

THE PRESERVE AT THE WOODLANDS

DESIGN GUIDELINES

Effective Date: April 8th, 2016

A MANUAL FOR PRESERVE HOMEOWNERS

OBJECTIVES

The objective of this document is to guide and assist the members of the Preserve Association Board of Directors, the Preserve Architectural Review Committee, the Preserve Association Staff, and the Preserve homeowners in maintaining and enhancing the Preserve Homeowners Association (HOA) carefully designed environment. The Design Standards address improvements for which Preserve homeowners most commonly submit applications to the Architectural Review Committee (ARC). They are not intended to be all inclusive or exclusive. The specific objectives of the Design Standards are:

1. To increase homeowner's awareness and understanding of the Covenants from which authority is granted for creating rules and use restrictions.
2. To illustrate design standards which will assist the ARC and HOA to develop exterior alterations and improvements which are in harmony with the immediate neighborhood and community as a whole.
3. To assist homeowners in preparing an acceptable application to the ARC.
4. To relate exterior improvements to open space.
5. The ARC shall regulate the external design, appearance, and location of the properties and of improvements thereon in such a manner as (a) to promote those qualities in the environment that bring value to the properties; and (b) to foster the attractiveness and functional utility of the community as a place to live, including a harmonious relationship among structures, vegetation, and topography.
6. It is the responsibility of each applicant to obtain a Building Permit where required and comply with Dukes County codes and regulations.

AUTHORITY

The authority and responsibility for maintaining the quality and design in The Preserve is founded in the Declaration which is part of the deed to every lot in the Association. The intent of covenant enforcement is to assure homeowners that the standards of design quality will be maintained consistently throughout the community. This, in turn, protects property values and enhances the overall community environment.

The ARC performs its task of ensuring aesthetic quality of the community and environs by implementing and monitoring the review process adopted by the Preserve Board of Directors (BOD), thus assuring that proposed exterior alterations comply with the objectives set forth in the Covenants. This involves regular and systematic review of all applications for exterior alterations submitted by homeowners.

NEW CONSTRUCTION, REPLACEMENTS AND IMPROVEMENTS

These Design Standards apply to improvements contemplated by a homeowner to an existing home or lot. Replacement of homes or portions thereof must be of the same design as originally constructed architecture as the adjacent homes; must use comparable construction materials as the adjacent homes; must meet current Preserve Associations Design Standards.

CHANGES WHICH MUST HAVE ARCHITECTURAL REVIEW COMMITTEE APPROVAL

The Declaration explicitly states that all exterior alterations require the approval of the ARC. Any change, permanent or temporary, to the exterior appearance of one's property must be approved by the

ARC. Further, once a plan is approved, it must be followed or a modification must be approved, by the ARC, in accordance with the plans as approved. Homeowners must comply with County codes and regulations.

It is important to understand that the ARC approval is not limited to major alteration such as adding a room or deck to a house, but includes such items as changes in exterior color and materials, etc. Approval is also required when an existing item is removed.

Each application is reviewed on an individual basis. There are no "automatic" approvals, unless provided for specifically in these design standards. For example, a homeowner who wished to construct a deck identical to one already approved by the ARC is still required to submit an application, and be approved prior to the start of construction.

ARCHITECTURAL COMMITTEE OVERALL REVIEW CRITERIA

The Architectural Committee evaluates all submissions on the individual merits of the application; including the consideration of the characteristics of the housing type and the individual site; since what may be an acceptable design in one specific instance may not be for another. Design decisions made by the ARC in reviewing applications are not based on any individual's personal opinion or taste. Judgments of acceptable design are based on the following criteria which represent in more specific terms the general standards of the protective Covenants:

