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# Architectural Guidelines

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Of The Association



JULY 25, 2023

RAINTREE OF ALBEMARLE  
Homeowner's Association

Minor clarification (see page 3) added September 2023.

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RAINTREE OF ALBEMARLE  
HOMEOWNER'S ASSOCIATION  
1086 Snowden Drive  
Charlottesville, VA 22901  
[RainTreeHOA@Comcast.net](mailto:RainTreeHOA@Comcast.net)

July 25, 2023

## Architectural Guidelines

### General

Permanent facilities that may appear in violation of these guidelines and were in place prior to July 25, 2023, are not affected. These guidelines apply only to modifications that take place on or after July 25, 2023. Successors in title to affected properties referenced are “Grandfathered,” and are not required to make modifications of existing structures upon their purchase of the property.

The Board of Directors (BOD) acting through the Architectural Control Committee (ACC) hereby designated as the Board of Directors' Executive Agent for these matters, must approve any change to the exterior appearance of any house or lot before work is started. The BOD shall appoint officers to the committee per Article 4.03 of the Amended and Revised By-Laws for a period of one year or as otherwise required to fill vacancies. The number of officers will be determined at the time of appointment. The BOD provides oversight of the ACC. In the event of disagreement with the ACC, or on cases of appeal of any ACC decision, the BOD retains final authority. In any such case, the BOD will fully consult with the committee to seek a majority consensus.

The intent of these guidelines is to “preserve and enhance the Lot values, to maintain a harmonious relationship among structures and the natural vegetation and topography and to conserve existing natural amenities.” (Article 4.03 RainTree Covenants).

These guidelines do not supersede Article IV of the RainTree Covenants. Conversely, they supplement Article IV and provide additional guidance. Since the original covenants were adopted in 1983, there have been several federal regulations, and legal opinion that deserve clarification and directly affect the provisions in the covenants. The Board of Directors may change these guidelines based on the needs of the community.

No improvement, alterations, (including exterior painting), repairs, excavations, cutting of trees, changes in grades, major landscaping, or other work which in any way alters the exterior of any Lot or improvements located thereon shall be made or done until the plans, restrictions,

workings, drawings, and proposals for the same showing the nature, kind, shape, type, materials, color, and location thereof shall have been submitted to and approved in writing by the Board of Directors or the Architectural Control Committee. No building, fence, wall, residence, or other structure shall be commenced without prior written approval of the Board of Directors or the Architectural Control Committee.

The Board of Directors and/or Architectural Control Committee will consider only written requests from homeowners. Renters will forward all requests to the BOD or Committee through the appropriate homeowner. Requests can be submitted electronically to [RainTreeHOA@Comcast.net](mailto:RainTreeHOA@Comcast.net) or directly to the address on the Application Form.

Applications should be submitted to the Architectural Control Committee or the Board of Directors. If applications are submitted to the Board of Directors, they will be forwarded to the Architectural Control Committee for review and action.

**Minor changes to the appearance or modification of the homeowner's property do not require that homeowners submit a completed HOA Architectural Change Request (ACR) Form. A simple e-mail request is sufficient. If further information is needed or if a completed ACR form is required, the requester will be notified. In a simple request, an e-mail approval from the Board of Directors or Architectural Control Committee is all that is needed for approval and therefore authorizes the homeowner to immediately commence the requested modification(s). (This clarification was added September 2023.)**

Each request is considered on an individual basis. A decision is determined on the request's merits, and it is not automatic approval or disapproval. A completed request should include the HOA Architectural Change Request (ACR) Form downloadable from <https://www.raintreecville.org/faq.html> or on request from the Association. Please outline in detail all proposed improvements, alterations or changes to your lot or home. Include color(s), size(s), specifications, materials, location, and any other pertinent information needed by the Committee to decide on approval or denial of the request. Please submit a sketch or photograph of the proposed alteration, as it will appear when completed.

- The Board of Directors and/or Architectural Control Committee will not approve any alteration that would have an adverse or deleterious architectural or topographical effect on neighboring properties or common areas.
- The appeal process: If a homeowner's application for alteration is disapproved by the Architectural Control Committee or Board of Directors, the homeowner may:
  - Resubmit a modified plan.
  - Submit new or additional information that might clarify the original plan and demonstrate its acceptability. In doing this, homeowners are invited to meet with the Architectural Control Committee or Board of Directors.
  - The Homeowner can submit a request for reconsideration, in writing, within thirty (30) days after the final disapproval of a request by the Architectural Control Committee or the Board of Directors, to the Board of Directors.
  - The Virginia Condominium Act and Property Owners Association Act provide that for the Association to legally enforce any violation of the rules it must have given the violator an opportunity to be heard and be represented by counsel at a meeting of the Architectural Control Committee or the Board of Directors.

