

Riverwood Owners Association, Inc.

www.RiverwoodSuffolk.org

**445 N Main St., #3184
Suffolk, Virginia 23439-0016**

Community Rules & Regulations

Effective July 1, 2020
Amended April 27, 2023

WELCOME TO RIVERWOOD!

This document has been compiled as a service to the homeowners of Riverwood Owners Association. It is for the personal use of the owners only. We have made every effort to ensure that the information contained herein is accurate. Please excuse any errors and feel free to call them to our attention by notifying the Board of Directors via our website www.riverwoodsuffolk.org or sending an email to: manager@riverwoodsuffolk.org

The Riverwood Owners Association Declaration of Covenants, Conditions and Restrictions **requires homeowners to obtain prior approval of the Architectural Review Board (ARB) before undertaking any improvements, alterations, change of exterior colors, excavations or any other work which in any way alters the exterior appearance of any property within Riverwood.**

All Homeowners should become familiar with the Declarations, Covenants, State Statutes, and Municipal Ordinances of the City of Suffolk, which are the basis for the Rules and Regulations contained herein.

The covenants also charge the Architectural Review Board to consider and act upon proposals and plans submitted to it, to adopt ARB rules, and to perform other duties imposed upon it in Riverwood restrictions.

The enclosed rules and regulations have been written to help both the Homeowner and the ARB carry out the obligations that we all assumed when we decided to purchase a home in Riverwood. This document explains how the ARB functions and provides the homeowner with specific guidance on what alterations, activity, and conditions are acceptable and unacceptable within the community.

These Rules and Regulations, and amendments thereof, effective and shall be enforced on the date of transition from Declarant to the Riverwood Owners Association's control.

We, the Board of Directors, hope that all Homeowners understand that the purpose of the covenants and these rules and regulations is to keep a desirable community to live in and to help maintain property values. We invite comments from our Homeowners on ways in which these guidelines can be improved.

Thank You,

Board of Directors
Riverwood Owners Association, Inc.

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COMPOSITION OF THE ARCHITECTURAL REVIEW BOARD

The Architectural Review Board (ARB) consists of three (3) regular members. A member is not required to be an Architect or to meet any other particular qualifications. In the absence or disability of any regular member or members the remaining member or members may designate an alternate member to act as substitute. Any member missing three (3) consecutive monthly meeting due to military obligations, medical or job related reasons shall be removed from the ARB.

The ARB members are appointed and removed by the Board of Directors by recordation of a Declaration identifying each new member appointed to or removed from the committee. The term of appointment is for a period of one year or until the appointment of a successor. Any new member appointed to replace a member will serve that member's unexpired term.

The duties of the ARB are to consider and act upon application for alterations submitted to it, to adopt Architectural Review Board Rules, and to perform other duties imposed upon it by Riverwood's Board of Directors.

The ARB will meet at least once every month to perform its duties. The vote or written consent of any two (2) of three (3) regular members shall constitute the act of the committee. The committee shall keep and maintain a written record of all actions taken. Members are not compensated for their services. This is a volunteer work by Association Members.

For additional information about the ARB refer to Article VI of the Riverwood's Association Declaration of Covenant, conditions and Restrictions.

APPLYING FOR APPROVAL OF EXTERIOR ALTERATIONS

1. Homeowner obtains application from the Riverwood Owners Association website or at the end of this document.

2. Homeowner returns completed application to the Association Manager by mailing it to the address below, or by email to "ARB@riverwoodsuffolk.org":

Riverwood Owners Association, Inc.
445 N. Main St., #3184
Suffolk, VA 23439
Attention: Architectural Review Board

3. If application is incomplete, the ARB Chairperson should not accept it without warning the Homeowner that it may be rejected because it lacks required or needed information. If the application is complete, or the Homeowner insist, the ARB Chairperson will accept the application and give the Homeowner the required receipt form. The Homeowner will be advised that an answer to his/her application will be due within forty-five (45) days from the date of the receipt of the application.

WHAT MAKES AN APPLICATION COMPLETE?

An application is complete when it provides the ARB with enough information to completely analyze the alteration

applied for. Besides filling in all the required information on the application form, the homeowner will need to submit supporting documents. Some examples of supporting documents are as follows:

<u>ITEM</u>	<u>REASON</u>
Description of Alteration	Required for all applications. Can be a detailed or a simple statement depending on the complexity of the alteration and number of supporting document.
Copy of Physical Survey	Required for applications proposing new structures, relocating structures, or making major landscaping changes. This will allow the ARB to see how the proposal will affect neighboring property.
Description of Material	Will allow the ARB to maintain uniformity within the area.
Contractor's Proposal	Not required, but would provide the ARB with the maximum amount of information.

This list is not all-inclusive but shows some of the documents that the ARB may require to support the application.

WHAT TO DO IF YOUR APPLICATION IS DISAPPROVED?

If an application is disapproved, the Homeowner has the right to appeal the decision to the Board of Directors. The Homeowner should contact the ARB Chairperson for the procedure to file an appeal.