1. Relation to the Preserve Association Open Space - Homeowner's lot activity shall not adversely affect Preserve Association open space.
2. Validity of Concept The basic idea must be sound and appropriate to its surroundings.
3. Design Compatibility The proposed improvements must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.
4. Location and Impact on Neighbors The proposed alteration should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are access, view, sunlight, ventilation, and drainage. For example, fences may obstruct view, breezes, air flow or access to neighboring property; decks or larger additions may cause unwanted shadows on adjacent patios or infringe on a neighbor's privacy and view.
5. Scale The size (in three dimensions) of the proposed alteration should relate well to adjacent structures and its surroundings.
6. Color Color may be used to soften or intensify visual impact. Parts of an addition that is similar in design to an existing house, such as roofs and trim should match in color and composition.
7. Materials Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house.
8. Workmanship Another standard which is applied to all exterior alterations. The quality of work should be equal to, or better than, that of the surrounding area. Poor practices, besides causing the owner problems, can be visually objectionable. The Preserve Association assumes no responsibility for the safety or structural validity of new construction by virtue of an approved design.
9. Timing Projects which remain uncompleted for long period of time are visually objectionable and can be a nuisance and safety hazard for neighbors and the community; all applications must include estimated completion dates. If such time periods are considered unreasonable, the ARC may disapprove the application; projects must be completed within six (6) months.

AMENDMENTS TO THE DESIGN STANDARDS

These Design Standards and Guideline document will be reviewed and may be amended from time to time. They may also be amended to reflect the changed conditions or technology. Amendment proceedings may involve public discussions and review by the neighborhood governing bodies, if any, and shall be adopted as were the original Design Standards by the BOD.

APPLICATIONS

Applications for alteration or improvements must be submitted in writing. Forms will be supplied by the Association. The application forms require information which will assist the ARC in reviewing plans for your proposed alteration or improvement. Specific information is detailed below. Action on applications submitted without the required information will be delayed until all information is provided. The required application information includes the following:

DESCRIPTION

A complete description of the alteration or improvement shall accompany the application. This includes a complete listing of materials to be used, also overall dimensions, height off the ground, as in the case of decks and porches, colors of existing house, trim and roof colors; and colors of the proposed alteration or improvement.

SITE PLAN

A site plan is a scaled drawing of your lot which shows dimensions of the property, adjacent properties if applicable, and all improvements including those covered by the application. Contour lines may be required where drainage is a consideration. A base for a site plan for single applications can be the plot plan provided to you when you purchased your home. More complex applications may require larger scale (ten (10) to twenty (20) feet to the inch scale) enlargements of the plat plan of County approved development or site plans.

DRAWINGS/PHOTOGRAPHS

Complete drawings/photographs showing all dimensions, elevations and details of the proposed improvement or alteration are required. Drawings should show the relation of the improvement or alteration in relation to the existing home. Drawings which are illegible take time to review, slow the process, and may be returned to the applicant for clarification. Photographs are encouraged for most applications to assist the ARC in evaluating the request.

COMMENCEMENT/COMPLETION DATE

Application must contain the proposed commencement and completion date. All alterations or improvements must be completed within eighteen (18) months of the approval. Projects not completed within eighteen (18) months of approval may be subject to reapplication.

REVIEW PROCEDURES

All applications should be mailed to the Preserve Association office at _____. Original applications should be mailed. Faxes and emails may not be accepted as they do not always transfer into readable formats.

When the application is received, the application will then be reviewed for complete information by the Preserve Association staff prior to the ARC review. After ARC review and action, the applicant will be informed by a phone call or e-mail, and a letter of Architectural Committee decision will be mailed to each applicant at the address provided on the application. Letters of approval will be sent by first class mail; while letters of denial or those with stipulations will be sent by certified mail. Letters of denial will reference specific reasons for the denial and are subject to appeal.

DESIGN STANDARDS

AIR CONDITIONERS Additional exterior air conditioning units which are typically installed on a level pad on the ground or level pad attached to the house or the relocation of existing units may be considered so long as they are placed near existing units and do not have adverse audible or visible impact on adjoining lots or open spaces. Concealing air conditioning units see "FENCES." No window units are permitted.

ANTENNAS No satellite or TV dish antennas are permitted.

ATTIC VENTILATORS Attic ventilators may be permitted if painted to match the color of the roof or trim (if mounted on a gable end). Ventilators shall be mounted on the least visible side of the ridge pole so as to minimize their visibility from public areas and adjoining units.

