter sent depending on correction time in #1

- To be sent after expired time above if violation still exists.
- This letter will give hearing notice of fines, as outlined above, and when they will levied.

Hearing: A hearing will be scheduled to be held at a Board meeting after the second notice is sent.

Assessment of Costs. All costs incurred by the Association in taking any enforcement action shall be assessed against the offending lot-owner. For example, if legal counsel is employed, liens are filed or judicial action taken, the assessment shall include these and any other direct or collateral costs incurred in connection with the enforcement action. The Association will make every effort to minimize enforcement costs and to ensure they are reasonable.

GENERAL ARCHITECTURAL RULES AND DESIGN GUIDELINES

Commonwealth of Virginia law requires locating existing utilities prior to digging. Call Miss Utility of Virginia at (800) 552-7001.

Except as specifically provided herein, **every** exterior addition or modification to a house or lot in Fox meadows requires advance application and approval. The following General Architectural Rules and Design Guidelines have been adopted by the Board of Directors:

ANTENNAS. See VIDEO & AUDIO SIGNAL RECEIVERS.

ATTIC VENTILATORS.

Attic ventilators must be mounted on the least visible side of the roof ridge as to minimize their visibility. Ridge vents are permitted.

AUTOMOBILES, TRUCKS, AND ANY OTHER VEHICLES.

Any vehicle without current state license plates and / or inoperable for road use shall not be stored on any property except in a garage.

AWNINGS.

Exterior awnings are prohibited in front and side yards. Awnings over rear decks must be approved and must be retractable. Color must be approved by the ARC application process. Neutral colors are preferred.

BASKETBALL BACKBOARDS.

Freestanding, mobile basketball backboards are permitted subject to the following:

- The equipment shall not be used before 9:00 AM or after 9:00 PM nor in any other manner that causes damage or inconvenience to adjacent homeowners.
- Placement on the street is prohibited due to state maintained roads.

CLOTHES LINES.

Clothes lines or similar apparatus for exterior drying of clothes is prohibited unless retractable. Retractable lines may be used but should be retracted when not in use.

DECKS.

All decks require application and approval. The following additional factors govern approval of decks:

1. **Location.** Decks shall be located in rear yards.
2. **Scale and Style.** The size of a deck (particularly elevated decks) must be compatible with the size of the home and lot, adjacent homes, and environmental surroundings.
3. **Color and Materials.** Decks made of wood may be left to age naturally; Decks can be made of composite materials. Decks should be of a natural wood color.
4. **Under-deck Area.** The area underneath elevated decks can have a negative visual impact on adjoining neighbors, particularly when used as informal storage space. The use of decorative screening or landscaping to minimize adverse visual impacts is encouraged and may be required, particularly in the case of high decks.

DOG HOUSES, ANIMAL PENS, AND DOG RUNS.

Dog houses and other animal pens must be screened from the view of adjoining lots and the road, and located where they do not create a nuisance to the neighborhood. Dog runs are prohibited.

DRIVEWAYS.

- Asphalt or concrete driveways are required. Driveways must be sufficient in width for two (2) cars. Driveway extensions must be approved.
- Driveway lighting must consist of individual freestanding lights commercially advertised and sold as exterior lighting. Rope lights similar to decorative holiday lighting are prohibited along driveways.

EXTERIOR AIR CONDITIONERS.

Individual air conditioning units extending from windows are prohibited.

EXTERIOR DECORATIVE OBJECTS.

Approval will be required for exterior decorative objects that are clearly visible from the street or adjoining lots. Examples include, but are not limited to: benches, sculptures, statues, figurines, birdhouses, bird baths, driftwood, stone, rock, or gravel beds (Refer to Landscaping on page 10.), weather vanes, fountains, free standing poles of all types, and any items attached to approved structures. Approval of exterior decorative objects will be evaluated in terms of their general appropriateness, size, location, compatibility with architectural and environmental design qualities and visual impact on the neighborhood and surrounding area.

EXTERIOR LIGHTING.

Lighting which is part of the original structure may be replaced without prior approval of the Architectural Review Committee so long as it is consistent in original style, color, and scale. Proposed replacements that are not consistent with the original style, color, and scale or additional fixtures must be approved. No exterior lighting shall be directed outside of the applicant's property. Proposed additional lighting shall not be approved if it results in an adverse visual impact to adjoining neighbors due to location, wattage, or other features.

EXTERIOR PAINTING.

An application is not required in order to repaint or restain an object to match the original color. However, all exterior color changes must be approved. This requirement applies to windows, siding, doors, shutters, trim, roofing, and other appurtenant structures.

FENCES.