Before filing the appeal, however, the Homeowner should first consider why the application was disapproved. If the Homeowner is willing to accept changes recommended by the ARB (if they are made), the Homeowner can submit an amended application, using the previously submitted. If the information was missing from the application, the Homeowner should resubmit the application with the required information. In any event, any application resubmitted will start the forty-five day period again. If the applicant accepts the committee recommendation, no waiting period is required.

WHAT WILL HAPPEN IF YOU DON'T WAIT FOR APPROVAL?

If you start alterations without first obtaining written approval of your plans, you do so at your own risk. If you fail to submit an application, or if your application is disapproved or modified, you may face cost of removing the alteration plus the cost of litigation.

These circumstances may also arise if your property has been altered without approval before you purchased it. In cases such as these, every effort is made to work out a reasonable solution to the problem.

WHAT IS THE PROCESS FOR COVENANT ENFORCEMENT?

Enforcement of the covenants is the job of every resident, but the Architectural Review Board and the Board of Directors carry out the routines. When Architectural complaints are brought to attention of the ARB members or Chairperson, they are kept confidential and are reviewed as promptly as possible. If a complaint is found to be a

violation, the property owner is contacted by a formal letter and asked to correct the problem, either by removal or submission of an application, or by repair in case of a maintenance problem. Most problems are corrected at this stage. If the violation is not corrected it may be escalated to the Board of Directors for legal action.

The provisions of these rules and regulations shall be enforced as set forth in the Declaration.

Invalidation of any of the guidelines, or rules and regulations contained herein, by judgment or court order shall not otherwise affect any of the other provisions, which shall remain in full force and effect.

HOW CLOSELY MUST I ADHERE TO THE RULES & REGULATIONS?

The covenants give the Architectural Review Committee the responsibility to set rules and procedures for the Architectural Review, and power to interpret the covenants and allow exceptions to their restrictions. The Architectural Review Board as a part of their first responsibility has written the rules and regulations presented here.

Based upon the policies and previous decisions of the committee, the rules and regulations will tell you what is most likely to be approved in typical circumstances, and also give you important information on how to prepare your application. Special circumstances regarding your property may allow the approval of an application, which might be denied at another location, or the denial of one, which might be approved elsewhere. The fact that your plan has been approved for use at another location does not mean that it is automatically approved for you.

COMPLIANCE OF TENANTS

Leasing/Renting of Dwelling

An owner shall not lease any portion of a unit (other than the entire dwelling) nor shall an owner lease a dwelling to a transient tenant, (i.e. a lease whose initial lease term is less than six months.) Any lease must be in writing and shall be subject to the requirements of this declaration and the by-laws and any rules promulgated pursuant thereto. The Board of Directors shall have the expressed authority to establish rules dealing with leases including, but not limited, to the establishment of standard lease forms and registration of such leases with the Riverwood Owners Association.

The Declaration states: "If at any time, an owner member of the Association should lease/rent his lot to another party, then said tenant shall be obligated to comply with all the provisions of this Declaration of Covenants, Conditions and Restrictions, the By-Laws, and decisions and resolutions of the Board, as each may be properly amended from time to time. Failure to comply with such provisions, By-Laws, decisions or resolutions shall be grounds for an action to recover damages or for injunctive relief. All leases written by owners of the Association for any unit, which is subject to this Declaration shall include all the restrictions. A copy of any executed lease shall be filed by the owner with the Board of Directors of the Association."

Further, the VIRGINIA PROPERTY OWNERS ASSOCIATION ACT, JULY 1, 1991 further provides that the Homeowner is the responsible party for the actions of his family, guests and tenants for the violation of the Covenants.

MAJOR BUILDING ADDITIONS

A full application is required including drawings of the proposed addition and a copy of the Homeowner's physical survey.

1. Major building additions include, but are not limited to greenhouse, porches and room additions.
2. In order to be aesthetically pleasing, the design of major additions should be consistent with the existing shape, style and size of the dwelling in the following ways:
 - a. Siding, roofing, and trim materials should be the same as, or compatible with, the existing materials of the dwelling in color and texture.
 - b. New windows and doors should be compatible with those of existing dwelling in style and color. These should also be located on walls at the same approximate height as those of the existing dwelling and be trimmed in a similar manner.
 - c. Roof eaves and fascias should be the same depth, style and approximate height as existing eaves fascias. New roofs should be the same approximate slope as those existing on the dwelling.
3. The following conditions shall determine the acceptability of additions locations:
 - a. Additions should not significantly impair the view, amount of sunlight, or ventilation of adjacent residences or the public's use or enjoyment of open space. New windows, doors, or viewing areas from the add-on should not impinge upon existing or external private areas of adjacent residences.
 - b. New additions should not create situations in which adjacent neighbors will have difficulty adding to, modifying or maintaining existing dwellings.
 - c. Additions must not adversely affect drainage conditions on adjacent properties through changes in grade or other significant runoff conditions.
4. Note: **STATE LAW REQUIRES YOU TO CALL MISS UTILITY** before digging. Call **811** or go to **www.va811.com** to request location of utilities, a minimum of 48 hours prior to digging.
5. In addition, the Homeowner should contact City of Suffolk Planning and Zoning to determine if a building permit is needed. **The obtaining of approval from the City does not remove the need to have an ARB approval.** It is the homeowner's responsibility to apply for the required building permits from the authority having jurisdiction. The phone number for the City of Suffolk Building Codes department is 757-514-4060.

