

GUIDELINES for ARCHITECTURAL REVIEW and APPROVAL

Pleasant Pointe Property Owners Association of Virginia, Inc. Heathsville, Virginia 22473

Revised/edited: December 30, 2012

OBJECTIVE

The objective of architectural review and approval is to protect the overall natural beauty of Pleasant Pointe, and to maintain its property value.

ARCHITECTURAL REVIEW BOARD (ARB)

Covenant 3 of the *Declaration of Restrictive Covenants for Pleasant Pointe* states that “all buildings, additions, fences and other structures constructed or erected upon any lot shall be approved prior to construction, in writing, by the Architectural Review Board (hereafter cited as ARB) as to placement of buildings, landscaping and design. The ARB will be comprised of the Board of Directors of the Pleasant Pointe Property Owners Association or such committee as they may appoint.”

REVIEW AND APPROVAL PROCESS

The architectural review and approval process starts when a Pleasant Pointe property owner wants to make a visible, external change to his/her lot. Visible, external change includes: erecting a house, garage, pier or other structure; building an addition to or otherwise changing the external structure; appearance of a house, garage, pier or other structure; laying a driveway or road; erecting a fence or wall; installing a TV antenna or satellite dish for television reception; creating piles of lumber, dirt or other materials; and landscaping.

An individual who wants to make an external change to a property must submit a request in writing to the Chair of the ARB. The request must contain the following information:

- 1) property owner’s address, telephone number, and Pleasant Pointe lot number;
- 2) description of the new structure, addition, road, satellite dish, etc.;
- 3) drawing and list of specifications showing the shape, height, color and materials of the structure;
- 4) drawing showing property lines and the location of the proposed change in relation to those property lines;
- 5) copy of the Northumberland County building permit, if appropriate;
- 6) any other information that would assist the ARB in its review. (For example, an application for an addition should show the relationship of that addition to other structures on the property.)

The applicant must submit a request for ARB approval at least 30 days before the date of the proposed construction or other external change to the property.

Within 5 calendar days after receiving the application, the ARB Chair will send copies to other members of the ARB. The ARB will contact an applicant if additional information is required. Within 30 calendar days after receipt of all information pertinent to an application, the ARB

Chair will inform the applicant in writing of the Board's decision. If the ARB disapproves an application, reasons for the disapproval will be included in the letter to the applicant. A copy of each application and the ARB's decision will be provided to the Executive Committee of the PPPOA Board of Directors. If the ARB fails to act on an application within 30 days of receipt of all information pertinent to that application, or disapproves an application, the applicant may appeal to the Executive Committee.

APPLICABLE COVENANTS

The following Pleasant Pointe covenants will be used to review requests for a visible, external change to a property:

- 1) Each lot shall be for residential purposes only and shall be limited to one single-family residence and other such outbuildings as are normally associated therewith. All structures shall be constructed to generally conform in appearance.
- 2) Each dwelling shall contain a minimum of 1250 square feet of living area that shall not include basement, garage, carport, open porches, or decks.
- 3) All exterior construction must be completed and closed-in within 12 months after the start of construction. There shall be no finished exterior of block or cinder block.
- 4) In construction of a driveway into any parcel or lot, a 12-inch culvert or larger, if necessary, shall be used in constructing the driveway in order to prevent blockage of natural drainage.
- 5) No house trailers or mobile homes may be placed on any lot. Modular homes are permitted if placed on a permanent type foundation.
- 6) All dwellings must have at least a 4/12 pitch roof. No walled and/or covered structures may be constructed out over the water. This exclusion does not include docks or piers.
- 7) No part of any lot or improvement thereof shall be used for any purpose or manner which will be injurious or offensive to a residential neighborhood.

- 8) All trash and garbage shall be kept from public view. Unlicensed vehicles shall not be kept on the property. All sites shall be maintained in a neat and orderly appearance, including periodic cutting of grass.
- 9) A 10-foot utility easement is reserved on both sides of all side lot lines, and a 15-foot utility easement along all roads.
- 10) The PPPOA or any owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservation, liens and charges now or hereafter imposed by the provisions of this agreement.
- 11) In the event any owner fails to discharge his or her responsibilities as set forth in these documents, the Board of Directors of the PPPOA, upon a 3/4 majority vote, after 15 days notification to the owner, shall have the right to enter upon said lot to remove any offending material or object.