In choosing a fence, it is important to remember that there are various specific and neighborhood interests that must be considered and accommodated. Fences will be shared by neighbors even if neighbors have only to look at the other side of it. The uncoordinated placement of a fence can box-in and destroy the view of immediate neighbors as well as adversely affect the overall visual characteristics of Fox Meadows. To avoid fencing that can detract from the appearance and character of the community, the following additional factors will govern approval of fences:

- **Design.** In general, fences may be 3 rail split, picket, or privacy (See Design Illustration #3.) No fence shall exceed six (6) feet in height. Gates must be compatible with design and material.
- **Design Coordination.** In cases where any portion of an adjoining lot is bounded by a fence, all successive fencing bounding such adjoining lot must match the existing type of fence *unless* the owner of the adjoining lot has no objection to the mismatched fence. If the adjoining lot owner objects to the mismatched fence, the disparate fence type may be approved with the addition of a landscaped buffer to minimize the negative impacts.
- **Location.** Fences shall be restricted to the rear and side yards. Fences on corner lots shall be no closer to the street the required building setback. No fence shall extend beyond the front wall of any house. Sideline fences may be required to be placed within 2 inches of the property line and tie into existing fences with no gaps.

- **Materials.** All fencing must be constructed of pressure treated lumber or composite material with fence posts located to the interior (Style permitting) and the finished side facing out. Wire mesh may be used in conjunction with the 3 rail split fences in order to enclose the lot for pets and small children. Wire mesh shall be attached on the inside of the fence and shall not exceed above the top rail.
- **Screening.** A landscaped buffer may be required in some cases in order to minimize any negative visual impacts from the road.
- All privacy fencing must be scalloped, concave, or convex (See Design Illustrations.) Picket fences 5 feet or higher must also be scalloped.
- Homeowner is responsible for maintenance of entire property including area not enclosed in fence.

FESTIVE LIGHTING AND DECORATIONS.

For holiday and festive decorations, a formal application is not required. Holiday lighting and decorations may be installed for a period not to exceed eight (8) weeks. After that period of use, all temporary lighting and decorations shall be removed.

FIREWOOD.

Firewood shall be kept neatly stacked and shall be located to the rear of the residence or in such a manner as to avoid adverse visual impacts for adjoining properties. As a general rule, firewood should be stacked in piles that do not exceed six (6) feet in length and four (4) feet in height for both aesthetic and safety considerations. A landscaped buffer may be required in some cases in order to minimize negative visual impacts.

FLAGPOLES.

Permanent, free standing flagpoles must be installed and maintained in a vertical position. The height, color, and location of the flagpole must be consistent with the size of the property, and scale and design qualities of the home. Temporary flagpole staffs that do not exceed six feet (6) in length and are attached at an incline to the wall or pillar of the dwelling unit do not require approval.

GARAGE CONVERSIONS.

Garage conversions are not permitted.

HOT TUBS & SPAS.

Exterior hot tubs or spas must be located in the rear yard near the house. The incorporation of hot tubs as an architectural feature of decks and / or patios is encouraged. The exterior finish of an elevated hot tub should blend with the exterior finish of the home, deck, or patio to which attached or most closely related.

GREENHOUSES.

Greenhouses must be attached to the rear yard side of the house. The size and design must be architecturally compatible with the home and there shall be no adverse visual impacts on adjoining properties.

GRILLS.

- Permanent grills must be placed in the rear yard of the house and as far as practical from the adjacent property lines.
- Mobile grills must be stored in the rear yard of the home or inside the garage.

LANDSCAPING.

In general, a design review application is not required for minor landscape improvements. Approval is required for the following:

- Plantings intended to form a hedge or natural screen and which will attain more than two (2) feet in height.
- Installation of railroad ties, garden timbers, stone walls, or similar structures that will form a wall over 18 inches high.
- Any improvement that is of such a scale or type to be inconsistent with the existing design features of the home, adjacent homes, and the surrounding area. Examples include the substantial removal of turf and replacement with another material, such as mulch, natural stone, or gravel.
- Vegetable gardens not located between the rear line of the house and the rear property line of the lot.

LANDSCAPE BUFFER.

The use of trees, shrubs, and other vegetation to screen objectionable, incompatible, or restricted lot uses from the view of adjoining and from the road is encouraged and may at times be required. Lot uses which may require screening by a landscaped buffer include,, but are not limited to, fencing, sheds, video signal receivers, certain elevated decks, trash receptacles, storage areas, dog houses, propane tanks, decorative yard items, and front foundation three (3) feet or more above ground level. When required, a landscaped buffer shall ordinarily consist of enough evergreen trees, shrubs, and other vegetation to conceal, within two years, at least 75% of the specific lot use.

MAILBOXES.

Mailboxes are considered a functional necessity, not a decorative item. Mailboxes should adhere to the following specifications: wood 4x4 post construction, black mailbox, and 1 inch house numbers. Paper boxes must be wood and painted or stained to match mailbox. Paper boxes must be attached to mailbox post and cannot be free standing. Design illustration 2 is the recommended mailbox configuration. Any new mailbox post replaced by the homeowner is required to be black or stained natural wood colors within sixty (60) days of installation to conform with the guidelines

PATIOS.

All patios require approval. Patios should generally be located in rear yards, although front and side yard applications will be evaluated on their individual merit. Any adverse

drainage requirements that might result from the construction of a patio should be considered and remedied.

