



VAB Home Owners Association

Architectural Rules and Regulations

Established 2004

*The Villages
at Berwick*



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Architectural Rules and Regulations

ARCHITECTURAL REVIEW BOARD (ARB) - The ARB is appointed by the Villages at Berwick (VAB) Home Owners Association (HOA) Board. The ARB Board consists of three (3) or more persons who are Villages at Berwick homeowners in good standing, current in the payment of all dues and fines. ARB Board vacancies shall be filled by a majority vote of the ARB Board. The ARB shall regulate the external design, appearance and maintenance of the VAB Homeowner's Property. The ARB will review submissions and make decisions using their best judgment of what will be compatible with the character and appearance of the community. Authorization to amend this section is retained by the VAB HOA Board.

ARCHITECTURAL CHANGES - Homeowners must submit an ARB application, consisting of a fully completed ARB application form, including plans, specifications, pictures and any other supporting documentation. The ARB will approve, modify, or disapprove an application and inform the homeowner in writing, within sixty (60) days of the application being received by the ARB. The homeowner will receive written notification either from Association Services, Inc. (ASI), the Villages at Berwick HOA Management Company, or from the ARB itself. It will be the homeowner's responsibility to provide all additionally requested information in a timely manner. If a homeowner proceeds with an improvement without requesting approval from the ARB, the homeowner risks the potential of redoing or removing the improvement, and/or incurring a Violation and Fine. If the ARB disapproves a request, the homeowner may not proceed with the improvement.

The ARB will not consider or approve new construction that cites precedents or exceptions to the current published rules. Any changes to the exterior of the home are subject to review by the ARB. The ARB will speak directly with homeowners or their contractors when the nature of existing construction dictates a variance from the current published ARB rules.

A violation by a rental tenant or guest shall be treated as a violation by the homeowner. The owner shall receive the letters cited above which shall outline a complaint for a rules

violation committed by their resident. Owners may be required to remove any exterior improvement (at their expense) which did not receive ARB approval.

The subsequent ARB Rules and Regulations that follow may be amended, repealed, and adopted from time to time by the ARB. ARB Rules and Regulations will be published in the VAB HOA Association's newsletter or community website, if available. The VAB HOA Board will retain the Master and Official ARB Rules and Regulations. In cases when there may be a difference between published or unpublished versions of the ARB Rules and Regulations versus the VAB HOA Board Master and Official version, the VAB HOA Board Master and Official version will be definitive and final. Authorization to amend this section is retained by the VAB HOA Board.

BASKETBALL HOOPS AND BACKBOARDS - Portable basketball hoops and backboards may be used; however, they must be physically located on the homeowner's property and must not block the sidewalk, or the grass verge between the sidewalk and the street, or the street. Portable basketball hoops and backboards do not require ARB approval. Permanent basketball hoops and backboards will require ARB approval. All other recreational equipment will also require ARB approval.

BIRDHOUSE OR BIRDFEEDER - Birdhouses and birdfeeders are generally acceptable when installed in the backyard. Any other location will require approval of the ARB.

CARPORTS, ENTRANCE DOORS, AND SHEDS - No structure or modification of the home will be made without prior ARB approval. No structure, shed, tent, shack, carport, garage, barn, or other outbuilding shall be erected by the Owner or Occupant, on any portion of the Property, at any time, either temporarily or permanently, without the prior written approval of the ARB.

EXTERIOR BUILDINGS / SHEDS - All Building structures will require ARB approval and county building permit. Unapproved structures are subject to be removed at homeowners' expense. If there is a question not covered in the following, please contact an ARB member with your concerns before submitting an ARB request. All exterior buildings of any type will require an ARB approved fence prior to submitting for building/Shed approval. The exterior will match home design and appearance.

Permanent Structures - All buildings require ARB approval with detail outline/drawing before construction. All buildings will be built behind an ARB approved fence. Buildings must meet standard building codes for Chatham County and require building permits from local/county authorities. They must be constructed either on concrete slabs or on skids.