GUIDELINES

General

- 1) All structures must be consistent with Northumberland County building codes.
- 2) All structures must be adequately maintained.
- 3) Exceptions to guidelines may be granted by the ARB with concurrence of the Executive Committee of the PPPOA Board of Directors. All exceptions must be requested and granted in writing.

Original Structure

- 1) The first structure on a Pleasant Pointe lot must be a house consisting of at least 1250 square feet of living area, excluding basement, garage, carport, open porches and decks.
- 2) All exterior construction of the house must be completed within 12 months after the start of construction.

Garage, Shed or other Outbuildings

- 1) All garages, sheds, and other outbuildings must conform to the Pleasant Pointe covenants.
- 2) Garages, sheds or other outbuildings must conform to the architecture of the house.
- 3) Prefabricated and other buildings made of metal must be approved by the ARB, must have proper foundations, be properly secured and maintained in a like-new condition.

Porches, Patio Covers and Related Additions

- 1) Porches, patio covers, and related additions must be constructed in accordance with Northumberland County building codes and conform to the architecture of the original residence.
- 2) Structures should be installed to withstand normal adverse weather conditions.
- 3) All such structures must be maintained in good condition.

Swimming Pool

- 1) Pools, whether above ground or in-ground, must conform to Northumberland County

building codes and meet all Virginia and Northumberland County requirements for safety.

- 2) Pools must be maintained in good condition.

Driveway and Walkway

- 1) A driveway or walkway shall not be closer than two (2) feet from a lot owner's property line. Overall width of a driveway shall not be greater than that needed for two full-sized cars. **[Revision: A minimum clearance of 12 feet wide by 12 feet high shall be maintained to accommodate fire and emergency vehicles. Therefore, bushes and trees shall be trimmed and maintained accordingly].**
- 2) A driveway or walkway shall be constructed of a commonly-accepted material.
- 3) The driveway or walkway surface must be properly maintained.

Fences and Walls

- 1) Fences and walls must complement in style and color other structures on the lot.
- 2) Fences and walls must be maintained in a like-new condition.
- 3) The area outside a fence or wall, but still on the owner's lot, must be maintained in a neat and orderly condition.

Antennas and Related Structures

- 1) All antennas must meet currently applicable Federal Communications Commission (FCC) licensing rules and regulations. CB/Ham radio equipment must also meet all FCC rules and regulations. The installation of an antenna does not require ARB approval, but the antenna should not be unsightly and should be securely fastened for safety.
- 2) ~~Satellite dish antennas must be approved prior to installation, should be as small as possible and no wider than 4 feet, and must be placed so that they are not readily visible from the road.~~ **[Revision: Approval is no longer required for installation of dish antennas used for television and/or Internet.]**

Trees, Hedgerows and Other Vegetation of a Permanent Nature

Vegetation shall be planted so that future growth will not extend unduly beyond a neighbor's property line. Exceptions to this requirement are made for bushes or trees which existed when the lot was purchased

Piers

- 1) Piers shall be constructed to meet U.S. Army Corps of Engineers specifications as spelled out in "Consolidation, Modification and Extensions of Regional Permit", CENAO-OP-P 90-RP-17, the *PPPOA Guidelines for Architectural Review and Approval*, plus any Virginia or Northumberland County ordinances or regulations that apply.
- 2) Plans for construction of a pier must be approved by the ARB prior to construction.
- 3) The construction plans should include a map showing the location of the proposed pier in relation to the owner's lot, and in relation to adjoining lots.
- 4) The construction plans should be approved by the owners of the adjoining lots before being submitted to the ARB.
- 5) The design, placement and construction materials for the pier shall complement other

structures on the lot.

- 6) A pier shall be constructed so that any point on the pier is at least 20 feet from a neighbor's pier.
- 7) Piers shall be maintained in good condition.
- 8) Any revision to pier plans must be approved by the ARB prior to construction.

Signs

No sign larger than one square foot shall be displayed on any lot, except temporary signs not more than 10 square feet advertising a lot for sale, or temporary signs erected in connection with construction of a building.