PROPANE TANKS.

Propane tanks must be screened from the view of adjoining lots and the road. A landscaped buffer may be required in some cases in order to minimize any negative visual impacts. Underground tanks are permissible in the rear yard.

RECREATION AND PLAY EQUIPMENT.

All semi-permanent play equipment such as sandboxes, playhouses, or swing sets requires an application and approval. The following additional factors govern approval of such equipment:

- **Location.** Generally, such equipment should be placed in the rear yard.
- **Scale and Design.** The size of the play equipment must be compatible with the size of the home and lot, adjacent homes, and the environmental surroundings.
- **Color and Materials.** Equipment constructed of wood or **composite** is encouraged. Metal play equipment should be painted earthtones (i.e. brown, tan, dark green) to blend in with the natural environment.

RENTALS (HOMEOWNER RESPONSIBILITIES). Homeowners are responsible for informing renters of all guidelines herein and compliance to said guidelines.

SATELLITE DISHES.

See **VIDEO & AUDIO SIGNAL RECEIVERS.**

SECURITY APPARATUS.

In general, the use of security bars and grates on windows and doors will be prohibited. Exceptions may be made where the security apparatus will not be visible from the street or adjoining properties.

SIDEWALKS AND PATHWAYS.

Sidewalks and pathways should be set back at least four (4) feet from the property line and installed flush to the ground per county guidelines. Only stone, brick or concrete should be used. The scale, location, and design should be compatible with the lot, home, and surroundings.

SIGNS.

Signs advertising a property for sale may be displayed. Such signs must meet applicable county regulations with respect to size, content, and removal. One sign may be placed in the front yard of the available property. Political yard signs may be placed in the front yard only, size cannot exceed 2'x3', and must be removed within 7 days after the election. Banners are not permissible. Yard of the Month signs may be placed by the HOA for a period of 30 days.

SKYLIGHTS.

Must be located to the rear of the roof peak.

SOLAR HEATING SYSTEM.

Solar panels used for secondary heating require application and approval, along with a detailed drawing showing dimensions, and location, and description of the solar panels is required. An explanation of the impact, if any, the system will have on adjacent residences. All solar heating systems and equipment are to be located on the rear of the home to minimize any negative visual impacts.

SOLAR PANELS, PHOTOVOLTAIC.

Virginia has laws which override any HOA contracts seeking to deny the right to install solar PV systems. Solar panels used to produce electrical power for the home require application and approval, along with a detailed drawing showing dimensions, and location, and description of the solar panels and the system to be installed. An explanation of the impact, if any, the system will have on adjacent residences. All solar photovoltaic systems and equipment are to be located on the rear of the home to minimize any negative visual impacts.

STORAGE SHEDS.

All sheds require application and approval. The following additional factors will govern approval of a storage shed:

1. Location. Sheds shall be located in rear yards and no less than ten (10) feet from the property line unless a county zoning variance is obtained.
2. Scale and Design. The size of a shed must be compatible with the size of the applicant's home and lot, adjacent homes and the environmental surroundings. No shed shall exceed twelve (12) feet in width, twelve (12) feet in height, or eighteen (18) feet in length.
3. Color and Materials. A shed shall be compatible with the applicant's house. Compatibility is defined as substantial similarity in quality of workmanship, types and uses of materials, color schemes and other exterior construction details.
4. Screening. A landscaped buffer may be required in some cases in order to minimize any negative visual impacts.

STORAGE OF BOATS, TRAILERS, CAMPERS, MOBILE HOMES, COMMERCIAL VEHICLES, AND RECREATIONAL VEHICLES. Discuss with HOA Board

The following vehicles shall **NOT** be parked or stored in open view. However, the occasional, temporary parking of such vehicles may be permitted with the advance written approval of the Board of Directors.

- Any boat, boat trailer, or any other type of trailer whatsoever.
- Any motor home or self-contained camper.
- Any camper slip-ons where the camper backs are higher than the roof cab of the truck.
- Any vehicle that is not normally or regularly used for daily transportation, including but not limited to ATVs, dune buggies, race cars, or other automotive equipment not licensed for use on state highways.

- Any vehicle (excluding 15 passenger commuter vans) with a commercial license or which displays commercial signs, advertising, or commercial equipment.
- Any private or public school or church bus.

STORM-SCREEN DOORS.

In general, screen doors that are full view (no panels) and which are painted the same color as exterior door or house trim are appropriate and will be approved.

SWIMMING POOLS.

All swimming pools require application and approval. The following additional factors govern approval of swimming pools:

- **Location.** Swimming pools shall be located in rear yards.
- **Scale and Design.** The size of the swimming pool must be compatible with the size of the home and lot, adjacent homes, and the environmental surroundings. Large, semi-permanent above-ground pools are not permitted. Small, temporary wading pools do not require application and approval but need to be removed by the end of September.
- **Screening.** A landscaped buffer may be required in some cases in order to minimize any negative visual effects.

