



**Twin Lakes Owners' Association Architectural Rules and Regulations**  
(Last updated: 5/14/19)

**A: FINES**

As of August 2017 all rules and regulations listed under this committee shall carry a fine when violated as defined by the nature of the violation.

**B: BUILDING REQUIREMENTS FOR ALL LOTS AND NEW CONSTRUCTION**

1. In the event construction is not started within six (6) months following approval of plans and specifications, such approval shall become null and void thereafter. If construction cannot be started within six (6) months a request for an extension of time shall be submitted to the Committee for consideration.
2. The exterior of all buildings or other structures must be completed within SIX (6) months after construction has started, except where such completion is impossible or would result in great hardship to the owner or builder due to strikes, fires, national emergencies or natural calamities. If not so completed, the unfinished structure, or any uncompleted portion of a structure may be deemed a nuisance and forthwith may be removed by the Association at the cost of the owner, and the exterior completed at the owner's expense.
3. No grading, excavation, clearing, fence, wall, building, or other structure or improvement and/or alteration to an existing structure shall be started, erected, or maintained, temporarily or permanently, without prior written approval of the Committee. In effect, the natural environment of any lot may not be disturbed in any manner until plans for its use have been reviewed and approved by the Committee.
4. All designs must be approved by the Committee. All homes must have a minimum 4/12 pitch roof design, must have more than four sides and/or more than one roof line, and overhang at gable ends, unless specifically approved by the Committee.
5. Changes in grade or drainage patterns must not adversely affect adjacent properties.
6. New home construction is prohibited in floodplains.

7. New home construction must have basements that do not exceed four feet above the natural lay of the land.
8. If an undeveloped lot contains a creek or other natural drainage of surface water, these creek beds or natural water channels may not be altered in any way.
9. All debris and brush from new construction must be hauled away. Burning of brush and debris is strictly prohibited.
10. New home construction should minimize any tree removal.
11. All site excavation must be contained by the owner or builder by the erection of a silt fence, placement of straw bales, or an earth berm in order to: a) prevent erosion of disturbed soils, b) control runoff to adjoining properties, and c) to control siltation into streams and lakes.
12. The minimum square footage requirement as outlined in the Covenants, restrictions, and Reservations with respect to individual units shall be interpreted to mean 1200 square feet of finished living area. While 1200 square feet of living space is a building requirement perhaps it would be desirable to exclude basement space in this unless the house is of a split-foyer/split-level type design. Exceptions to the square foot requirement may only be made by the Committee.
13. The preferred method of construction is stick built on site. Specifically prohibited under this paragraph are mobile homes, double-wide mobile homes, and modular homes. As an exception, the Committee may consider modular homes provided all other requirements of the Rules and Regulations have been fully met and the proposed structure has special architectural merit of design and appearance.
14. No sharply contrasting colors will be approved by the Committee. These colors include bright colors. The use of earth tones and natural colors which blend into the environment is strongly encouraged.
15. All crawl space foundations must be of a continuous foundation unless written approval is granted by the Committee.
16. (added 5/14/19) No septic pipes, lines, or other forms of waste transference is allowed to occur above, through, or below a running or seasonal waterway (stream, creek), due to the grave consequences to our waterways and lakes should there be a significant leak. This prohibition applies to new home construction, or septic system replacement, only.
17. (added 5/14/19) Construction sites must be kept neat at all times. A suitable receptacle (such as a dumpster) is required for the collection of construction debris on any lot where new home construction or major renovation is taking place.

## C. SUBMISSIONS TO COMMITTEE AND IMPACT FEES

1. In order to ensure that structures at Twin Lakes will preserve high standard of quality and construction, no building or other structure shall be erected, placed, or remain on the property until working plans and specifications, including a plat plan showing the location of buildings or other structures, terraces, patios, walls, driveways, the parking areas, property lines, and setbacks are submitted to and approved by the Committee as meeting the requirements of these Rules and Regulations.

2. The following documents must be submitted and/or requirements met before the Committee will consider any request:

(a) A complete set of working drawings and specifications of the proposed structure to include roof pitch as well as front, rear, and side elevations. If approved, the set of documents will be retained by the Association.

(b) Plat of lot with vicinity map.

(c) Site plan showing the following:

- Dimensions of lot.
- Placement of house foundation and 1st floor elevations to local data.
- Location of driveway and parking area.
- Location of accessory building and/or structures.

(d) List of materials and color to be used on the exterior, roof, foundations, etc.

(e) Impact Fee - All building plans submitted to the Committee after July 1, 1992 shall be accompanied by a non-refundable impact fee. The Committee shall not review or approve plans until this fee is paid. The amount of the fee shall be determined by the square footage of the structure to be built, as follows:

<b>Square Feet</b>	<b>Fee</b>
200 – 499	\$100
500 – 799	\$150
800 – 999	\$200
1000 – 1199	\$300
1200 and over	\$400
	\$1,000

## D: ROOFS

1. No black roofs for new homes. Existing homes (roof replacements), must either match existing shingle colors (being replaced or on secondary structures), or avoid using black shingles.

