

ARCHITECTURAL AND SITE DEVELOPMENT STANDARDS
FOR RIVERS BEND SUBDIVISION
SEPTEMBER 8, 2007

ARTICLE I
PURPOSE AND INTENT

The following standards are established for the enhancement of property values for the residential community of Rivers Bend Subdivision through the managed development of appealing home sites with harmonious but diverse architectural styles. The quality of environment for the community will be enhanced by strict adherence to controls, restrictions and guidelines established by Rivers Bend Association. To that end the Architectural Review Committee will be appointed to strictly enforce the architectural and site development restrictions.

These standards are developed to provide guidance to Lot Owners and Builders under the requirements for Architectural Control in Article VI of the Declaration of Restrictions and Regulations, Rivers Bend Association, Amended April 2006. Lot Owners and Builders shall comply with these standards before building any new structure or changing an existing structure, including house, outbuilding, fence, wall, or other improvement.

ARTICLE II
DEFINITIONS

- (a) Association – Rivers Bend Association, Incorporated, a Virginia corporation, its successors and assigns
- (b) Builder – an individual or organization, properly licensed by the Commonwealth of Virginia as a general contractor, constructing an individual house or houses at Rivers Bend Subdivision. If the lot owner is acting as the contractor, the requirement for licensing is deleted.
- (c) Common Areas – those areas within Rivers Bend Subdivision that are owned by the Rivers Bend Association, Inc. for the sole use of the Association.
- (d) Architectural Review Committee (ARC) – committee established by the Rivers Bend Association, Inc., comprised of association members for review of all architectural design, construction plans, landscape plans, site development, and maintenance for the residential community of Rivers Bend Subdivision.
- (e) Lot Owner – the record owner, whether one or more persons or entities, of a fee simple title to any lot which is a part of the properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.
- (f) Declaration – “Declaration of Restrictions and Regulations, Rivers Bend Association, Amended April 2006”.

ARTICLE III
ARCHITECTURAL REVIEW COMMITTEE

Membership: The Architectural Review Committee (ARC) shall initially consist of three or more association members appointed by the Board of Directors. The members of the committee may be altered by the Association in accordance with the bylaws of the Association. Membership would benefit by including individuals with diverse backgrounds and experience.

Procedures: The ARC is empowered to administer and regulate the architectural style and site development restrictions included herein. All construction on individual lots and Common Areas to be included in Rivers Bend Subdivision residential community shall be reviewed by the Committee. Lot owners and Builders desiring to construct any improvement at Rivers Bend Subdivision shall submit one copy of each set of plans to the Chairman of the ARC. Members of

the ARC may meet formally or informally to discuss compliance of the submissions with the restrictions of the subdivision. The Committee shall be prompt in its responsiveness due to financial concerns of all parties involved. Thirty days will be allowed for the review from the date of receipt of the complete initial submission package as defined in Article IV. At the end of the thirty day period the ARC may:

- (a) Approve the plans in writing;
- (b) Deny approval of the plans in writing;
- (c) Approve the plans in writing subject to certain conditions or suggested changes;

When revisions are required, amended plans should be resubmitted within three weeks for final approval prior to the commencement of site clearing or any construction activity.

Authority to Waive Requirements: The ARC has the authority to waive the requirements set forth herein, but may do so only when the intent and quality required of the design elements at Rivers Bend Subdivision are satisfied. The Association's Board of Directors must approve waivers granted by the ARC.

Indemnification: The ARC is indemnified against and shall be held harmless by the Association and each lot owner for any legal action caused by errors, omissions or delays caused by its deliberations. Each lot owner acknowledges that the ARC is not responsible for engineering, designing or constructing structures and each lot owner agrees for their respective lot to indemnify and hold the ARC harmless from liability for any such responsibilities.

Appeal: Any decision or determination of the ARC may be appealed by the affected lot owner to the Board of Directors.

ARTICLE IV SUBMISSION REQUIREMENTS

Local Code and Ordinance Compliance: No architectural or site restriction contained herein alleviates Builders or Lot Owners within Rivers Bend Subdivision from compliance with local, state, and federal regulations governing development or construction, including the Chesapeake Bay Preservation Act.. In the event of conflict between restrictions contained herein and governmental regulations, the more restrictive shall apply.

Submission Packages: Initially, a Schematic Design, Initial Site Design, and estimated construction schedule shall be submitted to the Chairman of the ARC. Once the initial plans have been approved, a Final Architectural Design, Final Site Design, Material Selection package, and updated construction schedule shall be submitted to the Chairman of the ARC. Specific requirements follow for each of the above documents:

Schematic Design: One set of plans, to include floor plans and elevations, at a scale of not less than 1/4" to one foot. Description of proposed features such as color and exterior finishing should be included.

Initial Site Design: Initial site plan at a scale of 1" = 20'. At a minimum, each site plan must include setback, side and rear yard lines, all building locations, driveways, parking areas, and walks. Plans for preserving existing vegetation should also be indicated with this design.

Final Architectural Design: Final architectural plans and details (one set) at a minimum scale of 1/4" = one foot.

Final Site Design: Final site plan at a scale of 1" = 20'. At a minimum, each site plan must include setback, side and rear yard lines, all building locations, driveways, parking areas, and walks.

Material Selection Package: In conjunction with final architectural and site design as outlined above, a Builder or Lot Owner shall submit samples of all exterior colors and materials to be included in the proposed construction.