TRASH CONTAINERS.

All trash containers and garbage cans must be stored out of view at all times and shall not be allowed to accumulate on the property. Trash containers and garbage shall not be placed on the curb more than 24 hours before scheduled pick-up.

TREE REMOVAL.

No native trees with a diameter in excess of 4 inches, measured 12 inches above ground, not flowering trees in excess of 2 inches similarly measured may be cut without prior approval unless the trees are dead or dying.

VIDEO & AUDIO SIGNAL RECEIVERS (Satellite Dishes & Antennae).

The following antennas are permitted by the Federal Telecommunications Act of 1996:

An antenna designed to receive direct broadcast satellite service, including direct-to-home satellite services, that is one meter (39") or less in diameter. An Antenna designed to receive video programming services via multi point distribution services, including multi channel, multi point distribution services, instructional television fixed services, and local multi point distribution services, and that is one meter (39") or less in diameter or diagonal measurement. An antenna designed to receive television broadcast signals, radio receiver.

LOCATION.

To the extent feasible, antennas should not be visible from the street. The following priorities shall be observed in determining antenna locations: Mounted directly on the rear of the house, on a roof plane facing the rear, and where possible, not visible from public rights of way. Mounted on the ground in the rear yard.

Where it is not reasonably feasible to place the satellite dish where it cannot be seen from the street, the satellite dish shall be placed in the least visible location where an acceptable signal is available, and the dish shall be screened with mature landscaping and painted to blend into the background against which it is positioned in order to minimize the visual impact.

NO ADDITIONAL REGULATION BY THE ASSOCIATION: Under Federal Law, antennas that meet the requirements of this section may not be further regulated the Association as to type of placement. Residents are encouraged to use care in the selection and placement of antennas to preserve the appearance standards and character of the subdivision.

Ham radio antennas are permissible but are restricted to the rear yard only and must not exceed height regulations per county code.

RULES AND DESIGN GUIDELINES FOR NEW HOME CONSTRUCTION

In order to preserve and enhance Fox Meadow's external design, appearance and character, all new home construction must be compatible with the predominant architectural characteristics of the existing homes within the development; relate favorably to adjacent homes; and not create a negative impact on the natural environment. Compatibility is defined as substantial similarity in architectural style, quality of workmanship, types and uses of materials, color schemes and other exterior construction details.

The following Architectural Rules and Design Guidelines for New Home Construction have been adopted by the Board of Directors. These Rules and Design Guidelines are to be used in conjunction with other Association Governing Documents.

CONSTRUCTION OPERATIONS

Builders shall maintain construction sites in a clean and orderly manner. Each builder shall be responsible for keeping dirt, mud and rocks off the streets.

SIZE

Every home must have a minimum of 1800 square feet of finished, air conditioned living space determined within the first and second floors only. Basement and 3rd floor areas are not considered in calculating the minimum size. A basement is defined as any floor area lower than the front door. While each case is different, as a general rule, homes built at or near the minimum will be required to feature one or more exterior upgrades (dormer windows, etc) which will give the home the appearance of a larger structure as well as add to its overall attractiveness.

SITE DEVELOPMENT

Every home should be setback a minimum of forty (40) feet from the road except as otherwise required by unusual lot characteristics. The setback of new homes adjacent to existing homes must favorably conform to the setback of existing adjacent homes. Houses on corner lots must be sited at an angle to emphasize the intersection and create a sense of arrival.

EXTERIOR WALLS

Exterior walls must be standard size brick veneer or covered by aluminum or vinyl siding horizontally installed. Wood siding will be considered on a case by case basis. Masonite, stone (natural or artificial), etc are not permitted.

FOUNDATION

Foundations shall consist of poured concrete with brick pattern painted to match the predominant exterior color, or concrete block concealed with standard size brick veneer. On certain elevations, brick veneer may be required.

FACADES & DETAILING

Houses of the same style with the same front façade shall not be located adjacent to one another. Exterior colors must compliment colors of other houses in the immediate area. Adjacent houses shall not have identical color schemes.

FIREPLACE

Except as described below, all exterior fireplace system components, including chimney runs, must be brick. Metal flues and chimney caps must be painted and any vent protruding through the roof must be painted the same color as the roof. Direct – vented, or similar style fireplace systems (see Design Illustration #1) which incorporates any exterior architectural characteristic (i.e. “bump out”) will be permitted on the rear of house only. Screening with shrubs or other vegetation is required to restrict the view from adjoining lots or from the road. Propane tanks must be buried or installed in the back yard and must be screened with shrubs or other vegetation.

ROOF

Plans incorporating hip roofs, dormer windows, decorative gables, porticos and similar distinctive exterior features are encouraged and may be required in some cases. All roofs must have at least an 8/12 slope. The composition of all pitched roofs is recommended to be asphalt or fiberglass shingles. Steel, copper, tin or aluminum roofing may be acceptable for porches, porticos and bay windows. Skylights, attic ventilators and other roof protrusions shall be placed to the rear of the ridge line of the roof so as to be unseen from the roadway.