The structures roof and siding must be consistent (shingles and siding must match) with existing home appearance. The overall height shall not exceed 8 feet tall. The dimensions will be no larger than 12' X 14' X 8 feet tall. All county set back rules will apply.

Lagoon lots - will not be allowed any outdoor buildings or structures of any type. This is to allow unobstructed view of the lagoon.

Temporary Structures will be allowed but must conform to the following: (i) material must be plastic or metal, (ii) not to exceed 7.5 ft in exterior maximum height, (iii) not to exceed ten (10) ft wide by ten (10) ft deep, and (iv) allowed colors include tan, white, and brown. All set back rules will apply. These structures will require ARB approval.

All building structures will require an ARB approved fence in order to build/assemble any type of exterior structure.

Permanent means a structure that will stay with the property, either on a slab or a skid.

Temporary means a structure that can be easily removed or disassembled.

CLOTHESLINES - Visible clotheslines are not permitted. Fences, garage doors, or other visible structures will not be used as a clothesline.

DECKS, PATIOS, SCREENED PORCHES AND COVERS - All decks, patios, pergolas, screened porches, or covers will require prior approval by the ARB. Dimensions of the proposed completed structure with a clear statement of the materials to be used, plans, colors, a photograph of what the proposed project will look like when completed, and all specifications or options must be submitted to the ARB. Decks and patios must be natural in color, and should not extend past the width of the house.

DOGHOUSES - Doghouses meeting the following guidelines will not require ARB approval. Doghouses are restricted to (16) square feet and must be located in a fenced backyard. Doghouses must be installed at ground level, and must not be visible above the fence or from any public or Private Street. Dogs may not be tethered unattended.

DRAINAGE DEVICES - All drainage devices must be approved in writing by the ARB. Any modification impeding the flow of water is prohibited. Each owner shall maintain the grading upon his or her lot. A change in any drainage pattern must be approved by the ARB.

FENCES - All fencing **MUST** be approved by the ARB. Fence dimensions with materials, colors, and specifications must be submitted with the plans for ARB approval (Please include a drawing to show where the fence will go in relation to your property). Only **AFTER** ARB approval is given, the homeowner, or the homeowner's appointed contractor **MUST** obtain a building permit from Chatham County, **PRIOR** to starting construction. Fencing **MUST** conform to the following: start at the back line of the house unless it is not feasible to do so, in which case specific ARB approval **MUST** be obtained, be wood, be a uniform 6 feet high for a Non-lagoon lot, or a uniform 4 feet high for a Lagoon lot, will not be scalloped, pickets must be either shadow box or board-on-board style, if board-on-board style, the finished side **MUST** face out/be visible from the Community and the layout **MUST** be visually inspected **PRIOR** to ARB approval, color must be natural wood, or if stained, stain color must be natural wood that shows the wood grain, and if sealed, sealant color must be clear-coat. For Lots with woods in the rear, rear-facing fencing **ONLY** may be open style such as: metal railing, picket, split rail, or a combination of wood and metal, will be a uniform up to 6 feet high, and **MUST** require specific ARB approval. If a Corner Lot abuts Common property, fencing may not extend past the main building setback line on the side that abuts the Common areas. Installation of fencing which abuts another property, by nature of its existence, allows the abutting homeowner to tie-in, regardless of who paid for the original fencing. Fencing along Common property should be landscaped in front/outside of the fence to maintain the beauty of the Community. Any deviations to the above, due to extenuating circumstances **ONLY, MUST** be approved by the ARB.

FLAGPOLES - Flagpoles that are freestanding are prohibited, except as approved by the declarant for new home marketing. Flagpoles attached to the front of the house do not require approval as long as the length of the pole does not exceed 6 ft. Flags shall not be tattered or faded.

FLOWERBOXES ON WINDOWS - Window flower boxes that are the same base color of the house or trim color are permitted. All others need approval from the ARB.

FOUNTAINS/PONDS - Fountains and ponds of any kind will not be allowed in the front yard unless approval is received from the ARB. Approved items must be maintained in appearance and functionality.