- After having exhausted all appeals, should the homeowner fail to abide by the final decision of the Association, and construct the structure or initiate an action in violation of the Association's decision, the issue will be referred to the Association's attorney for appropriate action.

**Adherence to Albemarle County building and zoning codes is the responsibility of the owner. Approval by the Committee or Board of a project does not relieve the owner from the responsibility of obtaining building, work permits and code requirements from the Albemarle County authorities.**

## Structural Improvements or Additions

### Entrance Walks and Replacement

- The pavement composition for a new walk leading to an entrance shall be in keeping with the materials in adjacent walks and/or the architecture of the building it will serve. If a material is proposed which does not appear in the building being served (brick versus concrete) or in the adjacent pavements, review of the pavement plan by the ACC will be required.
- Replacement of entrance walk materials for aesthetic or maintenance reasons will generally be reviewed favorably if they fall within the requirements set forth above.
- Where repair of the existing pavement is required, the new patched area shall match the adjacent pavement material and color and be installed to form a smooth continuous surface which will allow the runoff to storm water without ponding.

### Expanding Driveways

- Extension, widening, or re-routing of existing driveways requires Association approval before work is started. Generally, only hard-stabilized surfaces, such as asphalt or concrete will be approved. The Association will not approve gravel, sand, or landscape rock driveway extensions.
- When constructing, replacing, extending, widening, or re-routing of existing driveways matching material must be used. Reasonable extensions and widening of driveways will ordinarily be approved provided drainage patterns are not changed to affect neighboring lots.
- Detailed plans are to be submitted, showing the front, side, and top view of the addition. and how the addition interfaces with the house. These plans should include the dimensions.
- Structural improvement or additions should maintain the same architectural theme as currently exists in RainTree. More specifics are identified on the actual request form available on the RainTree Website <https://www.raintreecville.org/faq.html> or on request from the Association.

## Home Additions

- The design must be compatible in scale, massing, character, materials, and color with the original house.
- The location of the addition should not have an adverse impact on neighboring properties or impair the view of neighbors.
- Additions should be located to minimize the removal of trees and the destruction of natural areas. The Association may require supplemental landscape treatment to compensate for any removal of vegetation or to soften the visual impact.
- New windows and doors should match and be located to relate well with existing windows.
- Changes in grade or drainage must not adversely affect adjacent property.
- If possible, roof pitch should match the original roof.
- Setbacks must follow County Codes/Regulations and appropriate permits must be obtained by the owner.
- Major features of the house, such as vertical and horizontal lines, projections, and trim details, shall be reflected in the design of the addition.
- Roof slope, siding, bricks, trim, and all other materials on additions should match existing construction materials.
- For house additions or the installation of detached structures, copies of construction plans and specifications must accompany the application.

## Garages and Carports

- Detached garages and carports shall relate appropriately to the house and its environment. Specific site and design considerations will be evaluated on their individual merits.
- Garage doors shall be straightforward and without ornamentation. They can be with or without windows and must blend with the supporting structure.
- Roof construction and ridgelines shall relate to those of the applicant's house.
- Requirements for Home Additions apply to this category.

## Swimming Pools

- Plans are to be submitted to the Board of Directors using the form cited above. The plans should show the pool location within the lot, the dimensions of the pool, the type of construction (inground/above ground) and the dimensions of any decking or concrete apron around the pool.
- Swimming pools are only permitted in the backyard of a property.
- Fencing surrounding the pool must also be approved.
- An above-ground pool will most likely not be allowed.

## Hot Tubs/Spas and Jacuzzis

As with swimming pools, applications for installation of hot tubs, spas, etc. must be submitted in advance of planned installation/construction. The application must contain complete descriptions, dimensions, and proposed location with the following requirements:

- Hot Tubs/Spas and Jacuzzis are only permitted in the backyard.
- If the Hot tubs and Jacuzzis are incorporated into an existing/planned deck or patio the requirements specified in the section permitting Decks applies.
- Free standing hot tubs and Jacuzzis are permitted.
- The Association will act on these requests in an expeditious manner.

## Gardens

All gardens designed to produce vegetables should be in the rear (backyard) yard. Approval from the Association should be obtained if the garden is visible from any street. These gardens are not normally permissible in front or side yards.

## Greenhouses

Greenhouses shall be allowed in the rear (backyard) of the house. The greenhouse shall maintain a continuity of building lines, materials, etc., with the primary structure. Approval from the Association is required.