WOOD PORCH

The entire area underneath wood porches must be enclosed with lattice painted to match exterior trim. Wood steps must include risers painted to match exterior trim.

MAILBOX

The builder shall install the original mailbox and post that shall strictly conform to the approved Fox Meadows common design (see Design Illustration # 2 for the approval Fox Meadows supplier)

LOT ASSESSMENTS – BILLING & PAYMENT

1. The annual assessment for each lot shall be established by the Board of Directors in accordance with the adopted operating budget for each fiscal year and the Association Governing Documents.
2. The annual assessment for each lot shall be payable in four (4) equal quarterly installments, and shall be due no later than the first day of each applicable quarterly period. Annual assessment installments are due as follows:

1st Quarter due January 1
2nd Quarter due April 1
3rd Quarter due July 1

4th Quarter due October 1

3. All correspondence and notices regarding lot assessments shall be mailed first class to the address appearing on the books of the Association, or as modified in writing by the lot-owner. Non-receipt of a bill shall in not relieve a lot-owner of the obligation to pay any assessment when due.
4. A Forty-five dollar (\$45.00) charge will be assessed for all dishonored checks.

COLLECTION OF DELINQUENT ACCOUNTS

1. Any lot assessment installment payment that is not received by the Association by the thirtieth (30th) day of the applicable quarterly period shall be deemed delinquent and shall automatically be assessed a twenty-five (\$25.00) delinquent assessment charge.
2. Lot-owners with delinquent accounts will be notified of their account status by certified mail, return receipt requested. The failure or refusal to accept delivery of such notice shall not affect the continuation of the collection procedures set forth herein.
3. The account of a lot-owner with any lot assessment installment payment that is not actually received by the Association by the sixtieth (60th) day of the applicable quarterly period shall be referred to the Association's attorney for collection. Upon such referral, the lot-owner shall automatically be assessed the reasonable legal fees and other expenses incurred by the Association in connections with such referral.
4. If the delinquent lot assessment installment payment (including applicable charges, legal fees and other expenses) is not paid by the tenth (10th) day following receipt of a certified demand letter from the Association's attorney, the Association shall authorize its attorney to:
 - (a) Accelerate the remaining annual lot assessment, if any, and declare the full amount of the balance of the annual lot assessment due and payable;
 - (b) File a lien for the full amount due, including but not limited to all charges and attorneys' fees; and
 - (c) Take such further steps to collect the sums due as may be appropriate including, but not limited to, obtaining judgment, garnishing salary or wages, attaching assets, and foreclosing the lien.
5. All costs, expenses and charges incurred by the Association in collecting delinquent lot assessments shall be added to the amount due and must be paid by the lot-owner.
6. A lot-owner (including family members) with any delinquent lot assessments (including any other unpaid fees and charges) shall not be permitted to enter upon any Association recreational facility, exercise his or her Association voting rights, and serve on the Association Board of Directors or any committee until such time as all lot assessments, fees and charges have been paid in full.

TENNIS COURT RULES

1. The tennis courts are for the exclusive use of Fox Meadows HOA members in good standing and their guests. Guests must be accompanied by an authorized Fox Meadows HOA member at all times. The conduct of guests is the responsibility of the HOA member family.
2. The tennis courts shall remain locked at all times when not in use. Fox Meadows HOA members in good standing may obtain a key from any member of the Recreation Committee. A nominal key deposit is required. Keys shall not be duplicated or loaned to anyone.
3. Use of the tennis courts shall be limited to a one (1) hour time limit for singles play and a one and one half (1 ½) hour time limit for doubles play if there are persons waiting to use the court. No more than four (4) players are permitted on the tennis court at any given time.
4. No food or breakable objects are permitted within the tennis court area.
5. No play equipment such as skates, skate boards, toys, play pens, bicycles or other wheeled vehicles (except wheelchairs) is permitted within the tennis court area.
6. No pets are permitted within the tennis court area.
7. No intoxicants are permitted in the tennis court area. Intoxicated persons are not authorized to use the tennis courts.
8. All refuse must be removed. Residents are urged to assist in keeping the tennis court clean and pleasant.
9. The use of the tennis court must be conducted in a safe manner with due respect and consideration for adjacent residents, particularly during early morning and late evening play. Tennis court rules and courtesies apply at all times. The use of profane language or abusive conduct will not be tolerated.
10. Hard-soled shoes are not permitted on the tennis courts. Proper attire should be worn.
11. Violation of the Tennis Court Rules may result in suspension of Tennis Court privileges.