HOLIDAY DECORATIONS - All holiday decorations must be removed within fifteen (15) days of the particular holiday or celebration. Consideration of neighbors should be exercised when decorating for any occasion. All holiday lighting should be considered temporary and may not be installed prior to (30) thirty days before the holiday and must be

removed within (15) fifteen days after the holiday. Decorations may not include any audio that can be heard beyond the limits of the lot.

HOUSE NUMBERS - House numbers as installed by the builder shall be maintained. Replacing builder installed house numbers or adding house numbers must have ARB approval prior to installation.

LANDSCAPING - All landscaping must be approved by the ARB in advance of installation. Eighty percent of the lot area, exclusive of the portion occupied by the house and original driveway, shall be covered with live vegetation cover. Gravel, mulch and similar materials shall not be considered live vegetation. Rubber mulch may be used if it is a dark, natural color (example: dark brown). No artificial plants or flowers shall be part of the landscaping. Living plants that are part of the landscaping that are being replaced because a plant or plants have died does not need ARB approval if they are similar species and size of existing plants. Each owner shall exert their best efforts to keep and maintain attractive, healthy, live and growing conditions for any and all grass, shrubs, trees, etc. on the property.

Vegetation Screening – vegetation screening for the purpose of deterring wild, terrestrial (ground) animals **ONLY** from landscaping beds **ONLY, MUST** have ARB approval **PRIOR** to installation. Vegetation screening must conform to the following: (i) must not exceed four (4) feet in height for both screen and stakes, (ii) the screen material must be black, plastic/polyresin (polypropylene), (iii) the mesh size must be at least 1.75 inches wide by 1.75 inches high, and must have square or rectangular openings, (iv) must use black, metal stakes (the ARB will consider green, metal stakes only if the homeowner shows due diligence that black, metal stakes are not available) not to exceed 1.25 inches wide and installed not less than five (5) linear feet apart.

LIGHTING - Removal of existing lighting installed by the builder is prohibited without approval from the ARB. Additional lighting installed must be approved by the ARB. Any and all exterior lighting installed on the lot shall either be indirect, or shall be of such controlled focus and intensity that it will not unreasonably disturb the neighbors or neighboring lots.

MAILBOXES - Mailboxes must remain in the original build standard of the vendor. The original vendor is Steel Craftsman at 912-826-3062. After a mailbox is damaged, the ARB should be contacted within 30 days, and a reasonable period is allowed for repair and replacement, if needed.

Mailbox Decorations – Lettering, art, sport teams (professional, collegiate, or high school) and house numbers are allowed on mailboxes **ONLY** with prior ARB approval. Holiday decorations do not need ARB approval and must follow the guidelines for Holiday Decorations.

PAINTING - ARB approval is required for repainting of any house that is painted differently than the original color. A sample paint swatch must be submitted with the request. The ARB may require that a sample area is painted with new color and trim before approval is granted.

PATIO FURNITURE - All patio furniture in the front or side of home must have ARB approval. Patio furniture must not be in landscaped or grass areas. Wood and/or wrought iron are encouraged.

POOLS - ARB approval is required before a pool is installed. Above-ground pools will not be permitted.

RECREATIONAL EQUIPMENT - All permanently installed exterior recreational equipment including play yards (swing sets, slides, tree houses, trampolines, etc.) must have the ARB approval. The maximum height of the equipment should not exceed 8 feet, with the exception of the community amenity area. Recreational equipment shall be located on any lot as not to be visible from any public street, and the homeowner must have fence prior to equipment being installed. No equipment installed for children’s recreational use, shall be installed or placed within the front or side yard of any lot or in any easement or common area adjacent to a lot.

RESIDENTIAL STRUCTURES - No residential out structures are permitted, except as provided in the Architectural Rules and Regulations and the Master Declaration of Covenants, Conditions and Restrictions for The Villages at Berwick; and all expansions/additions must be approved by the ARB. It is the responsibility of the homeowner, or their contractor, to obtain a building permit, after ARB approval, from the appropriate municipality prior to any building.

ROOF VENTS AND SHINGLES - All roof vents shall be painted a color to match the color of the roof. Roof shingles, if replaced, must be the same color and style as the shingles replaced unless otherwise approved by the ARB.