## Patios and Ground Level Decks

Patios provide a means for ground level extensions of indoor space with less visual impact than elevated decks. When a patio or deck schemes include extensions, other exterior changes may be necessary such as fencing, decks, lights, plantings, etc. Please refer to other appropriate sections of these guidelines prior to applying. The location of Patios shall be in rear yards only. In extenuating circumstances, the Association may consider side yard exceptions.

## Decks

Decks are an extension of the house and thus have a significant impact on its appearance. Decks are to be in the backyard of the house.

All deck applications are to include dimensions and height of deck. All decks must meet Albemarle County building codes. Decks may also affect the privacy of adjacent properties and all these factors are weighted heavily. Also, other items considered are:

- Modifications to existing decks shall provide continuity in detailing, such as material, color, and the design of railings and trim.
- Maintenance of the existing deck does not need approval unless there is a change to the design or color, etc.
- Deck configurations shall relate to the plan outline and window and door openings of the house where possible.
- Approvals of other exterior modifications, such as new exterior door locations for screened porches that are a part of the deck application, are contingent upon completion of the deck.
- Privacy of adjacent homes shall be considered when planning decks.

## Application for a Deck

The application should include:

- Site plan showing dimensions and relation to applicant's house, adjacent houses, and property lines.
- Description of materials, including color and any proposed plantings.
- If applicable, sketch or photograph showing, in elevation or perspective, the relation to the applicant's house and adjacent houses.

## Porches

- The homeowner is entitled to repair or make modifications to an existing front yard porch. Association approval is not required for general upkeep and repair that maintains the existing design of the porch. In no case will screening be permitted on front yard porches.
- Screened porches are allowed in the back of the house and as part of a deck.
- Screens shall match the color of existing window and door screens.
- Special exceptions, with approval, may allow porches on the side of the house.
  - Screened porches will follow all guidelines as outlined for decks.
  - Screened porches will follow all guidelines outlined for an addition.
  - Screened porches will follow Albemarle County Building Code

## Storage Sheds

- A Storage shed may serve to conceal cluttered objects such as garden tools, trashcans, bicycles, etc. However, if not well planned and maintained, sheds may become neighborhood eyesores.
- Only sheds constructed of wood type materials are allowed.
- The shed shall be in backyards/rear yards only. It is the homeowner's responsibility to ensure the sheds are emplaced/constructed in accordance with county code.
- Materials (type of wood product) and the Colors of the shed's materials shall match or generally be compatible with the house or fence to which it is most visually related or physically attached. In most instances, this includes matching major materials such as siding and roofing, and dominant colors and construction details such as trim.

- Small, molded plastic tool sheds may be allowed depending on the color, style, and the location.

## Painting

- Repainting or staining to match the original colors of any structure does not require approval from the Association. Color changes apply not only to house siding, but also to doors, shutters, trim, roofing, and other appurtenant structures.
- Changes in color from the original color scheme do require approval from the Association. See Painting/Staining/Exterior Color Changes below.

## Fences

- Fences should only be constructed in the backyard.
- A rough sketch must be submitted to and approved by the Board of Directors or the Architectural Control Committee (if so designated) prior to construction.
- Fences should be a maximum of 5 ft. in height so as not to limit the panoramic view. Taller fences may be approved provided that the pickets are spaced to provide a see-through ability. A seven-foot privacy/ stockade fence would limit the view of our neighbors and most likely would not be approved.
- Fences should be made of unpainted preserved wood.
- Gates should match fencing in design, color, material, and height.

## Recommended Types of Fences

The following is a listing of preferred fences within the community. The Association will consider variations upon request.

### Picket

- Can be used on side and back yards as well as any fencing that faces the street.
- This classic wood fence style features evenly spaced pickets, providing some visibility while maintaining security. This style is best for those who want a secure boundary that's still welcoming to guests and neighbors.
- Usually 3 to 4 feet high, these fences are named for their widely spaced pointy-topped or rounded pickets, which discourage climbing and shed raindrops.



### Split-Rail

- Can be used on side and back yards as well as any fencing that faces the street.
- This simple wood fence style dates to colonial days. Using logs “split” lengthwise into fourths or eighths as rails, two to four are placed between posts with plenty of space between them. Can be covered with wire mesh to control pets and keep children inside the yard.



### Post-and-Rail

- Can be used on side and back yards as well as any fencing that faces the street.
- Post-and-rail fences feature long, smooth-cut rectangular timber rails suspended between large posts. These fences are not as rough and rustic-looking as split-rail fences. This

fence can also be covered with wire mesh to control pets and keep children inside the yard.