Animals

No animals of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, and other household pets may be kept, provided they are not raised, bred, or kept for commercial purposes.

Exterior Maintenance

All structures (residence, garage, pier, etc.) shall be maintained in good condition. In the event an owner fails to maintain any structure or addition thereto in a satisfactory manner, the PPPOA Board of Directors shall have the right to enter upon the property and repair, maintain, and restore the lot and the exterior of any structures. The cost of such maintenance shall be added to and become part of the assessment to which the lot is subject (see Covenants 12 and 14).

Appeal Procedure

If an application is disapproved by the ARB, the applicant may appeal in writing to the Board of Directors of the PPPOA.

Complaint Procedure

If a property owner has a complaint about a structure or installation on another property, the complaint should be submitted according to the procedure delineated in [*Appendix A: Complaint Procedure*](#), as approved by the PPPOA Board of Directors on May 25, 2022.

PLEASANT POINTE PROPERTY OWNERS PPPOA OF VIRGINIA, INC.

POLICY RESOLUTION No. 1

COMPLAINT PROCEDURE

(For the resolution of complaints from PPPOA, Inc. members and others)

WHEREAS, pursuant to Section 55-530(E) of the Virginia Code, the Virginia Common Interest Community Board (“CICB”) has promulgated final regulations imposing a requirement that each common interest community (including condominiums, property owners associations and cooperatives) adopt a reasonable procedure for the resolution of certain written complaints from the members of such associations and other citizens; and

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the Pleasant Pointe Property Owners PPPOA of Virginia, Inc. (“PPPOA”), acting through its Board of Directors, hereby adopts and establishes the following CICB-mandated association complaint procedure for handling written complaints concerning actions or inactions allegedly inconsistent with state laws and regulations governing common interest communities:

A. Definitions

Unless otherwise defined in this Resolution, the words, terms, or phrases used in this Resolution shall have the same meanings as defined in the CICB regulations and/or in the PPPOA’s recorded covenants.

B. Complaint Form

If a member of the PPPOA, a resident, or other individual alleges that an action, inaction, or decision of the PPPOA Board is inconsistent with state laws or regulations governing common interest communities, then that individual (“Complainant”) must submit a formal written complaint (“Complaint”) to the Board, using the attached Complaint Form (Exhibit A) in order to initiate the formal procedures described below.

1. Complaint Form Instructions and Attachments

A completed Complaint Form ([*See Exhibit A below*](#)) must include a description of the specific facts and circumstances relevant to the individual’s Complaint, and the specific action, result, or resolution that is being requested. If the Complainant submitting the Complaint Form knows the law or regulation that has been allegedly violated or is otherwise applicable to the Complaint, then the Complainant must provide a reference to that law or regulation on the Complaint Form. The Complainant must also attach to the Complaint Form a copy of any documents that Complainant believes support the validity of the Complaint (not including laws, regulations or the PPPOA’s governing documents).

A copy of these complaint procedures (including the required Complaint Form) will be available upon request from the PPPOA by contacting the PPPOA Secretary, by USPS mail or email at the address shown in the next section.

C. Delivering Complaint to the Board of Directors. The fully completed, signed and dated Complaint (including the Complaint Form and all attachments) shall be mailed, emailed or otherwise delivered to the Board at the following address:

By Mail:

PPPOA, Inc. Secretary
P.O. Box 65,
Heathsville, VA 22473

By email: pleasantpointeva@gmail.com (Attach the Complaint Form as a signed pdf document).

D. Means of Providing Notices to Complainant

All written acknowledgments or other notices required by these procedures to be provided by the PPPOA to the Complainant shall be mailed by registered or certified mail, return receipt requested, to the Complainant at the address provided on the Complaint Form, or by facsimile transmission or email if the Complainant has previously provided the PPPOA with the Complainant's written consent to communicate with them by electronic transmission. The Board shall retain in the PPPOA's records proof of the mailing, delivery or electronic transmission of the acknowledgments and notices per Section H below.