MAINTENANCE

In the event an owner of any Lot in the Properties shall fail to maintain the premises and the improvements situated thereon in a manner satisfactory to the Board of Directors, the Association, after approval by two-thirds (2/3) vote of the Board of Directors, shall have the right, through its agents and employees, to enter upon said parcel and to repair, maintain, and restore the Lot and the exterior of the building and any other improvements erected thereon. The cost of such exterior maintenance shall be added to and become part of the assessments of which such Lot is

subject.

RIGHT OF WAY

During daylight hours, any member of the Architectural Review Board, any member of the Board, or any authorized representative of any of them, shall have the right to enter upon and inspect any property and the improvements thereon, except for the interior portion of any residence, for the purpose of ascertaining whether or not the provisions of the Declaration have been or are being complied with, and such persons shall not be deemed guilty of trespass by reason of such entry. However, reasonable written notice of the time of such on-site inspection shall be given to the Owner but must occur within five (5) days notice.

DEFINITIONS

REAR FOUNDATION - "Rear Foundation" shall mean that portion of the foundation located furthestmost from the street.

VFNP- Visible From Neighboring Property. "Visible from Neighboring Property" shall mean, with respect to any given object, that such object is or would be visible to a person six feet tall, standing on any part of such neighboring property at an elevation no greater than the elevation of the base of the object being viewed. This generally means that if the alteration can be seen over a six (6) foot fence it requires approval.

COMMUNITY COVENANTS, RULES AND REGULATIONS

ANTENNAS

Antennas, large satellite dishes and like devices can have a sizable detrimental effect on a community's appearance.

Communication or reception antennas, satellite dishes or devices, one (1) meter or less in size, shall be permitted provided that such is installed in accordance with FCC rules and regulations, and not generally viewable from the street.

ATTIC VENTILATORS, EXTERIOR

1. Because any attic ventilator exteriorly installed on a home may be VFNP*, all such ventilators require an application for variance.
2. The following guidelines are intended to help balance individual economic interests with neighborhood aesthetic concerns:
 - a. The ventilator should protrude no more than twelve (12) inches above the home.
 - b. Blocking airflow through the ventilator should be accomplished from the inside of the home.
 - c. The ventilator shall be installed on the rear of the roof.

AWNINGS AND TRELLISES

Awnings and trellises can effectively control glare and excessive heat buildup on windows and doors. As a result, they may reduce both energy consumption and utility costs. However, these control devices can have a considerable effect on the appearance of both a home and the surrounding neighborhood. Hence, whenever the proposed awning or trellis will be VFNP*, a variance application must be filed.

BOATS, TRAILERS, TRUCKS, RECREATIONAL VEHICLES & MOTOR VEHICLE REPAIRS

No trailer of any kind, truck, camper, boat or permanent tent or similar structure shall be maintained, constructed, reconstructed, or repaired, upon any property or street so as to be visible from the neighboring property, provided, however, that the provisions of this paragraph shall not apply to emergency vehicle repairs or as excepted elsewhere in this provision. Routine maintenance, (i.e. tire changes, tune-ups, etc.) are permitted, however such maintenance shall not exceed forty-eight (48) hours.

Three-quarter (3/4) ton and smaller pickup trucks will not be considered "trucks" for the purpose of this regulation. However, neither combustibles nor unsightly material nor any nuisance material may be stored in the truck bed. Units with garages need not apply for variances for boats, trailers, RV's or to do repairs provided the vehicle is contained within the garage, i.e., the garage door must close completely. Nevertheless, a city permit may be required. Contact the Suffolk Department of Planning and Community Development at 757-514-4060.

Recreational vehicles, boats, utility trailers, trucks smaller than $\frac{3}{4}$ ton, commercial vehicles smaller than $\frac{3}{4}$ ton, and other items including but not limited to non-licensed, non-operational or junk motor vehicles, trailers, campers, motorcycles, motor bikes, golf carts, go-karts, moped, motor scooters and the like may be stored in a garage, or on a paved area to the rear of the building line of the dwelling constructed thereon; and only if said area is enclosed by a six (6) foot high privacy fence. Busses, trucks and commercial vehicles over $\frac{3}{4}$ ton shall not be stored, maintained, constructed, reconstructed, or repaired upon any property or street within the neighborhood. Trucks and commercial vehicles under $\frac{3}{4}$ ton may be stored in the driveway so long as they comply with the other paragraphs of this provision. None of the items listed in this paragraph may be repaired or fabricated within the neighborhood except as provided in the first paragraph of this provision.