### Board-on-Board (Stockade)

- Should only be used on the back and side of the yard that adjoins an adjacent homeowner's rear lateral property line. This fence should not face the street. For forward facing, the front facing portion should be of the recommended type.
- This is a type of privacy fence made by attaching every other picket to the opposite side of the rail. The overlapping design results in a sturdy, solid fence that's just as attractive from either side, though the additional material required adds to the cost.



### Side-by-Side (Stockade)

- Should only be used on the back and side of the yard that adjoins an adjacent homeowner's rear lateral property line. This fence should not face the street. For forward facing, the front facing portion should be of the recommended type.
- Another common privacy fence type, side-by-side fencing butts the edge of each board against the next to create a solid wall. Be aware: Any shrinkage of the board can result in gaps that compromise privacy.



### Shadowbox (Stockade)

- Should only be used on the back and side of the yard that adjoins an adjacent lateral homeowner's rear property line. This fence should not face the street. For forward facing, the front facing portion should be of the recommended type.
- This fence uses alternating pickets on both sides with a gap in between, creating a distinctive "shadow" effect. These gaps make it look solid when viewed head-on. But from an angle, you can see through to the other side.



## Wood Lattice Fence

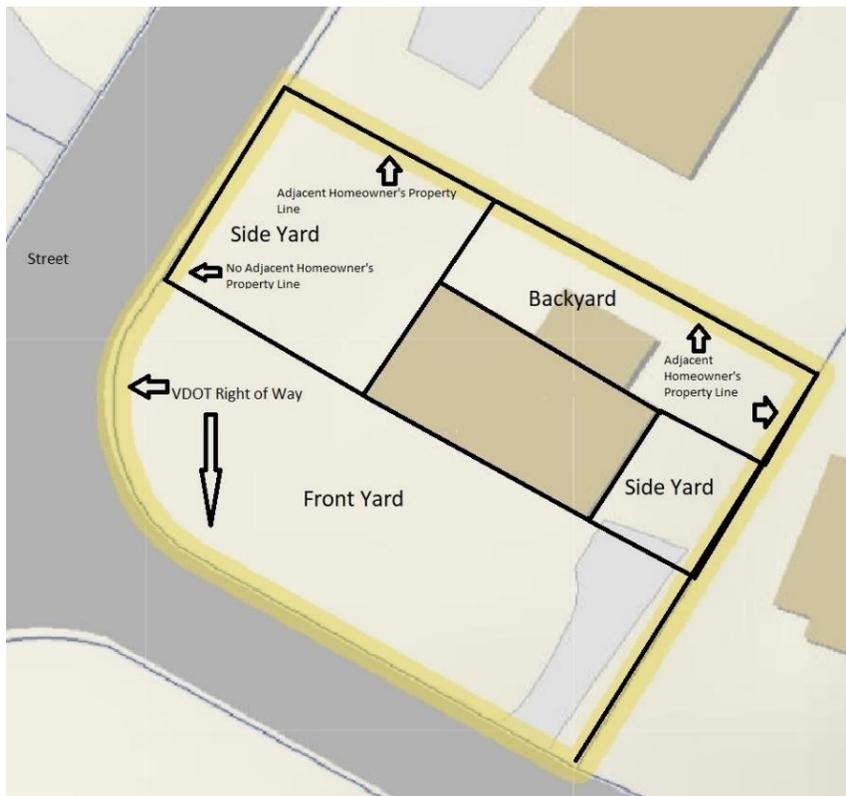
- Recommended for pool enclosures, patios and decorative entrance ways to a side or backyard as well as any fencing that faces the street. Flowers, plants, etc. may be integrated into the design.
- Similar to the lattice on a garden trellis, lattice fencing features crisscrossed strips of wood, creating an attractive, ornamental design.