2. Roof colors that are in keeping with the natural/rustic setting i.e. grays, tans, browns, and the gray/whites. The Committee may consider bright colors such as reds/bright greens if the total architecture calls for it, such as a Spanish styled house, Bavarian styled chalet with red roof, etc.

#### **E. SETBACK LINES**

1. Setback lines established by the local jurisdiction are twenty(20) feet from the right-of-way line of any roadway or fifteen(15) feet from any rear or side lot. Location of structures within the setback lines shall be within the sole determination of the Committee. Commonly owned adjoining lots where the main structure is constructed across the common property line, prohibiting the construction of an additional main structure shall be granted a waiver of the setback requirements for that portion of the common lots only. All other setback lines shall apply.

#### **F. FENCES**

1. No fence of any kind or size shall be built or permitted to remain on any part of any lot except as approved by the Committee as to location, height, materials, design, color, and other pertinent visible characteristics.

2. Fences are not permitted in the front yard, except if no space exists at the rear or side of the house.

3. No privacy fences over 6' in height.

4. No fences within 15' of lakeshore.

5. Fence design shall be consistent and compatible with other approved fences in the neighborhood.

6. Fencing shall be composed of wood, composition, vinyl, or chain-link material.

7. Temporary fencing structures are prohibited.

#### **G: ALTERNATIVE SEPTIC SYSTEMS**

1. Homeowners are responsible for keeping their septic systems in good repair.

2. Alternative Septic System installation within the Twin Lakes subdivision is prohibited without prior written approval from the Board, which the Board is not obligated to provide. If approved, each Owner shall keep the septic system on the Lot in good repair and working condition and shall prevent offensive odors emanating therefrom. The following criteria, and other information and documentation requested pursuant to the Rules and Regulations, will be requested, submitted, and reviewed prior to Board consideration of installation of septic systems falling into this category:

- (a) Copy of certification and/or licensure of individual installing septic system will be provided to TLOA and only this individual will be approved for installation of specified system.
- (b) Any and all paperwork describing specified system to be submitted to Architectural Chairperson including, but not limited to, manufacturer, warrantee/guarantee description, and contact person for questions pertaining to specified system.
- (c) Copy of guarantee/warrantee on specified system for system itself by manufacturer and from contractor for system and installation of same.
- (d) References to areas already using new systems for visual inspection, personal inquiry regarding performance/success/failure of same available upon request.
- (e) Upon inspection of county health department, copy of documentation from same depicting acceptance/failure of specified system to be submitted to Architectural Chairperson.
- (f) Upon sale of property where system has been installed, first-time homeowner to sign acknowledgment of receipt of instructional booklet for specific system, to be provided by TLOA. Copy to be submitted to TLOA.

## **H: SECONDARY STRUCTURES**

1. No structure other than an approved dwelling shall be placed upon any unimproved lot at any time, with the exception of temporary shelters used by a Contractor during construction, it being clearly understood that these latter temporary structures may not, at any time, be used as residences or permitted to remain on the lot after completion of Construction.

2. The committee will consider requests from property owners for the construction and/or placement of storage sheds, garages, car-ports, and fixed-in-place play houses. All external structures require Committee approval. Homeowners are required to submit proper architectural approval forms to include dimensions, location, materials and color of proposed structure. Guidelines for external structure approval include:

- (a) Structures must be located so as to minimize their impact on neighboring properties, roadways, and common areas. The location should take advantage of screening provided by existing or proposed structures, fences, and/or vegetation. Wherever possible, attached built-in sheds and garages should be integrated into the design and architectural aesthetics of the house, walls, or fencing.
- (b) Structures Whenever possible, structures shall be located in the rear of the yard.
- (c) Structure color must closely match the exterior color of the residence, or complement the existing structures and/or environment in the choice of color. Play houses can optionally remain natural wood color. The Committee retains the right

to reject any color choices that it deems will detract from the beauty and value of the home and neighborhood.

- (d) Size of structure is generally limited to no larger than 192 square feet.
- (e) Quantity of combined sheds and garages allowed on one lot, is limited to two. Additionally, up to two play house's per lot are permitted. If the lot is larger than it was originally, as a result of combining original lots together (in accordance with the rules of the County and Association), the Committee can consider allowing a greater number of structures.

#### **I. INSECT, WEED AND FIRE CONTROL**

1. In order to provide for the common welfare and safety of the residents of Twin Lakes by implementing an effective insect, weed, and fire control, the Association and its agents have the right to enter upon any lot upon which a residence has not been constructed and upon which landscaping plan has been implemented, such entry to be made by personnel with tractors or other suitable devices, for the purpose of mowing, removing, clearing, cutting, or pruning underbrush, weeds, or other unsightly growth, which in the opinion of the Committee detracts from the overall beauty, setting and safety of the existing development. Such entrance for the purpose of mowing, cutting, clearing, or punning shall not be deemed trespass. The Association may likewise enter upon such land to remove any trash which is collected on such lot without entrance and removal being deemed trespass. The provisions of this paragraph shall not be construed as an obligation on the part of the Association to mow, clear, cut, or prune any lot nor to provide garbage or trash removal services. The cost of carrying out the provisions of this paragraph shall be assessed against the property owner or owners. However, no action under this paragraph will be taken without approval of the Board of Directors.