CLOTHESLINES Clothes lines or similar apparatus for the exterior drying of clothes or bedding are NOT permitted.

DECKS Decks, including new construction, additions, or improvement may be designed to include bench seating areas, overhead timber for shade and hanging plants, and planter areas. When deck design schemes include other exterior changes such as fencing, exterior lights, landscaping, etc. other appropriate sections of the Design Standards should be consulted prior to application. All decks must meet Dukes County Building Codes. Generally speaking, the deck guidelines below apply to ALL PRESERVE Association residences. Deck "repairs" meaning a one-for-one replacement part(s) of a previously approved deck, or repairs to a builder provided deck, do not require an ARC approval or an application as long as nothing is being changed.

DESIGN REVIEW APPLICATIONS MUST INCLUDE

1. Site Plan: Showing building and proposed deck with overall dimensions, and side and rear setbacks.
2. Plat: with deck drawn on the plan as close to correct as possible with distances marked to each lot line.
3. Deck plan: Showing structure, height, size, stairs, railing style, and any additional structures such as benches, bump outs etc.
4. Material and Color: State if using composite material, PVC, Trex plastic, or other Material. Submit color samples for decking and railings and pickets to the ARC for approval.
5. Other:
 - a. If lighting is required by the County or being installed please submit information on the lighting.
 - b. Submitting a picture of the back yard is a good idea as it gives the better understanding of any potential drainage issues and slopes.

- c. If you plan to put stone or anything under the deck this must also be submitted with the plan.
- d. If you plan to landscape around the perimeter you may include this with the application or submit a separate application later before you do any planting.
- e. No under deck storage that is visible to the surrounding neighbors shall be allowed. Residents are encouraged to use patio furniture covers to protect lawn furniture, outdoor appliances, specialty items, etc. during the winter months.

FINAL STEPS

1. Post-hole spoils must be removed and all disturbed lawn properly repaired.
2. Final approval is subject to a post construction field inspection. It is the homeowner's responsibility to submit pictures of the completed projects (from opposite sides showing entire deck) and Dukes County Building Permit to the management office to be placed with their unit records.

DRAINAGE - Any adverse drainage, which might result from the construction, shall be considered and remedied. Approval will be denied if the ARC determines that adjoining properties will be adversely affected by changes in drainage. An approval by the ARC does not relieve the home owner of the responsibilities to correct any drainage issues that surface after the construction of a deck or porch, be it on the home owner's property or on a neighbor's property.

Existing drainage pattern must be maintained. Home owners should ensure that their sump pump outside drainage pipe is kept clear to facilitate water flow from the sump pump pit; typically the pipe should drain onto a down slope that leads away from the houses.

DRONES/UAV's While this new technology is not yet mature, and federal and local government rules and regulations are still being drafted, in general these devices shall not be flown from, land in, flown through, or controlled within the Preserve. There are safety concerns as well as liability issues that need to be addressed. Any Preserve resident contemplating the use of this technology should check first with the HOA's management company and the HOA Board of Directors for the current HOA policy.

DOG HOUSES Dog houses are not permitted.

DOOR-FRONT Replacement of front door must be kept in the same style of original door and received ARC approval. Door hardware (including handle, locks, kick plate, peepholes and door knocker) must be brass, bronze or brushed aluminum as originally provided by builder for that house and be maintained in good condition.

DOORS-STORM Storm doors must be approved and are to be full view with no support or dividing bar and without decoration or edging. Storm doors should match the color of the trim around the entrance door (white or beige).

DOORS-SCREEN Screen doors must be approved and are to be full view with no support or dividing bar and without decoration or edging. Screen doors should match the color of the trim around the door.

EXTERIOR DECORATIVE OBJECTS Approval will be required for ALL exterior decorative objects. Exterior decorative objects include such items as sculptures, fountains, ponds, free standing poles of any type, bird baths, bird feeders, planters, and vine climbers etc. NO objects of any kind may be attached to the brick facade. (Holiday decorations not included, see Holiday Decorations).