BUSINESSES

- 1. Commercial Business and Professional Activity on Property.** No wholesale or retail business, including any salon, studio, laboratory, home industry, or medical or dental office, shall be conducted in or on any Lot or other portion of the Property without the consent of the Architectural Review Board; except a family-based child care and the conduct of business by telecommunications.
- 2. Homes / Lots shall be used for residential purposes only.** Residential Use. All Lots and Living Units, now and here after created, in the Properties for residential use and shall be used, improved and devoted exclusively to residential use by a Single Family. Except home occupations may be pursued: (i) if permitted by the City of Suffolk, (ii) if in accordance with rules adopted from time to time by the Association. Nothing herein shall be deemed to prevent an Owner from leasing a Living Unit to a Single Family, provided such lease shall be in writing and subject to all of the provisions of the Governing Documents with any failure by a leasee to comply with the terms of the Governing Documents constituting a default under the lease. Each lot located on the Property described in Exhibit A and B attached hereto, and each Lot located on any Additional Area subsequently subjected to the Declarations, unless a different use is specifically set forth in the Supplemental Declaration, shall contain no more than one (1) detached single-family residence with a private garage or other accessory structures, not for habitation of any description, for the exclusive use of the occupants of such dwelling. No garage apartment or similar structure shall be permitted nor shall any structure of a temporary character such as a trailer, tent, shack, garage, barn or other out-building be utilized on any lot as a temporary or permanent residence. However, Declarant and its successors and assigns and agents may utilize trailers and temporary structures in and during the development of the project and construction of residential dwelling.

CLOTHES DRYING EQUIPMENT

No clotheslines or other clothes drying apparatus shall be permitted on any Lot that are within view of neighborhood properties, except as approved in writing by the Architectural Review Board

DECKS (See Section VI of Declaration)

A complete application is required for a deck. Applications should include the following.

A description of the materials to be used.

1. An illustration of the proposed deck, including railings and stairs, dimensions and height above grade.

2. An explanation of any relocation of windows or doors, meters, and heating/air conditioning units.
3. A description of any changes in exterior lighting (refer to residential lighting).
4. A description of plantings to be removed for construction of or added in conjunction with the deck.
5. The City of Suffolk requires building and zoning permits and they must be obtained prior to constructing a deck. Contact the Building Codes Office at 757-514- 4060.

(Note: If Deck is attached to home by nailing or by bolts, it may be subject to being viewed as taxable property by the City of Suffolk.)

DOG HOUSES, DOG RUNS, AND PETS

DOG HOUSES AND DOG RUNS. All doghouses and/or dog runs must be behind the rear foundation or within a fenced yard. They should be positioned so as not to create a nuisance. If the doghouse is VFNP*, it should be painted and roofed to match either the home house or the unit's shed unless it is a prefabricated unit.

PETS

1. The City of Suffolk enforces a "Leash Law" for all dogs. **ALL PETS SHALL BE KEPT UNDER CONTROL OF A RESPONSIBLE PERSON CAPABLE OF PHYSICALLY RESTRAINING THE PET.** An "Electronic Fence" shall be an acceptable means of control.
2. Residents owning pets are required to clean up after their pets (Poop & Scoop).
3. Pets are not allowed to roam free within the neighborhood or common areas.

DRIVEWAYS

Owners of homes in Riverwood are responsible for maintaining their respective driveways. Driveways are constructed of Portland cement and repairs must be made of Portland cement. No application is required for driveway repairs. Repairs must not alter driveway dimensions. Variance applications are required for any additional driveways or extensions of existing driveways. A physical survey should be submitted along with the application. A VDOT must be notified and the City of Suffolk requires a permit for the extension of any existing driveway.

EXTERIOR COLORS

All exterior colors must be approved by the Architectural Review Board.

FAÇADE

Building facades may be comprised of brick, stone, wood, synthetic plaster, vinyl siding or aluminum siding. The use of any other materials shall require written approval of the Architectural Review Board. No dwelling shall be constructed with composition siding.

FENCES

Fences can easily create an unattractive patchwork appearance. All fences require an ARB approval. Therefore, any modification or addition to such fencing requires an application to the ARB. No application is required to remove a fence. The City of Suffolk requires a zoning permit. Call 757-514-4161. No chain link, barbed wire, or other metal material shall be used.

Only vinyl pvc and wooden fences shall be permitted on any Lot. All wood members are to be pressure treated wood, grade 2 or better. No fence shall exceed **six (6) feet** in height as measured from the ground. All picket fences, which are basically, parallel to and fronting on a public right-of-way, open space or lake shall be constructed with the picket supporting rails and or stringers facing away from the right-of-way, open space or lake. Fence may extend in front of the rear building line of the residence constructed on any lot, but no closer than twelve (12) feet to the front of the building line. In the case of corner lots, beyond the side building line of the residence toward the right- of-way, which is located beside such lot. Any fence or portion thereof which is basically parallel to and fronting on a public right-of-way, open space or lake shall have shrubs planted along and adjacent to the side of the fence facing the right-of-way, open space or lake. The shrubs shall be spaced no more than four (4) feet apart with a minimum height at planting of **three (3) feet** and reaching an ultimate height equal to the height of the fence. Temporary fences, such as those customarily associated with model housing complexes, may be exempted from the provisions of this section as approved by the Declarant.

Fence boards shall be installed facing outward. No fence may be installed across, around or through pedestrian access easements as shown on plat surveys. Fencing installed across utility lines are subject to be removed at the expense of the owner, to allow access by the utility company, in case of repair or upgrade of utility.