#### **J. EROSION CONTROL/COMMON AREA MAINTENANCE**

1. No owner of any property shall interfere with the natural drainage of surface water from his lot to the detriment of another property owner or to the lakes. This includes the construction of any structure that inhibits the flow of water from any body of water that empties into a lake.
2. Culvert pipes 15" or larger in diameter and 25' long shall be used for all driveways, unless prior approval of the Committee is obtained for a different length.
3. Straw bales and/or silt fences shall be used for erosion control to prevent soil wash into any stream, lake drainage ditch, or onto roadways, especially during the construction phase.
4. Downspout extensions (black plastic tubing) must be buried underground and the outflow directed away from neighboring properties.

## **K. TELEVISION AND RADIO ANTENNAS**

1. No free standing television antennas shall be installed on any lot. Roof and chimney television antennas may be installed without Committee approval. No radio transmitting antenna shall be constructed or permitted to remain on any lot in the development.

## **L. WATCH LIGHTS**

1. Watch lights installed on poles will be permitted on private property. Yard lights may be approved.

## **M. MODEL HOMES**

1. Must be approved by the Committee.

## **N. APPROVED LOT USAGE**

1. The properties shown as numbered lots on the Subdivision Plat Maps are restricted to the use of a single family, their household servants, and guests. Only one (1) residential building shall be erected on a lot. Such residential building shall be a single family dwelling only.

2. No residence or other building shall be occupied until the same has been substantially completed in accordance with approved plans and specifications, and an occupancy permit has been issued by the local jurisdiction.

## **O. NON-CONFORMING USE, VIOLATIONS, AND APPEALS**

### **1. PRE-EXISTING STRUCTURE**

Pre-existing structure built prior to January 1990 which does not conform to these Rules and Regulations may be continued as a non-conforming structure until the owner desires to improve, replace, change and/or make modifications to the structure. At this time the improvements, replacements, changes and/or modifications must conform to the Rules and Regulations contained herein.

### **2. VIOLATIONS**

Violation of or failure to comply with any of these Rules and Regulations by any member, or his or her family members, tenants, guests, or other invitees, may result in legal action taken against such member by the Board of Directors on behalf of the Twin Lakes Owners' Association. These Rules and Regulations may be enforced by any method normally available to the owner of private property in Virginia, including, but not limited to, application for injunctive relief or damages, during which the court may award to the Association court costs and reasonable attorney's fees as provided in Va. Code Section 55-513, as amended.

### 3. SANCTIONS FOR VIOLATIONS

In the event that any member, or his family members, tenants, guests, or other invitees, shall violate or fail to comply with these Rules and Regulations, such member shall be liable for the following described charges and subject to the following described suspension of such member's right to use facilities provided that such member shall have been sent prior written notification of the violation as provided in paragraph D below. The amount of any charges so assessed shall not be limited to the expense or damage to the Association caused by the violation, but shall not exceed \$50.00 for a single offense or \$10.00 per day for any offense of a continuing nature and shall be treated as an assessment against the member's lot for the purposes of Va. Code Section 55-516, as amended. However, the total charge for any offense of a continuing nature shall not be assessed for a period exceeding ninety (90) days. If a lawsuit is filed challenging any such charges, no additional charges shall accrue after the date of such filing. If the court rules in favor of the Association, it shall be entitled to collect such charges from the date the action was filed as well as all other charges assessed pursuant to these Rules and Regulations against the lot owner prior to the action. A member's right to use facilities or services, including without limitation utility services, provided directly through the Association shall be suspended if such member shall have failed to pay any assessments and such assessments are more than sixty (60) days past due. However, a member's access to his or her lot through the common areas shall not be precluded and such suspension shall not endanger the health, safety, or property of any lot owner, tenant, or occupant.

### 4. NOTICE OF VIOLATION AND HEARING

The Association, or its agent, employee, or attorney, shall deliver written notice of a member's violation by mail (and email if possible) to the member at the member's lot address or the member's last known address on file with the Association. Notices will be sent out at a time interval based on the severity of the violation, and include instructions on how to resolve the issue. The member is permitted to request a hearing at which time the member has the opportunity to be heard and to be represented by counsel before the Board of Directors prior to the imposition of any charges or punitive actions. Hearings are carried out at the end of our monthly Board meetings and must be requested in advance at least fourteen (14) days prior to the meeting. Written notice of the hearing result shall be mailed within three (3) days of the hearing to the member at the lot address or the member's last known address on file with the Association.

### 5. APPEALS

The property owner has the right to appeal decisions rendered by the Board pertaining to rule violations. Appeals must be made directly to the DPOR (Virginia Department of Professional and Occupational Regulation) within thirty (30) days from the date of the disapproval notice. The DPOR will attempt to handle the request and work with the Board and member to seek a resolution.



## 6. INVALIDATION

The invalidation by judgment or court order of any one or more of the Rules and Regulations contained herein shall in no way affect the validity and enforceability of the remaining provisions hereof.