ARTICLE V SITE DEVELOPMENT REQUIREMENTS

Types of Construction: All primary structures shall be built and/or assembled on site. Mobile homes will not be approved.

Design Diversity: No more than two homes based on the same design shall be built in Rivers Bend. Designs should differ from existing homes in proportion, color, roof material and finish details, to include siding, foundation materials, colors and other substantial details such as porches, decks, and other attachments.

Size: In no event shall any house have a foundation footprint, or if the living area is not at ground level, then a footprint for the living area, of less than 1000 square feet, excluding garage, carport, deck, porch, or any unheated areas. In addition, designated water front houses shall have a total minimum living area of 1200 square feet. Refer to Declaration, Article VI, Section 5.

Setbacks: Permanent Structures must be located according to the following set-backs: Ten (10) feet on each side, twenty-five (25) feet in the rear, and fifty feet from the middle of the road in the front. Non-permanent structures may not be located within the set-backs. Refer to Declaration, Article VI, Section 6. This is more restrictive than the county requirement.

Foundations: Foundations for primary structures shall be made of masonry or poured cement. Surface finishing shall be added to exposed parts of the foundation, with the same finishing on all sides.

Erosion and Sedimentation: Builders and Homeowners are required to comply with “minimum criteria for erosion and sediment control” of the Virginia Erosion and Sediment Control Handbook, 1985 or subsequent edition and all building code requirements of Northumberland County.

Erosion along waterfront: Erosion control should be limited to rip-rap or biological measures. Bulkheads or groins are discouraged, except in extreme cases where a lot, structure, or neighboring structures are in danger of destruction. Application for a bulkhead or groin must be accompanied by certification from a geological engineering study that states that such a structure is required to stabilize the affected land. Lot Owners should work with the Northumberland County Land Use Office when planning for shoreline erosion control and must obtain all required permits prior to beginning the project.

Protection of Existing Vegetation: A building lot shall not be cleared prior to site plan approval. Tree protection measures must comply with the erosion control measures and the Chesapeake Bay Preservation Act. The Association intends to preserve as much of each building lot in a Natural State as possible. Lot owners are strongly encouraged to preserve existing healthy trees and native shrubs especially along roads and boundaries, except in the immediate construction area or where such trees threaten damage to a neighboring structure. Invasive plant material, trees, and vines must be removed to discourage destructive impact.

Grading and Drainage: Grading and drainage construction within the site shall not be constructed so as to visually detract from other residences. Subsurface drainage may be required where necessary, to resolve unusual surface or subsurface drainage conditions.

Driveways, Walks & Terraces: Driveways, walkways and terraces shall be constructed of materials of compatible quality to the architectural materials in the house. Driveways and

parking areas shall be laid out in an efficient and aesthetically pleasing manner. The recommended construction materials are gravel, brick masonry, flagstone or slate set in a porous bed, oyster shells, and river rock. Use of solid surface material is discouraged due to possible environmental damage from runoff.

Storage, Workshops, Garages, Service and Refuse Facilities: Freestanding storage sheds, workshops, garages or any other structures located on a building lot must be designed and located as an integral part of the house and its site plan. These structures should incorporate appropriate landscaping, walkways and fencing as well as be of the same architectural style, finished materials and a compatible color as the primary structure. These requirements also apply to gazebos and playhouses.

Fencing: All fences shall be subject to ARC approval. Chain link fencing, wire fencing or the like will not be approved. Fences should complement the architectural style of the house.

Lighting: It is recommended that all light sources be recessed, indirect, shielded or protected by plant material or architectural barriers. High intensity lights on poles and street lamps are prohibited.

Lawns and Planting: The selection of plant material should be made with consideration to the effects on neighboring properties.

Utilities: Utility lines shall be buried on the lot from the easement to the structure. The lot owner or builder should work with the utility companies to minimize disruption of service to neighboring properties and to complete installation within the easements in a timely manner.

Construction Signs: Only one construction sign per site is allowed. Such signs shall not exceed 18" square. Construction signs shall be removed subsequent to final inspection of the house. All required permits must be displayed.

Waste Material Control: Builders shall maintain construction sites to minimize the impact on the neighborhood and adjacent properties. If an on-site trash container is not used, then the Builder must maintain a clean appearance of the building site by collecting and disposing of waste material and litter on a daily basis.

Construction Work Schedule: Builders shall conduct work activities to limit nuisance or annoyance to the neighborhood. Refer to Declaration, Article VIII, Section 8.

ARTICLE VI MAINTENANCE REQUIREMENTS

Post Construction: After review and approval of construction by the ARC, no structure shall be altered or expanded without the written approval of the ARC. For some projects, such as replacement of existing components (windows, doors, porch materials, etc.), all described documents will not be required; however application for the project must be submitted with appropriate documentation.

Right of Rivers Bend Association, Inc. to Intercede: Any lot, site or structure which fails to comply with the high standards of maintenance and appearance is subject to action by Rivers Bend Association, Inc. Where maintenance and appearance standards are not acceptable, Rivers Bend Association, Inc. may intercede at the Lot Owner's cost and maintain such a site or structure.

Standards of Appearance: Guidelines for appearance and maintenance shall be reviewed and modified from time to time by the ARC or by the Rivers Bend Association, Inc. The Lot Owner's responsibility for maintenance is specified in Article VII of the Declaration.