**SWIMMING POOL RULES
FOX MEADOWS HOMEOWNERS ASSOCIATION, INC.**

P.O. BOX 7268

Fredericksburg, Virginia 22404-7268

1. Every time you enter the pool you must show your picture ID with up-to-date annual sticker and the Swimming pool is for the exclusive use of the FOX MEADOWS HOA members in good standing and their guests. The host member must accompany guests at all times guests are at the pool. Take your pool passes with you when you leave pool area, as the HOA shall not be responsible for misplaced ID. New ID will be \$5:00 each.
2. A pool pass will be issued or validated on an annual basis to all HOA family members in good standing. ID pass and Guest passes shall be issued and validated on an annual basis to all members in good standing. A nominal processing fee may be charged to cover cost of ID's. Only persons with valid pool pass will be permitted to use the pool and the adjoining facilities. The host member must accompany guests at all times. The conduct of the guests is the responsibility of the member.
3. The swimming pool hours shall be posted. Persons found inside the pool enclosure when the pool is closed shall lose their pool privileges at the discretion of the Board and prosecuted for trespassing.
4. Fox Meadows HOA members in good standing and 21 years of age or older may apply to the Board or authorized committee for before or after hour use of the pool on a first come basis. A pool rental application needs to be submitted at least two weeks in advance of the event. A fee and security deposit is required for before or after hour use of the pool. Pool keys shall not be duplicated or loaned to anyone. Management lifeguards must be on duty during party and paid for by party host.
5. During regular hours of pool operation, certified lifeguards under the employ of at HOA's contracted Pool Management Company represent the Association. The lifeguard on duty is in charge of the pool with full authority to enforce these rules and take whatever action is needed to maintain a safe and healthy environment and to eject those non-compliant with these rules.
6. Pool safety is a paramount concern for the Association and its members. All persons using the pool do so at their own risk and agree to abide by these rules for the use of the facility. The Association assumes no responsibility for an accident or injury in connection with the use of or for any loss or damage to personal property.

7. Responsible escort 16 years or older must accompany children under the age of twelve (12) years at all times.
8. All swimmers should take a brief shower before entering the pool and wear proper swim attire as not to endanger swimmer or cause damage to pool equipment. Swimmers may briefly use the shower upon exiting the pool. Other uses of the shower are prohibited.
9. Persons with impaired health (colds, lesions, rashes, open sores or cuts, etc.) will not be allowed in the pool.
10. Food and non-alcoholic beverages may be consumed on the deck area surrounding the pool.
11. All refuse and clean up of the paper and trash shall be the responsibility of those consuming such items and shall be placed in trash receptacles. Keeping the pool clean is every user's responsibility.
12. Breakable objects, especially glass containers are not permitted in the pool area at any time as well as small toys or objects that may get sucked into pool equipment and cause operation problems.
13. Intoxicants, alcoholic beverages, or drugs are not allowed in the pool at any time. Those under the influence of intoxicants are not allowed to be in the pool at any time.
14. Swimmers must wear proper pool bathing attire to be allowed to swim in the pool.
15. Diaper aged children must wear a swimsuit and proper fitting rubber pants to insure that pool does not become contaminated. Contamination of pool shall result in pool being shut down for health reasons until lifeguard deems it safe to use and may result in pool privileges being suspended by those who do not take the proper precautions with their children.
16. Persons must stay clear of guard stations at all times.
17. No play equipment; wheeled vehicles (except wheelchairs & strollers) are permitted in the pool area.
18. No pets (except Seeing Eye dogs with owner) are allowed in the pool area.
19. Persons unable to demonstrate an ability to swim, at the lifeguard's discretion, will not be permitted in the deep end.

20. Tubes, rafts, balls, and other flotation devices are allowed in the pool at the discretion of the lifeguard and this may change depending on the crowd or condition that exists at any particular time.
21. Dangerous or improper conduct is prohibited. Examples include running, pushing, wrestling, spitting, dunking, standing or sitting on shoulders and foul or abusive language. This conduct will lead to lost or suspended pool privileges.
22. There will be a ten-minute (10) rest period for children every hour. During this period, children must be completely out of the water to allow adults eighteen (18) years of age or older to swim.
23. Adults must accompany children or responsible escort at all times while using the shallow wading area. Children over ten are not allowed to use the shallow wading area.
24. No radios are permitted in the pool area except those with ear phones played at a volume that does not disturb other.
25. Violation of the swimming pool rules will result in suspension or revocation of pool privileges.

**FOX MEADOWS HOMEOWNERS ASSOCIATION
APPLICATION FORM – ARCHITECTURAL DESIGN REVIEW**

NAME: _____

DATE: _____

ADDRESS: _____

PHONE

#: _____

SIGNATURE: _____

LOT

#: _____

PROJECT START DATE: _____

COMPLETION DATE: _____

PROJECT START DATE: _____

COMPLETION DATE: _____

Written approval is requested for the following:

NOTICE TO APPLICANTS:

- Your application must also include whatever type of supporting documentation (site plan, building permit, detailed drawings, etc.) necessary for a complete and accurate representation of the proposed addition or modification.
- All adjoining lot owners must be notified of project and sign below.
- Please refer to the **Fox Meadows Administrative Rules and Procedures** for further information.
- Do not hesitate to contact any member of the Architectural Review Committee if you have Any questions.