E. Acknowledging Receipt of Complaint

Within seven (7) days of receipt of a Complainant's Complaint Form, the Board shall provide the Complainant with written acknowledgement of the PPPOA's receipt of the Complaint ("Acknowledgment Letter"), in a form similar to [Exhibit "B" \(below\)](#).

1. **Incomplete Complaint.** If the submitted Complaint appears to the Board to be missing the required minimum information, then the acknowledgment of receipt shall include notice to the Complainant of the identified problem(s) with the Complaint and the Complainant will be advised that they will need to submit a revised/corrected Complaint before it can be accepted and forwarded to the Board for consideration.

F. Formal Action. Consideration of Complaint by Board

All completed, signed, and dated Complaints forwarded to the Board shall be considered by the Board at a meeting, and the Board shall decide what action, if any, to take in response to the Complaint.

1. **Meeting at which Complaint will be considered.** Complaints will be considered by the Board at a regular or special Board meeting held within 90 days from the date on which the Complaint was forwarded to the Board for consideration.
2. **Notice to the Complainant.** At least fourteen (14) days prior to the Board meeting at which the Complaint will be considered, the Board shall provide the Complainant with notice of the date, time, and location of the Board meeting at which the matter will be considered by the Board. This Notice may be combined with the acknowledgment of receipt referenced in Section D above.
3. **Board's Decision on Complaint.** The Board shall make a decision on the Complaint by an appropriate vote of the members of the Board at the meeting pursuant to the PPPOA's

governing documents. The Board's decision at the meeting shall fall into one of the following two categories:

(a) A decision that there is *insufficient information* on which to make a final determination on the Complaint *or that additional time is otherwise required* to make a final determination, in which case the Board shall postpone making a final determination on the Complaint until a later scheduled Board meeting (announced at the meeting or by giving at least 14-day notice to the Complainant) and, if needed, make a written request for additional information from the applicable party(s), specifying a deadline by which time the additional information must be received by the Board; or

(b) A *final determination* on the Complaint, indicating whether the Complainant's requested action or resolution is, or is not, being granted, approved or implemented by the Board. A final determination may include, for example, a decision that no action will be taken on the Complaint due to the Complainant failing to timely provide additional information that was requested by the PPPOA. No appeal process is available; the Board's rendered decision is final.

G. Notice of Final Determination

Within seven (7) days after the final determination is made (per subsection F.3.b. above), the Board shall provide the Complainant with written notice of the Board's final determination. The notice of final determination shall be dated as of the date of issuance and include:

1. Specific citations to applicable provisions of the PPPOA governing documents, laws, or regulations that led to the final determination;
2. The PPPOA's registration number as assigned by the CICB ; and
3. Notice of the Complainant's right to file a "Notice of Final Adverse Decision" with the CICB via the CIC Ombudsman (contact information provided in Exhibit A).

H. Records

The Board shall retain, as part of the PPPOA's records, a record of each Complaint (including the Complaint Form and attachments, related acknowledgments and notices, and any action taken by the PPPOA or Board in response to such Complaint) for a period of at least one (1) year from the date of the PPPOA's final action on the Complaint.

I. Resale Disclosure Packet

A copy of this Resolution (including the *Exhibit A: Complaint Form*) shall be included as an attachment to PPPOA-issued resale certificates.

Pleasant Pointe Property Owners PPPOA of Virginia, Inc.

EXHIBIT A: ASSOCIATION COMPLAINT FORM

POLICY RESOLUTION NO. 1: “PPPOA COMPLAINT PROCEDURES”

Mailing Address:

By USPS Mail:

PPPOA, Inc. Secretary

P.O. Box 65,

Heathsville, VA 22473

By email: pleasantpointeva@gmail.com (Attach the Complaint Form as a signed pdf document).

Pursuant to Section 55-530(E) of the Code of Virginia, 1950, as amended, the Board of Directors (“Board”) of the Pleasant Pointe Property Owners PPPOA of Virginia, Inc. (“PPPOA”) has established this complaint form for use by persons who wish to register written complaints with the PPPOA regarding the action, inaction or decision by the PPPOA or its Board inconsistent with applicable laws and regulations.