Repairs to original or ARB-approved fencing do not require an application. However, damaged fencing should be repaired within thirty (30) days of damage occurrence, and repairs must duplicate the original or approved fence. A city-zoning permit is required to erect, move or modify a fence. Fence posts 4x4 should be at least 30" in the ground with concrete filler in the hole to prevent strong winds from blowing fences over.

Note: **STATE LAW REQUIRES YOU TO CALL MISS UTILITY** before digging. Call **811** or go to **www.va811.com** to request location of utilities, a minimum of 48 hours prior to digging.

FLAG POLES & FLAG HOLDERS

1. Flag Poles- Permanent set in concrete (In-ground)
2. Flag Holders—Temporary, Bracket mounted to house.

Both types require an ARB application, indicating the location the on property, type of Flag Pole or Flag Holder to be installed, and type of materials in which the Flag Pole or Flag Holder is to be constructed. One Flag Pole (permanent) should not exceed the height of the property. A Flag Pole should handle a three by five (3'x 5') flag. Flag Holders should not exceed six (6) feet in length. The flag shall be attached to a pole and a building wall, porch, or deck. No flag holder shall extend above the primary entrance floor of the building, nor shall they be roof mounted. In-ground Flag Poles should be set in concrete to a minimum depth recommended by the Flag Pole manufacturer. No flags considered "offensive" shall be flown.

Note: **STATE LAW REQUIRES YOU TO CALL MISS UTILITY** before digging. Call **811** or go to **www.va811.com** to request location of utilities, a minimum of 48 hours prior to digging.

For information on Flag Etiquette visit the web site at www.ushistory.org/betsy/flaquetiq.html

FUEL TANKS - No oil or fuel tanks shall be installed upon any Lot.

GRADING AND DRAINAGE

All grading and drainage must be completed and maintained in accordance with the plats and plans for Riverwood Subdivision as approved by the City of Suffolk and/or as provided by a Builder.

GRILLS, PERMANENT BARBECUE PIT

In general, grills and barbecue pits should be located both behind the dwellings rear foundation line. For necessary City permits, contact the City of Suffolk Department of Planning and Community Development at 757-514-4060.

GUTTERS AND DOWNSPOUTS

Proper home maintenance requires that gutters and downspouts be kept in good repair. When replacing existing gutters and/or downspouts or portions thereof, no variance application is necessary. However, an application is required if in any way altering, i.e. changing color or relocating the existing systems. Prior to installing gutters and/or downspouts additional to those present at time of original sale, a variance application must be filed with the ARB.

HEATING AND AIR CONDITIONING SYSTEMS

Before installing an external heating and/or air conditioning system in addition to that installed by the builder, a variance application must be filed with the ARB. An application is also necessary when relocating the builder-installed unit. An application is not necessary if replacing an existing heating and/or air conditioning system. Window and wall units which may be VFNP* are strongly discouraged.

LANDSCAPING

Continuous foundation planting and/or beds may be installed on the front of the dwelling that faces a public right-of-way and shall be broken only by lateral walks and drives. Any statues, ornaments, birdbaths, etc. shall be installed or maintained within a flowerbed or designated landscaped area on the lot or structure visible from a public right-of-way. Temporary ornamentation, which is customarily associated with accepted holidays, shall not be displayed for more than thirty (30) days annually.

LIGHTING - RESIDENTIAL & HOLIDAY

1. **General**. The replacement of an existing light fixture, if accomplished with a similar match to the old fixture, does not require approval from the ARB. A change in position or additional light structures requires an ARB approval.

2. **Permanent Exterior Lighting and Wiring.** Permanent Exterior Lighting and Wiring require a full application. All exterior lighting should be installed so as not to shine as much as possible, on adjacent property or public space and should be aesthetically planned for each location.
3. **Security Lighting.** Floodlights and various types of high output lights fall under this group. Exterior lighting of this group should be considered more carefully because of the impact on neighboring properties. Lighting fixtures of this type should be carefully aimed so that they illuminate only a specific area, such as a doorway. Some High output light fixtures may have to be shielded in a manner similar to some street light installations to prevent unwanted or excessive intrusion of light from one property to another. A full application is required.
4. **Temporary Lighting** Decorative holiday and festival lighting does not require approval. However, holiday lighting should not be operative prior to the 15th of November in any year, and not later than the following 15th day of January. It must be totally removed by January 31st. The ARB suggests that you make sure that your lighting display is not objectionable to your neighbors or adjacent properties, or across the street from you. Halloween, Easter and other holiday decorations should not be operative until one week before the holiday and not later than one week after.

No exterior lighting shall be directed outside the boundaries of the lot and all exterior lighting shall be subject to such other rules adopted by the Association from time to time.

Note: **STATE LAW REQUIRES YOU TO CALL MISS UTILITY** before digging. Call **811** or go to **www.va811.com** to request location of utilities, a minimum of 48 hours prior to digging.

MODULAR HOUSING

No modular or similar construction systems shall be permitted without the written approval of the Architectural Review Board. Pre-assembled or manufactured roof floor trusses and/or wall panels shall be permitted.