ADJOINING LOT-OWNERS NOTIFED OF THIS APPLICATION

Signature

Address

Phone #

Date

1.

2.

3.

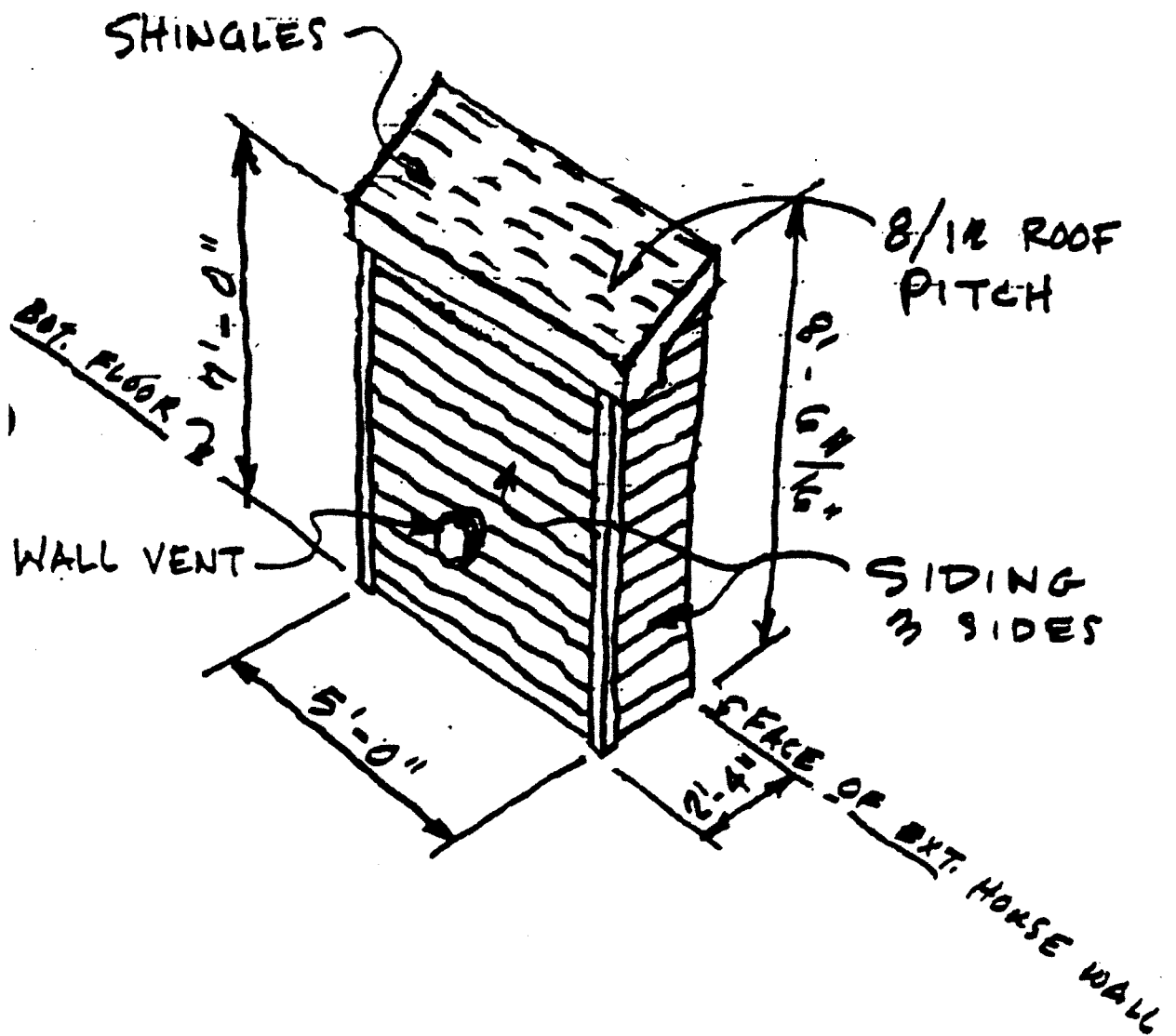
4.

NOTICE TO ADJOINING LOT-OWNERS: Your signature is requested to confirm that you were notified of this application. Your signature does not reflect your approval or disapproval of the proposed addition or modification