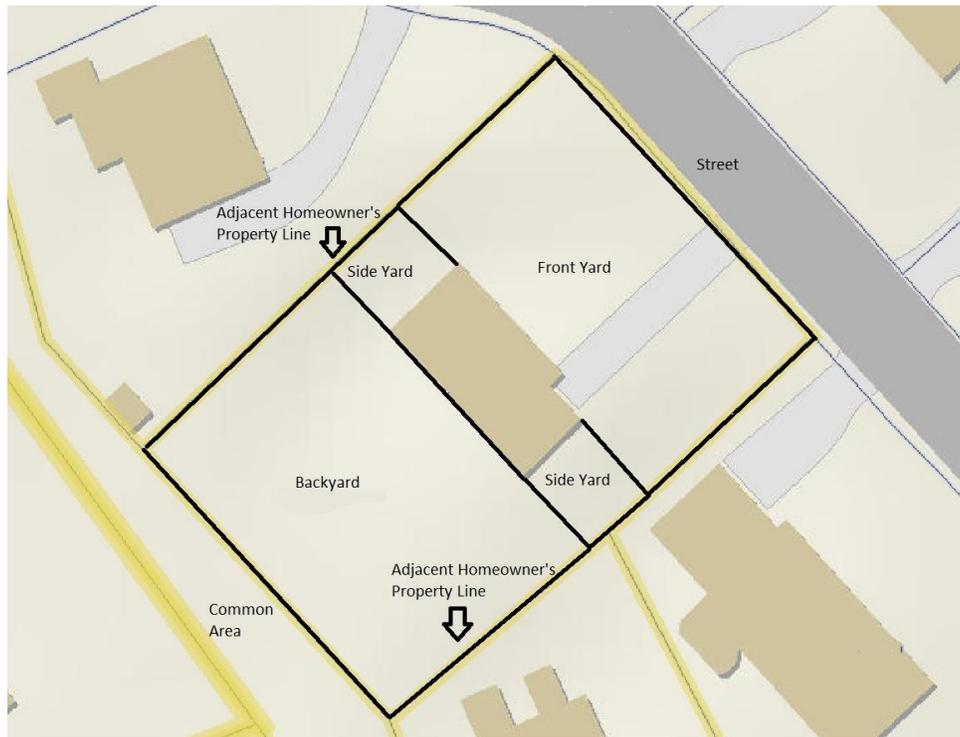
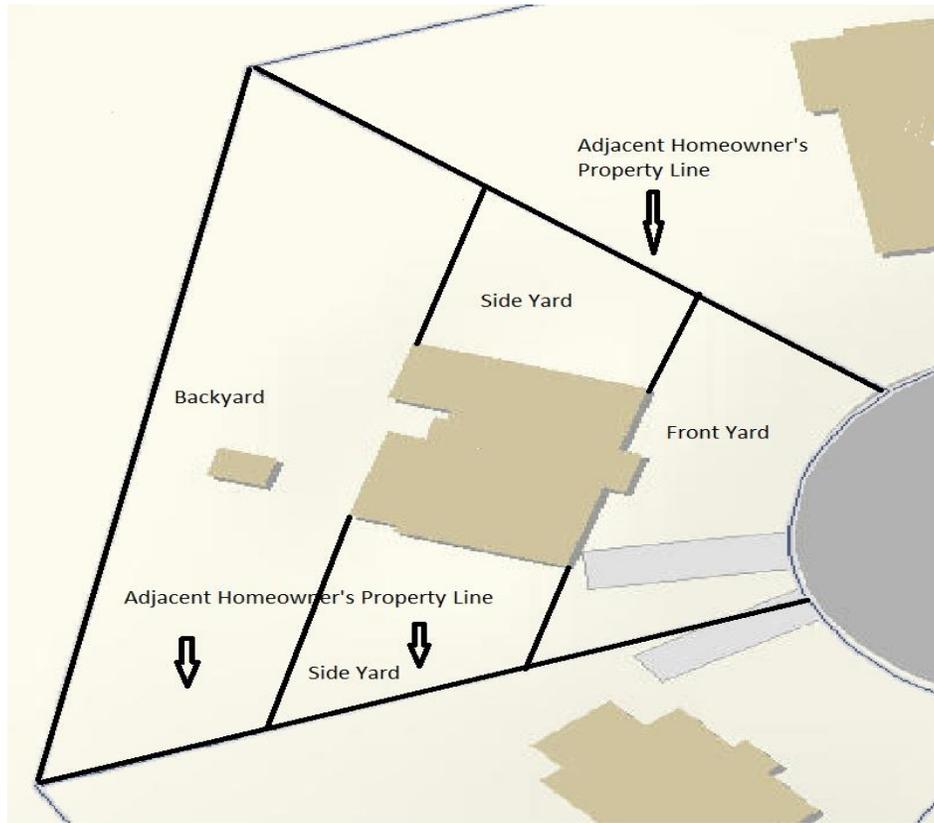
## Yard Definitions

- Front yard means the area from one homeowner's street facing front lot line to the other side homeowner's street facing front lot line and between the main building and the street.
- Side yard means the area from the front yard line to the rear yard line and from the main building to a side adjacent homeowner's lot line. A side yard extends from the side of the house to an adjacent homeowner's property line.
- Backyard means an open space extending across the rear of the lot between the adjacent homeowner's side lot lines and being the required minimum horizontal distance between the rear lot line and the nearest point of the main building and does not openly terminate on a street.
  - A backyard is defined to extend the rear yard of a house at the rear of a building to another property line of an adjacent homeowners' property lines. This is what happens in normal circumstances when a fence is built within our community. It goes from the rearward property line to adjacent homeowners' lateral rearward property line.
  - In a "side yard/backyard" situation of a corner lot that does not adjoin two laterally adjacent homeowners' property lines; a backyard does not extend to an adjacent street.
  - Corner lot requests are decided on a case-by-case basis by the BOD and ACC. They are challenging but the Association will try to work problems out.