NUISANCE

1. No noxious or offensive activities, materials or matter shall be carried on upon any Lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the residences or Owners thereof. The emission of smoke, soot, fly ash, dust, fumes, herbicides, insecticides, and other types of air pollution or radioactive emissions or electro-magnetic radiation disturbances, shall be controlled so as not to: (a.) be detrimental to or endanger the public health, safety, comfort or welfare, (b) be injurious to property, vegetation, or animals, (c) adversely affect property values or otherwise produce public nuisance or hazard; or (d) violate any applicable zoning regulations or other governmental law, ordinance or code.
2. At certain levels, noise can be detrimental to the health, welfare, safety and quality of life of the residents of the neighborhood. In the public interest, noise should be restricted.
 - a. **Definition:** Noise disturbances means any sound that, by its character, intensity and duration, that annoys or disturbs any reasonable person of normal sensitivities within the neighborhood.
 - b. **Types of:** Loud vehicle and home radios, televisions, amplifiers, musical instruments, car horns,

vehicle exhaust systems, continuous barking of dogs, racing vehicle engines are some of, but not limited to, the types of noises that are considered offensive, in accordance with the City of Suffolk code on noises and nuisances; and are prohibited within Riverwood and the City of Suffolk.

Sound travels through the walls of most homes so your consideration in reducing these types of noise levels in Riverwood will be greatly appreciated by your neighbors and residents in Riverwood.

3. The Board, in its sole discretion shall have the right to determine the existence of any such nuisance. In accordance with the City of Suffolk Ordinance, nuisances are prohibited within the City of Suffolk.

OBSTRUCTION OF SIDEWALKS AND DRIVEWAYS

In accordance with the City of Suffolk Ordinance, Sec. 74-1, it is unlawful to block sidewalks when parking vehicles in driveways where sidewalks intersect with driveways.

OUTBUILDINGS

The construction of any and all outbuildings, detached garages, sheds, etc. must be approved in writing by the Architectural Review Board. Such structures shall be designed and constructed to reflect the styling, materials and colors of the main dwelling. The structures must be constructed on a permanent foundation with a floor fabricated of concrete, wood or similar material.

PAINTING AND STAINING EXTERIOR

Exteriors of all living units and accompanying structures must be kept neatly and adequately painted and/or stained. If a home or other structure is to be repainted or re-stained with the original builder color no variance application is needed. However, the old and new colors must match. If you are unable to match the color(s) and a color change is involved, then an ARB application is required. In general, the ARB recommends that proposed colors be of the same theme as the subdivision of which the home is a part.

PATIOS AND WALKWAYS

The installation of new patios and walkways require an ARB application.

PETS (see Dog Houses & Dog Runs, Pets)

RECREATIONAL EQUIPMENT [Amended 04/27/2023]

Recreational equipment, such as basketball goals, swings, and/or playground equipment, shall not be permanently installed in any front or side yard, nor shall any such equipment be attached to the front or sides of any dwelling. Portable recreational equipment may be placed curbside or within a cul-de-sac only, so long as it does not become a nuisance to the surrounding neighbors, and shall be placed behind a six (6) foot high privacy fence or stored in a garage when not in use.

RE-SIDING AND RE-STYLING

The Covenants require all structures to be properly maintained. In addition to keeping siding adequately painted or stained, siding itself must be kept in good repair. Whether siding is to be wholly or partially replaced, no application is necessary so long as replacement siding is to be wholly or partially replaced, no application is necessary so long as replacement siding is identical to the original siding with respect to not only material but also dimension. If replacement siding will be a type other than the original, a variance application is required. The ARB's primary concerns will be the suitability of the proposed siding material and the visual effect of the new material on neighboring houses.

To preserve visual continuity, new siding should resemble original siding as closely as possible. Replacement siding must be painted or stained the original color; otherwise, an application for color change is necessary. Restyling is any relatively permanent change, which alters the exterior, storm doors, security doors and windows, roofing products, etc. Unless the proposed alterations will not be VFNP*, a variance application must be filed. The application should be thorough and should include a detailed plan specifying the materials to be used, painted and/or stain colors, dimensions, and any other pertinent information. A sketch of the completed project should be provided.

The ARB will review each plan based upon the appropriateness of the alteration, the suitability of the proposed materials. The ARB advises fashioning alterations in accordance with the unit's original style. Alterations should have minimal physical and visual effects on neighboring and adjacent properties. Finally, check with the City of Suffolk Department of Planning and Community Development at 757-514-4060 for necessary permits.

RETAINING WALLS

All retaining walls, i.e., river or hillsides require a completed ARB application. Also, all appropriate City of Suffolk Building and Zoning Codes must be complied with. It is also possible that permits from the Chesapeake Bay Engineer for the Wetlands are needed and approval is necessary. The necessary permits and approvals from the authority having jurisdiction must be attached to the ARB application.

ROOF

The pitch of the main structure's roof must be no less than 5/12 provided that porches, breezeways, dormers, etc. may have a roof pitch less than 5/12.

SHEDS AND TOOL STORAGE

A shed or other storage structure in addition to that constructed by the Subdivision Builder requires a variance application. The application should include a detailed plan specifying the proposed structure's lot placement, its dimensions, and material to be used. A sketch or photo of the proposed structure is also necessary. The Committee requires the use of approved building materials. The City of Suffolk requires that a permit be obtained prior to beginning construction. Contact the City of Suffolk Department of Planning and Community Development at 757-514-4060.