FEEDING OF WILDLIFE Is not permitted in PRESERVE with the exception of ARC approved bird feeders per above. This includes no feeding of stray dogs, feral cats, squirrels, rabbits, chipmunks, and other rodents or wildlife.

ELECTRONIC INSECT TRAPS Are not permitted.

EXTERIOR LIGHTING Exterior lighting (flood lighting, motion sensors, entrance lighting, etc.) shall not be directed outside the applicant's property. Light fixtures which are proposed in place of the original fixtures should be compatible in style and scale with applicant's house. Lighting which is part of the original structure must not be altered without the ARC approval. Applications for exterior lighting should include wattage, height of light fixture above the ground, lighting pattern, color of light, and a complete description including descriptive material of the light fixture and precise location on the property. Light should not shine outside the property line of the homeowners and not present a disturbance to any neighbors.

For community security purposes residents are encouraged to leave their front porch, outside garage, and rear lights on during hours of darkness. We recommend 60-watt incandescent bulbs or 800 lumens of light per outside fixture.

LANDSCAPE LIGHTING Along walkway will be allowed but **MUST** be positioned in shrubbery. **NO** tree-up lights. Lights must emit only a white light at night (**NO** florescent or colored lights permitted). It is not necessary to obtain ARC approval to have small solar lights in shrubbery or along walk areas but they must be maintained in an operational condition, must not be broken or falling over, and must not be unsightly in appearance.

FENCES A fence can have multiple purposes including security, defining property lines, creating architectural space, as well as enhancing the landscape. Fencing in the Preserve should be specific in its purpose, it should enhance the property and the neighborhood, and it should have minimal impact on adjoining neighbors and property. Fences enclosing rear yard area must be substantially identical to material and design provided by the builder. Fence material and design shall be approved by the ARC.

Pool Fencing Any fencing of pool areas shall be subject to all applicable building, safety, and health department codes and requirements. Pool fencing would be submitted and reviewed by the ARC on a case by case basis. (Note: Pool design and required fencing are subject to special review by the ARC and approval of the BOD.)

FIREPLACES Fireplaces, fire pits, and chimeneas are subject to ARC approval and will be evaluated on a case by case basis.

FLUES AND VENTS Flues and vents protruding through a roofline must be painted to match the roof color; and should be located to the rear of the ridgepole. No flues or vents may be visible on any exterior wall of the house, except for existing vents provided by the builder.

HOLIDAY DECORATIONS Holiday yard displays are only permitted in strict conformity to the guidelines established by the ARC.

1. In general holiday yard decorations may be displayed anytime from December 1 through January 10. Decorations for other holidays may be displayed no sooner than two weeks before the holiday and no later than two weeks after the holiday. Yard displays are limited to a maximum of five (5) feet in height and five (5) feet in width.
2. Display must be set back at least a one foot from the sidewalk to house.
3. Inflatable displays of any kind are NOT permitted.
4. Displays must not emit sound or noise.
5. NO roof displays of any kind are permitted.
6. Homeowners risk violation enforcement if decorations are not removed or are contrary to the rules noted above. Violators will be give seven (7) dates to correct the issue or face a hearing before the Board of Directors and the assessment of a fine.

Homeowners risk violation if decorations are not removed per the above and will be given seven (7) days to correct the issue or face a hearing before the Board of Directors and face a fine.

HOUSE NUMBERS House numbers should be legible, but should be of a size and color which is appropriate for the applicant's house. In certain cases, decorative house numbers may be acceptable dependent upon the location and type of house. House numbers NOT installed by the builder require an application.

LANDSCAPING An application is required when plant materials will become hedges, fences, barriers, or screens which meet or exceed (either at installation or at maturity) two (2) feet in height. Hedges and the like will generally only be considered for rear and side yard (not extending forward of the front plane of the home into the front yard) installations. An application is also required when the use of stone is contemplated for a border and the height of such stone will meet or exceed twelve (12) inches. An application is required when the use of more than two such borders is contemplated on the same side of the property. An application is required when proposing to change the grade.