**Send to: LANDMARC REAL ESTATE
Association Management
P.O. Box 7268
Fredericksburg, Virginia 22404**

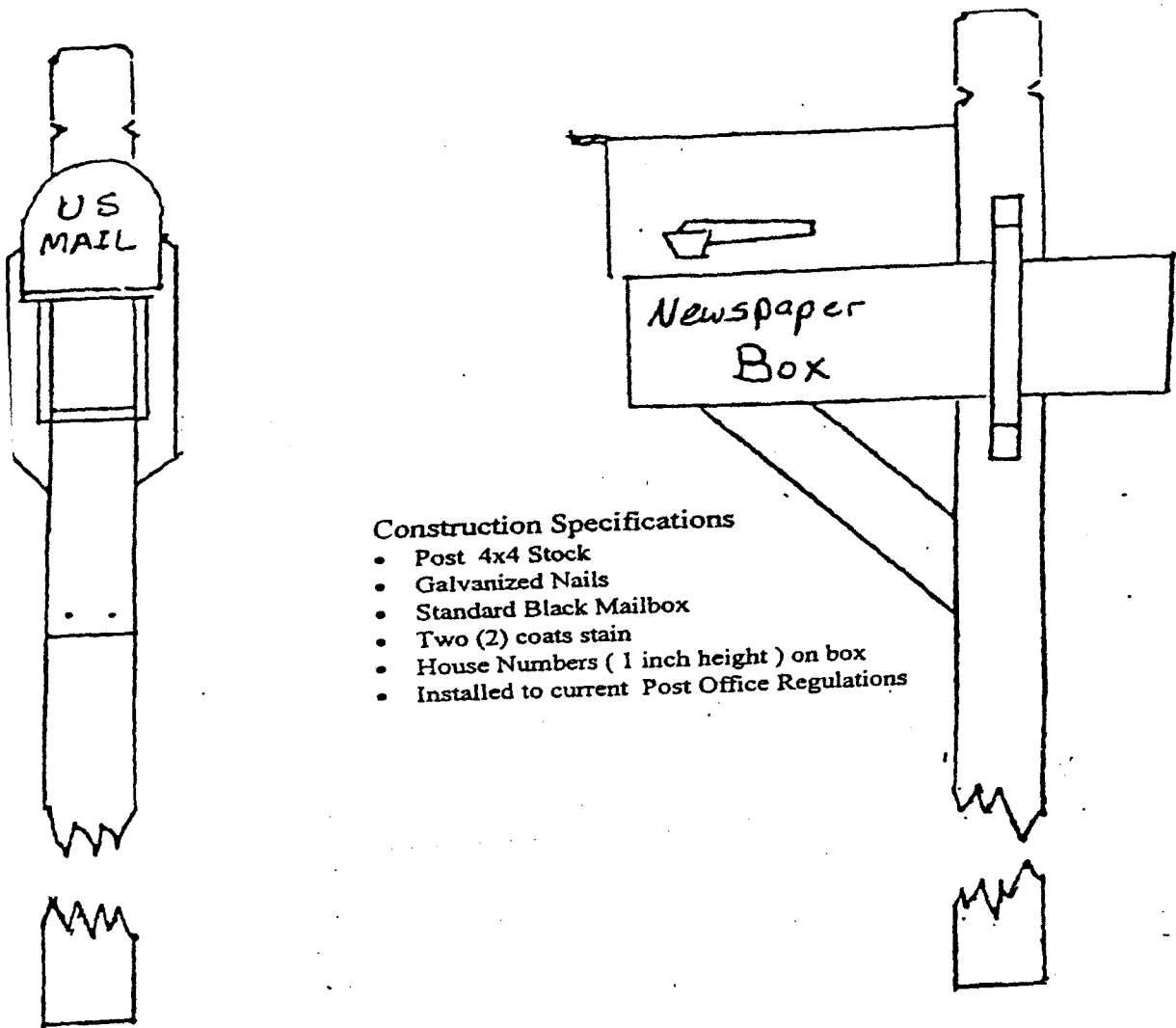
Design Illustrations

DESIGN ILLUSTRATION #1 – Exterior Direct-Vent Fireplace Unit.



DESIGN ILLUSTRATION #2 – Mailbox and Post

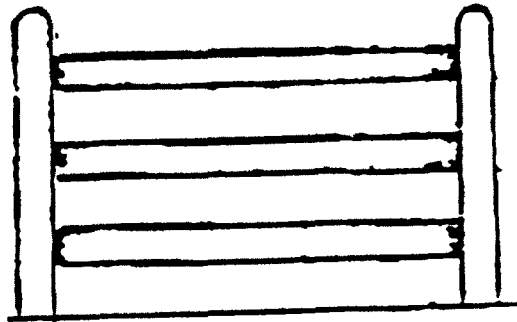
DESIGN ILLUSTRATION #2 – Mailbox & Post.



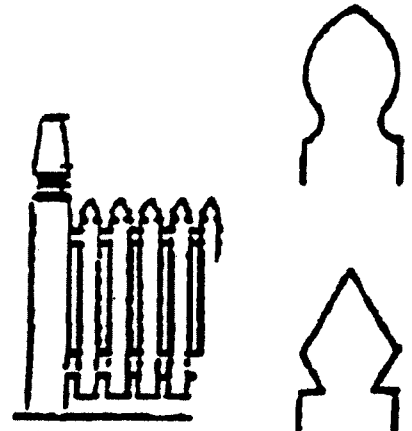
Approved mailbox can be found at www.mailboxesplusva.com (Click on wood MP 1)

DESIGN ILLUSTRATION #3 – Standard Fencing

• 3-RAIL SPLIT



PICKET FENCE



**PRIVACY
FENCE**