SIGNS

No sign of any kind shall be displayed to the public view of any Lot except one professional sign of not more than one (1) square foot or one (1) sign of not more than five (5) square feet advertising the property for rent or sale. Yard sale signs are permissible with the consent of the Architectural Review Committee. All yard sale signs shall be removed at the end of the sale day.

SIZE

No residence shall be erected on any of the lots with less than twelve hundred (1,200) square feet of living space. The term "living space" as used herein shall be determined by exterior perimeter measurements of the dwelling, which includes heated floor area and excludes garages, porches and breezeways.

SMOKESTACKS AND CHIMNEYS

Whenever an additional chimney or smokestack is to be built, an application must be filed with the ARB. In such instances, special care is needed to arrive at an architecturally suitable design. Due to differing unit's styles and placements, the ARB must consider applications on a case-by-case basis. The following are some generalized guidelines: New chimneys should resemble original chimney with respect to style, material etc. A building permit from the City of Suffolk Department of Planning and Community Development is required prior to beginning construction.

SOLAR COLLECTORS

The proposed panels should have a minimal visual effect on the immediate neighborhood. Existing solar panels shall not set precedent for future solar devices. An ARB application is required.

SPEED LIMITS

As a reminder, speed limits in Riverwood are mandated by state laws. Homeowners, their family, tenants, and guests are required to obey posted speed limits.

SWIMMING POOLS, HOT TUBS & SPAS

If a pool is contemplated, a variance application must be filed. The Committee will consider these applications on a case-by-case basis looking primarily at the potential effects of the proposed pool on neighboring and adjacent properties. In particular, the ARB will ensure there is an excavation and drainage plan, and if the pool will be visible from neighboring property (VFNP), and surrounding landscaping. All pools must comply with Suffolk City Codes.

Regarding hot tubs and spas, the ARB recognizes both their popularity and their potential suitability. Because of both the commonly used drainage method, i.e. siphoning through a garden hose and the various lot sizes within Riverwood, all hot tubs and spas require a variance application. The Committee's primary concern is the effect of drainage upon adjacent lots. Siphoning of water should not interfere with adjacent neighbors' lots. Owners should drain water in street drains.

Consideration for applications review are:

1. Whether installation requires excavation, and if so, effect of excavation upon adjacent properties.
2. Where siphoning into the yard will be the means of drainage, the gallon capacity of the proposed tub or spa relative to yard dimensions.
3. If the tub or spa will be VFNP*, the visual effect on adjacent properties.
4. Required fencing constructed of approved materials around pool area.

Any pool, spa or hot tub requires an ARB application. Also, any structure to be built in conjunction with the pool, tub or spa may require a building permit from the City of Suffolk Department of Planning and Community Development and requires an ARB application. Once installed, pools tubs and spas must be operated so as not to become a nuisance either by drainage or sight.

SWING-SETS, SANDBOXES & OTHER PLAY EQUIPMENT

Play equipment which will not be VFNP* does not need an application for variance. If the proposed equipment will be VFNP*, however, a complete application is required. The following guidelines are intended to assist in both planning the play area and filing the necessary application:

1. All play equipment should be located both behind the home's rear foundation line.
2. Wood equipment should be painted or stained to match the existing house trim or left natural.
3. Metal equipment should be painted an inconspicuous color.

TRASH AND COLLECTION

In any neighborhood, garbage and trash storage is particularly important. Improper storage can lead to not only a shabby appearance, but also health and odor problems. The Covenants requires that all garbage and trash stored on properties within Riverwood be kept in covered sanitary containers and, except for a reasonable amount of time to permit collection, these containers at no time shall be VFNP*. **Hence, all garbage containers must be kept behind the front building line of the house.** The City Code requires that the automated trash containers be placed no sooner than 5 p.m. the day before collection and all containers must be removed from the curb by 7 p.m. the same day of collection. The containers must be placed at least six (6) feet away from any object or item that may interfere with pick-up.

If for some reason the trash is not picked up on the regular trash pick-up day because of inclement weather or other unknown reasons, and the trash containers are not emptied by that same evening, they shall be removed from the curb and stored behind the front building line until the next regularly scheduled pick-up day. Containers shall be stored in a manner so as not to become a nuisance. Owners shall be responsible for overturned containers and cleanup of debris resulting thereof.

In the event of a holiday occurring **before** the regularly scheduled trash pick-up day, trash collection will be the next day. If a holiday occurs **after** the regularly scheduled pick-up, the regularly scheduled trash pick-up day will not be affected.

For further information on trash pick-up, consult the City of Suffolk website www.suffolkva.us You can also call the City of Suffolk Refuse Department at 757-514-7630.

It is a violation of law to burn trash, leaves and other materials within the City of Suffolk.

VEHICLE PARKING

All local ordinances governing the parking of privately autos, motorcycles, trailers, recreational vehicles and commercial vehicles will be enforced within Riverwood. In accordance with Suffolk City Ordinance Sec. 98-945 and Sec. 74-38, no private auto, motorcycle, trailer, recreational or commercial vehicle shall be parked on any unimproved area (grass) of any lot or upon the grounds of the common areas.