LANDSCAPE REMOVAL The replacement or removal of landscaping on homeowner property is the responsibility of the homeowner. A one-for-one replacement of an identical dead or dying tree or shrub does not require ARC approval. However if the replacement tree or shrub is of a different variety than that which was removed then ARC approval is required. Failure of the homeowner to replace a removed tree or shrub is considered a violation and if a homeowner does not want to replace the tree or shrub they should submit that request to the ARC for approval. In general if the defective tree or shrub was part of the original landscape the homeowner needs to replace it.

PAINTING An application is not required for re-painting a specific object to match its original color.

PATIO Patios provide a means for ground level extension of outdoor space with less visual impact than elevated decks. Patios should be located in the rear yard and should be installed within County setback required limits, and not across Building Restriction Lines (BRL). Patios shall be constructed of brick, landscape slate, flagstone or other natural stone. A border of at least two (2) feet around the fence/property line consisting of mulch and vegetation is required, except for gate exit, however, exceptions will be considered provided adequate softscape is installed. When patio design schemes include other exterior changes, such as fencing, light, plantings, etc., other appropriate sections of the Design Standards should be consulted prior to application. Residents are encouraged to use patio furniture covers to protect lawn furniture, outdoor appliances, specialty items, etc. during the winter months.

POOLS Pool design, and required fencing, is subject to special review by the ARC and approval by the BOD.

RECREATION AND PLAY EQUIPMENT ALL play equipment must be placed in the rear yard.

1. Permanent Play Equipment In NO CASE shall approval be granted for the installation of permanent metal and/or wooden play equipment such as swing sets, climbing ropes and slides, etc., or for free standing basketball backboards or any type of basketball hoops and their poles.

2. Motorized Scooters, Etc. Are not permitted on sidewalks, lawns, common areas or the road.

3. Temporary Play Equipment May be used and if meant to stay outdoors (play yard, sandbox, etc.,) is permitted in the back yard as long as the yard is well maintained, (no broken, non-usable or rusted equipment is permitted to stay outside). Other play equipment that is not designed specifically to stay outdoors should be stored out of sight of surrounding neighbors when not in use. The back yard should not be used as a storage place for children's toys. The use of year round shrubs to hide or help with visual screening may be necessary.

ROOFS The repair of roofs, such as missing shingles, leaks, weather related damage, etc. does not require the submission of a design review document to the Preserve ARC; there simply isn't time for that process. However, all residents must notify the Board of Directors in advance of roof repairs made. Owners should ensure that resident roof repairs are undertaken by a professional bonded roofing contractor or company. Furthermore any roof repairs that include any amount of shingle replacements, from one shingle to ever how many, must be of an equal quality shingle as is currently installed. The color and style of the replacement shingle should match the existing color/style installed on the affected housing unit as close as is possible. Any pipes or vents, fans, etc. that have to be repaired or replaced should be painted with the same color and particulars (i.e. flat black) as is currently installed on the repaired roof. Any repair and/or replacement to gutters or roofing area trim should match the existing and replaced gutters or roofing area trim. The repair must look professional in all aspects. Any home owner who is required to undertake roof repairs, gutter repairs, or roof area trim repairs should notify the HOA's management company after the repairs are completed so that the residence can be checked and inspected to ensure the appearance of the repairs are consistent with the established standards of the surrounding and neighbor residents.

SECURITY CAMERAS The mounting of outside security cameras and/or motion sensors require ARC approval. Cameras mounted inside a residence, shooting out through a window or door do not require ARC approval. Any outside mounted camera, cabling, hardware, etc. should be of a low profile design that does not distract from the beauty of the community.

SIGNS One real estate sign listing a property For Sale, or a security sign posted within ten (10) feet to the immediate left or right of, and/or two (2) feet out from the front and rear entrance of a home. Signs, either temporary or permanent, advertising products or services, whether provided by the homeowner or others; announcing business events; or signs denouncing another person, place, entity or thing; are prohibited. The sign must be professional in appearance, maintained in good condition, and removed immediately after the FOR SALE condition changes.