1. Legibly describe your complaint in the area provided below, as well as the requested action or resolution of the issues described in the complaint. Include references to the specific facts and circumstances at issue and the provisions of Virginia laws and regulations that support the complaint. If there is insufficient space, attach a separate sheet of paper to this complaint form. Also, attach any supporting documents, correspondence and other materials related to the complaint (not including copies of laws, regulations or the PPPOA’s governing documents).

2. Sign, date & print your name and address below and submit this completed form to the PPPOA at the address shown above.

Printed Name

Signature

Date

Lot Number

Pleasant Pointe Street Address:

Permanent Address (if different from above):

Street address

City

State

Zip code

Please complete the following, and check your Contact Preference:

- Phone: _____
- E-mail: _____
- US Mail: _____
- Other: _____

If, after the Board's consideration and review of the complaint, the Board issues a final decision adverse to the complaint, you have the right to file a notice of final adverse decision with the Common Interest Community Board (CICB) in accordance with the regulations promulgated by the CICB. The notice shall be filed within 30 days of the date of the final adverse decision, shall be in writing on forms provided by the Office of the Common Interest Community Ombudsman (Ombudsman), shall include copies of any supporting documents, correspondence and other materials related to the decision, and shall be accompanied by a \$25 filing fee. The Ombudsman may be contacted at:

Office of the Common Interest Community Ombudsman
Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, VA 23233
(804) 367-2941

Email: CICOmbudsman@dpor.virginia.gov

EXHIBIT "B": ACKNOWLEDGMENT

BY REGULAR AND CERTIFIED MAIL RETURN RECEIPT REQUESTED OR EMAIL, IF THE COMPLAINANT HAS PROVIDED THE INFORMATION

Pleasant Pointe Property Owners PPPOA of Virginia, Inc.
P.O. Box 65
Heathsville, Virginia 22473

[Date]

Re: ACKNOWLEDGMENT OF RECEIPT OF COMPLAINT

Dear [Name]:

This letter shall serve as notice that Pleasant Pointe Property Owners PPPOA of Virginia, Inc. ("PPPOA") has received your Complaint filed on [Date]. Your Complaint will be considered by the Board of Directors at its meeting to be held at [Location] at [Time] on [Date]. You are welcome to attend and to present any information or witnesses that are relevant to your Complaint.

(If further information is required of Complainant)

[After an initial review of your Complaint, it has been determined that the following additional information or documentation is necessary for full consideration of your Complaint by the Board. Please present the information and documentation requested, or a written explanation stating the reason(s) the requested information and documentation cannot or will not be submitted by [Date].]

If you have any questions please contact the PPPOA at [Phone].

Sincerely,

[Name], [Title]

EXHIBIT "C": FINAL DECISION

BY REGULAR AND CERTIFIED MAIL, RETURN RECEIPT REQUESTED OR EMAIL

Pleasant Pointe Property Owners PPPOA of Virginia, Inc.
P.O. Box 65
Heathsville, Virginia 22473

[Date]

[Complainant Name]

[Complainant Address]

[Complainant Address]

Re: NOTICE OF FINAL DETERMINATION ISSUED [DATE]

Dear [Name]:

At its meeting held on [Date] the Board of Directors of the Pleasant Pointe Property Owners PPPOA of Virginia considered the Complaint that you filed on [Date].

The Board's decision regarding your Complaint is as follows: [Summary of Decision].

The following PPPOA governing documents, laws or regulations led to this final determination: [Cite to relevant provisions of the governing documents, law or regulation].

You have the right to give notice to the Virginia Common Interest Community Board ("CICB"), through the Office of the Common Interest Community Ombudsman ("Ombudsman"), of any final adverse decision made by the Board in response to your Complaint in accordance with the Regulations promulgated by the CICB. The notice shall be filed within 30 days of the final adverse decision, shall be in writing on forms prescribed by the Ombudsman, shall include copies of all records pertinent to the decision, and shall be accompanied by a \$25.00 filing fee or a request for waiver. The PPPOA's CICB registration number is 0550004788 and the CICB's contact information is:

Office of the Common Interest Community Ombudsman
Virginia Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233
(804) 367-2941

cicombudsman@dpor.virginia.gov

If you have any questions please contact the PPPOA at [Phone].

Sincerely,

[Name], [Title]