In accordance with City of Suffolk Ordinance Sec. 86-107, it is unlawful for any person to park a vehicle with the left side of such vehicle next to the curb in such a manner as to have such vehicle facing the flow of traffic in the lane of traffic nearest to the curb at which such vehicle is parked. Additionally, no person shall park a vehicle within a cul-de-sac such that the front or rear of the vehicle is next to the curb.

WELLS

Wells require an ARB Application and a City of Suffolk Health Department Water Supply "Well" permit. The application will include a site plan showing the proposed well site, property boundaries, recorded easements, accurate locations of actual or proposed sources of contamination and name of well driller. With the exception of the ARB application, these are the same regulations required by the City of Suffolk.

WOODPILES

Woodpiles do not necessitate filing a variance application. However, all woodpiles must be located both behind their respective home's rear foundation line. In no instance should a woodpile be readily visible from a street. Woodpiles' height shall not exceed the height of the fence. There may be no contact of stored wood with the ground, fences or buildings due to potential termite infestation into the wood.

OTHER ALTERATIONS

For alterations, construction, and modifications not mentioned herein, the Homeowner must submit an ARB Application and receive approval before commencing any work.

Riverwood Owners Association, Inc.

RESOLUTION 23-1

CERTIFICATION OF RESOLUTION OF THE BOARD OF DIRECTORS AMENDING THE RULES AND REGULATIONS OF THE ASSOCIATION

At a meeting of the Board of Directors of Riverwood Owners Association, Inc., a Common Interest Community Association, on April 27, 2023, the following resolution was adapted:

"BE IT RESOLVED that the Community Rules & Regulations dated July 1, 2020 are amended as follows:

RECREATIONAL EQUIPMENT

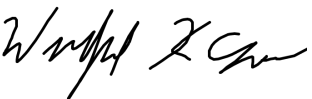
Recreational equipment, such as basketball goals, swings, and/or playground equipment, shall not be permanently installed in any front or side yard, nor shall any such equipment be attached to the front or sides of any dwelling. Portable recreational equipment may be placed curbside or within a cul-de-sac only, so long as it does not become a nuisance to the surrounding neighbors, *and shall be placed behind a six (6) foot high privacy fence or stored in a garage when not in use.*



President

05/01/2023

Date



Secretary

05/03/2023

Date

Riverwood Owners Association, Inc.

APPLICATION FOR HOME IMPROVEMENT/MODIFICATION

Any change to the exterior of your property requires the completion of this Application for Home Improvement/Modification submitted to the Architectural Review Committee. The ARC meets as required to review applications. Expedited applications are processed by the Board of Directors, as it deems necessary.

The Board of Directors and the ARC have developed standards for many commonly requested architectural modifications. Please review the Architectural Guidelines, Rules and Regulations for Riverwood Owners Association, Inc. to ensure you are requesting an approvable improvement/modification to your property.

Please make sure to submit a COMPLETE application. Please return this form to:

Email: arb@riverwoodsuffolk.org **Mail:** Riverwood Owners' Association, Inc.,
Attn: Architectural Review Committee
445 N. Main St., #3184
Suffolk, VA 23439-0016

GENERAL INFORMATION

OWNER NAME (1): _____ OWNER NAME (2): _____

PHONE NUMBER: _____ PHONE NUMBER: _____

EMAIL ADDRESS: _____ EMAIL ADDRESS: _____

PROPERTY INFORMATION

PROPERTY ADDRESS: _____ ACCOUNT NUMBER: _____

PROPERTY TYPE: _____ PROPERTY SIZE: _____ sf COLOR/TRIM: _____

PROJECT DESCRIPTION: _____

PROJECT INFORMATION

PROJECT START DATE: _____ PROJECT END DATE: _____ ESTIMATED COST: _____

CONTRACTOR NAME: _____ PERMIT(S) REQUIRED: YES ___ NO ___

CONTRACTOR ADDRESS: _____

CONTACT PERSON: _____ PHONE: _____ EMAIL: _____

Approval of this Application is based upon information supplied in and with this Application. Approval is limited to design criteria established by the Architectural Review Committee of the Association and shall not be interpreted as approval of any variation from the restrictions or conditions imposed on the property owner(s) by contract, provisions of the recorded covenants, or any regulations or requirements by the City of Suffolk Department of Planning and Community Development. All Applications must be forwarded to the Association. The Application will be reviewed and a decision by the Architectural Review Board will be issued within forty-five (45) days from the date of receipt of the Application and supporting documents/materials. You will receive a written notification of approval, denial, or a request for additional information. Your signature below affirms your understanding of the above and your obligation to comply with the Architectural Guidelines, Rules and Regulations of the Association, as amended.

Owner Signature: _____ **Date:** _____

----- DO NOT WRITE BELOW THIS LINE -----

DATE RECEIVED: _____ **APPROVED:** YES ___ NO ___ **SIGNED:** _____ **DATE:** _____

ARB CHAIRPERSON

DATE RECEIVED: _____ **APPROVED:** YES ___ NO ___ **SIGNED:** _____ **DATE:** _____

PRESIDENT / VICE PRESIDENT