The posting of FOR SALE signs on resident vehicles that will be parked inside The Preserve boundaries is prohibited.

All other entrance, street, warning and informational signs within PRESERVE fall under the administrative control of the HOA's Communications Committee.

STORAGE Rear yards, decks, patios and front porches cannot be used for storage of any kind. Under the Deck Storage - No storage that is visible to the surrounding neighbors shall be allowed under the deck. Landscaping screening of natural plant material, that provides year round green, may be used to hide storage. NOTE: Consult the landscaping sections of the Design Standards prior to application.

TRASH/RECYCLING CONTAINERS Trash cans and recycling containers must be stored out of view of the street or adjoining properties at all times, except on scheduled pickup days. Trash cans are to be placed outside the evening before trash day and removed by the evening of the trash day. Storage in front or alongside of garages or the home is prohibited. A screened area for trash and recycling container storage is prohibited. Community trash receptacles may be placed in the common play and recreational areas of Preserve; residents are encouraged to use, and to teach their children to use, these receptacles to maintain the neatness and quality of our community.

STORAGE OF BOATS, TRAILERS, CAMPERS, MOBILE HOMES OR RECREATIONAL VEHICLES Not permitted.

LANDSCAPE AND VEGETABLE GARDEN STANDARDS

1. Location Care should be exercised in the planting and maintenance of trees and shrubs to prevent obstruction of sight lines required for vehicular traffic. Also, the views of neighboring units and shade patterns of larger trees should always be considered.
2. Scale Care must be exercised in selecting plant materials which, upon maturity, will be an appropriate size in height and breadth for the intended location. Mature size, in height and diameter, should always be considered especially when planting close to walkways and houses. Consideration will be given to the effect plantings will have on views from neighboring houses and property.

All gardens must be neatly maintained.

An application is not required for foundation planting, or single plantings within mulched area. However, an application is required for trees and hedges more than two (2) feet in height or other features which in effect become structures, fences or screens, and as part of other applications where required.

Applications should include descriptions of the types and sizes of shrubs to be planted and a site plan showing the relationship of plantings to the house and adjacent dwellings.

LOT MAINTENANCE STANDARDS Property ownership includes the responsibility for maintenance of all structures and grounds which are a part of the property. This includes, but is not limited to, removal of trash, structural maintenance, watering lawn and landscape vegetation.

Exterior Appearance With the exception of periodic scheduled painting of all exterior portions of all houses, residents are responsible for maintaining the exterior of their dwellings and other structures on their lots, such as decks, patios and fences.

The following represents some conditions which the ARC considers a violation:

1. Peeling paint and rotten wood on exterior trim.
2. Guttering in need of painting or replacement.
3. Fences with either broken or missing parts or which are leaning.
4. Decks in need of repair.
5. Concrete or masonry improvements in need of repair.
6. Windows, window frames and screens broken, torn, or in need of repair.

Trash Removal Each resident is responsible for picking up litter on his property and preventing wind-blown debris from originating on his land. This includes newspapers, advertisements, etc. that are left in or near driveways, whether they were requested by the resident or not.

At no time is the Preserve Association Open Space considered a dumping ground for inorganic debris. Organic debris such as leaves, grass clippings and branches may not be dumped on Open Space. Yard waste is required to be recycled according to County specifications.

Erosion Control Each resident is responsible for seeing that their lot area is protected from erosion and that storm drain structures are not blocked so as to cause additional erosion problems which will silt up ponds and streams valleys.

Pesticides and Herbicides Pesticides and herbicides may be applied according to label instructions for the specified problem. Emphasis should be placed on organic/biodegradable materials in order to ensure the least harm to the natural environment. Care in application is extremely important along ponds and waterways, near neighborhood play areas and tot lots, and near adjacent residences. Avoid the use of pesticides and herbicides if at all possible, but when necessary, use with caution and follow instructions.

Pet Waste Each Preserve pet owners is responsible to clean up after their pet without exception. All pet owners are encouraged to use biodegradable bags and ensure the bag is deposited in your home trash can for routine pick up by our contractor trash collector.