Examples of a corner lot with only one adjacent lateral homeowner's property line and adjoins a distant VDOT right of way:



Example of a lot that has two laterally adjacent homeowner's property lines:



## Recreational Facilities

- Basketball goals, volleyball nets, croquet, etc., are to be temporary. Recreational facilities are intrinsically intended for the use of humans. Any facility beyond the general scope of these sports items is at the discretion of the Board of Directors or Architectural Control Committee.
- Temporary fences constructed for dog training and the like within the front or side yard are to be put up prior to the training session and taken down within two hours after the completion of that training session, unless special exceptions are granted by the Association.
- Childrens' playhouses, swing sets, play sets, trampolines, small inflatable pools, etc. that are placed in the backyard of the property do not need approval from the Association.
  - The placement of these structures in a side yard, other than on a temporary basis, requires Association approval. In this case the homeowner needs to provide justification for this exception as well as a description of the item and a site map with the location of the item in the yard.
  - These structures are not normally allowed in the front yard of a property; however, exceptions for small items are considered on a temporary basis and where reasonable vegetative shielding is provided.

## Tree Removal

- Trees are NOT to be cut down in the common area without approval of the Board of Directors or Architectural Control Committee.
- Removal of branches and limbs from trees on the homeowner's property does not require approval. Removal of trees less than 4" in diameter does not require approval. Larger trees do require approval; however, this is a formality as most requests are normally approved.
- The following DOES NOT require Association approval.
  - Individual trees on your property that are detrimental to safety or property. Detrimental conditions may include physical intrusion by trees, roots, and branches on homes, vehicles, or other structures in a way that could cause personal harm, or damage to property.
  - Trees that are diseased and damaged by storms. A resident is required to take care of trees and tree branches located within the resident's lot or areas of responsibility, as applicable, particularly when removal is required for trees or branches that are fallen, decayed, diseased, damaged or show signs of falling or causing potential damage to property. For tree and large limb removal, hiring a tree professional is highly recommended.

## Drainage

If a homeowner desires a change in grade or other conditions of the lot that will affect drainage, then the request must identify any possible consequences on the application. Any changes that divert surface water to adjoining lots or common ground or otherwise change

drainage patterns will ordinarily not be approved. Also, approval will be denied if adjoining properties are adversely affected. Affected homeowners must be consulted before submission and approval.

## Antennas, Solar Panels and Other Vehicles

Article V, sections (i) and (j) of the Covenants are modified to provide exceptions to the below referenced sections:

- (i) No radio, television, or other type of antennae shall be affixed to or maintained on any lots or improvements thereto without the prior written consent of the association.
- (j) No school bus, commercial vehicles, or habitable motor vehicles may be kept on or stored on any part of the property except in an enclosed garage, nor shall any vehicle of any description be permitted to be repaired on any lot or the common area, except in an enclosed garage or other area completely screened from roads or adjoining property.

## Consumer-Owned Antennas and Satellite Dishes

FCC rules for over-the-air reception devices (OTARD) protect the rights of property owners or tenants to install, maintain or use an antenna to receive video programming from direct broadcast satellites, broadband radio services, and television broadcast stations in areas within the owner's or tenant's exclusive use.

The OTARD rule also applies to certain customer antennas that receive and transmit fixed wireless signals.

There are exceptions to the OTARD rule, including provisions for safety and preservation of historic areas.

The following antennas or dishes are covered by the rule:

- A dish antenna one meter or less in diameter that is designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite, including a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services.
- An antenna that is one meter or less in diameter and is designed to receive video programming services via broadband radio service (wireless cable), or to receive or transmit fixed wireless signals other than via satellite, including a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services.
- An antenna that is designed to receive local television broadcast signals.

If a covered antenna is being used as a hub or relay antenna, it may receive or transmit fixed wireless signals for the distribution of fixed wireless services to multiple customer locations if the antenna serves a customer on whose premises it is located.

Antennas used for AM/FM radio, amateur ("ham") radio, CB radio, or digital audio radio services are not covered by the rule.

## Installation of Solar Panels

Solar Panels are authorized for installation within RainTree with approval from the BOD or ACC per the following:

Code of Virginia § 55.1-1820.1. Installation of solar energy collection devices.

- As used in this section, "solar energy collection device" means any device manufactured and sold for the sole purpose of facilitating the collection and beneficial use of solar energy, including passive heating panels, or building components and solar photovoltaic apparatus.
- No association shall prohibit an owner from installing a solar energy collection device on that owner's property unless the recorded declaration for the association establishes such a prohibition. However, an association may establish reasonable restrictions concerning the size, place, and manner of placement of such solar energy collection devices on property designated and intended for individual ownership and use. Any disclosure packet pursuant to § [55.1-1809](#) given to a purchaser shall contain a statement setting forth any restriction, limitation, or prohibition on the right of an owner to install or use solar energy collection devices on his property.

## Vehicles

As a matter of safety and in reference to a past decision of the Virginia Supreme Court, the association agrees to allow those types of vehicles identified in Article V, sections (j) of the Covenants permission, to park on the property owner's lot. This decision is supported by past homeowners' complaints of the safety risk caused by these oversized type vehicles being parked on narrow state-owned community roads. Approval of any such request will be based on the actual type and appearance of the vehicle, weight, dimensions, location, and in all cases, that it will not detract from the aesthetics of the community nor adversely affect the values of nearby homes within the community. A large yellow school bus would probably not be allowed as it would distract from the ambience of the community.

In any case identified in Article V, sections (i) and (j) of the Covenants, the homeowner must request permission from the BOD or ACC for installation of equipment or vehicle stationing using the HOA Architectural Change Request form at <https://www.raintreecville.org/faq.html>.

## Signs

- No signs will contain objectional language or images that are not in keeping with the family-focused atmosphere of the community.

- Signs advertising the sale of the property, political endorsement signs, religious endorsements, contractor advertisement signs (only during the time of actual construction), and celebratory signs to mark family events: birth, birthday, graduation, etc. are permitted. No other sign shall be erected on any property.
- A maximum of three political candidate signs are permitted on private property.
- All event-timed signs (political election, school graduation, birthday, etc.) must be removed within 7 days after the event.
- Real estate promotional events (open houses) are allowed only on the day of the event.

## Flags

- No flag should exceed 3' x 5' in size.
- American flags or decorative flags should be attached to the residence in such a way that it does not produce a negative appearance for the house or the neighborhood.
- Flagpoles are not allowed.
- Cotton or nylon flags are recommended.
- No flags will contain objectional language or images that are not in keeping with the family-focused atmosphere of the community. Flags that are obscene or vulgar, or that promote or condone discriminatory practices or organizations are forbidden. Any flags deemed so will be removed at the sole discretion of and by the Association.
- Flags must be kept in excellent condition. Faded or frayed flags are to be promptly removed.
- Small garden-type flags are allowed.

## Dog Houses/Dog Runs

- Dog houses/dog runs should be in the backyard so as not to be obtrusive.
- Doghouses shall be painted or stained to blend with their immediate surroundings or left to weather naturally.
- Molded plastic doghouses should also blend with the immediate surroundings.
- Landscaping may be required to soften the structures visually.
- Dog runs must generally follow fencing regulations and are erected in the backyard only.

## Landscaping and Planting

- In general, landscaping and planting do not constitute structures as defined by the covenants and hence do not require the approval of the Association. Conspicuous fruit and vegetable gardens should be restricted to rear (backyard) yards and should not be visible from the streets. Flower and decorative beds are permitted throughout the lot if they are in good taste.
- Hedges beyond five feet in height should not be placed directly along an adjacent front yard street.
- Trees, hedges, and shrubs are to be properly maintained and not allowed to become overgrown and unkempt.

## Painting/Staining/Exterior Color Changes

- The following specifications apply not only to the siding of buildings, but also to doors, shutters, trim, windows, etc.
- A request for approval is waived in cases where the homeowner wants to re-use existing colors.
- Newly selected colors must be harmonious with the other colors used on the structure, e.g., roofing and brick, as well as with the other colors used in the neighborhood.
- Association approval for a change in color, while required, is mostly a formality. Unless your color scheme is flashy and non-colonial like florescent pink, lime green, tiger stripes or bright purple with polka dots, the request will most likely be approved.

## Common Areas

- Please remember that this area belongs to all of us.
- Nothing should be stored in the common area.
- Nothing should be done in the common area which will increase our insurance rates.
- Homeowners are encouraged to cleanup and mow open areas.
- No structures are to be built in the common areas.
- Gardens are not permitted in common areas.
- No trees or bushes are to be removed without permission from the Association.
- No dumping of any materials onto common areas is allowed by anyone. Any violations will be cleaned up at the expense of the violator.
- Homeowners are encouraged to clean up and mow adjacent common areas. You can remove vines, brambles, thickets etc. and plant trees or shrubs if you like.
- We all own the common area, but you can make it look attractive from your yard. Enjoy that green space.

## Miscellaneous

- Exterior lighting should not be directed in such a manner as to create an annoyance to neighbors.
- Trash and garbage containers should not be in public view on the street except on days of collection or the evening before.

## Maintenance

As the RainTree community and homes become older, residents are responsible for maintaining the exterior of their dwellings and any other structures on their lots, such as decks, fences, sheds, and playground type equipment. RainTree homeowners are expected to maintain their home to generally accepted community standards, guidelines and in good condition. 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 items such as mowing grass,

removal of trash, and structural maintenance. Maintenance affects the visual character and economic values of the property and neighborhood, and in some cases, safety.

While it is difficult to provide precise criteria for what the Association deems as unacceptable condition, the following are examples that would be considered a violation of the architectural guidelines:

- Peeling or faded paint on exterior trim.
- Missing or damaged window(s), window screen(s) and door screens.
- Sheds with broken doors or in need of painting or other types of repairs.
- Open storage/accumulation of assorted personal use items such as seasonal recreational equipment, household furnishings, tools and equipment, power equipment etc., in areas visible to neighboring properties.
- Excessively overgrown grass and weeds. Lawn care adds value to the community and homeowners are responsible for mowing and trimming of grass at regular intervals,

## Compliance with the Americans with Disabilities Act (ADA)

- Civil Code Section 1360 requires Homeowners Associations to allow special needs owners to make modifications to their unit at the owner's expense to accommodate the owner's needs. Examples of such modifications may include power stairlifts, ramps or handrails.
- The homeowner requesting such accommodation must submit an Architectural Change Request form describing the scope of the requested accommodation.
- The request must include a statement from a medical professional recommending authorization for a specific type of accommodation. No medical determination is required in the statement, only a statement of need. When the medical recommendation is received, it will be validated, and the homeowner's record will simply state that the accommodation is approved. The Association will then immediately destroy the medical recommendation with no further dissemination.

## Home Occupations

Home occupations that do not generate foot or vehicle traffic are allowed if the business was properly approved by the Albemarle County's Community Development Department. Homeowners must apply for and receive an approved Home Occupation Clearance before commencing any business. Depending on the type of business conducted, different regulations may apply to that business.

- A home occupation is a business conducted out of the home in which you reside. This can include selling goods off-site or over the internet or doing the accounting and paperwork for a business performed in or at other people's homes, like tutoring, landscaping, or housecleaning, among others.
- Requirements for all home occupations are listed below.
  - The business must be performed by an occupant of the home.
  - Home occupations must not interfere with the quality and character of the neighborhood.

## Electrical Vehicle (EV) Charging Stations

EV Charging Stations are authorized for installation within the community. Homeowners must obtain the approval of the Association prior to installation.

- The application process is the same as for any other architectural change request. The Board of Directors or the Architectural Control Committee will act on the applications within the same timeframe as with the normal application process.
- Virginia statutes provide that the association can control the placement, size, location, and number of stations for any one owner with reasonable rules.
- The request for a charging station must adhere to the association's architectural standards and address all requirements in the application form. In general, these stations should be affixed to an existing wall and not be free-standing structures.
- The EV charging station should be constructed adjacent to a driveway.
- The homeowner must comply with applicable building codes or recognized safety standards.
- Any lot owner installing an electric vehicle charging station shall implicitly indemnify and hold the association harmless from all liability, including reasonable attorney fees incurred by the Association resulting from a claim, arising out of the installation, maintenance, operation, or use of such electric charging station.
- The homeowner must engage the services of a licensed electrician or engineer familiar with the installation and core requirements of an electric vehicle charging station to install the electric vehicle charging station.
- The Association does not have the authority to disallow extension cords extending from the house to an adjacent street to charge a vehicle if the cord is placed exclusively on the homeowner's property. The homeowner accepts all absolute liability for any adverse consequences that may happen to other persons or homeowners within the community in such a case.

**As always, the Board of Directors and the Architectural Control Committee will continue to work with each homeowner regarding their request to integrate their proposed enhancements into our community. At the same time, the Association will uphold our obligations to fellow homeowners who have ascribed to the standards of our community and whose commitments have maintained and enhanced the value of our properties.**

Visit our website at <https://www.raintreecville.org> for updated information.

Unanimously Approved by the Board of Directors:

DON LYON, President & Member of the Board of Directors

JOHN MCDOWELL, Vice-President & Member of the Board of Directors

BETH CHEUK, Secretary & Member of the Board of Directors