SATELLITE DISHES AND CABLE - The Villages at Berwick Homes Owners Association recognizes a homeowner's right to install a satellite, cable or other broadcast reception device to receive video-programming services. To accommodate the rules of the FCC as well as the Association's intention to maintain an aesthetically pleasing community, the Architectural Review Board would like to exercise its right to promulgate additional rules, regulations and restrictions by adopting the following policy and guidelines:

a. Satellite Dishes & Cable: Satellite dishes and cable devices that are designed to receive video programming services are allowed within the Villages at Berwick so long as such satellite dish or cable devices are (i) one meter or less in diameter, (ii) installed in the rear of the home in the least visually obtrusive portion of the common area where an acceptable quality signal can be received, so long as such installation is not unreasonably expensive, and (iii) the installation does not allow exposed cables/wires to be run along the outside of the building that are visible from the street. No pole installation in the common area or in locations visible from the street will be allowed unless it is accompanied by a written notice from the installer stating the current location is the only location where an acceptable quality signal can be received.

b. Other Broadcast Reception Devices: Any devices other than those described in Paragraph (a) above shall require Architectural Review Board approval prior to the installation of said device. Notwithstanding this approval, basic installation guidelines for said devices shall be similar to those defined above.

c. Notification: Approval from the Architectural Review Board prior to installing a satellite dish or cable is not needed as long as guidelines are followed pursuant to Paragraph (a) or (b) above. Additionally, the owner must complete and submit a Notification Form to the Association within five (5) days of installation. Failure to submit the required form will result in an Architectural Violation and possible fines until the Notification form is submitted or the satellite dish or cable device is removed. Owners are responsible for providing this notice to their tenants and submitting a notification form on their behalf.

SCREENS - To maintain the beauty of the neighborhood, bushes, plants, or fencing must be used to act as a 'screen' for trash receptacles and propane tanks that are visible from the street. If the homeowner selects fencing, it must be 48 inches high by 48 inches wide by 48 inches long. Due to the original builder's installation of the above, a variance to these measurements may be requested from the ARB. Approval from the ARB is required for the installation of screens to cover propane tanks and trash receptacles that are visible from the street. **Please refer to FENCES above, for ARB Fence requirements.**

SECURITY DOORS, STORM DOORS, SECURITY SYSTEMS - High quality, full panel glass doors, decorative wrought iron doors, or decorative aluminum doors may be installed after approval by the ARB. Any other door, any enclosure, or changes of the

original builder's design requires ARB approval. All other security systems or measures which are installed on the exterior of the house require the ARB approval.

SHUTTERS - Exterior shutters on windows need ARB approval. Shutters must match or accent the house trim color and be consistent with other homes in the community. Shutters must be maintained and should be replaced if damaged.

SIDING - Any replacement siding requires ARB approval.

SIGNS - Residents are permitted to display one (1) neatly painted "For Sale" or "Open House" signs no larger than six (6) square feet. One (1) "For Rent" or "For Lease" sign may be placed in a window ONLY and must be 18" x 12" or less. Builder lot signs are permitted. Political signs may be placed in your yard as part of your First Amendment right. However, in order to protect the aesthetic harmony of the neighborhood, only one (1) political sign not more than six (6) square feet is permitted to be placed in the front yard (as defined above) two (2) weeks prior to early voting. The sign must be removed within three (3) days after the election. Except for security alarm systems, all other commercial and advertising signs, including signs of contractors performing work at residence, are prohibited. Placement of signs and notices on fences, trees and other objects are prohibited.

SPAS - Spas must be approved by the ARB. The equipment must be located in such a way that it is not immediately visible to adjacent property owners, i.e. hidden by fence, shrubs, etc.

WATER FILTRATION SYSTEMS - Water filtrations systems must be at the back of the house and out of your neighbor's view.

WELLS - All wells require ARB approval. Shallow wells will be permitted for irrigation purposes only, and will be required to be within a fenced yard before approval is granted.

This does not prevent the Association from keeping a well for landscape purposes.

WEATHERVANES - ARB approval is required for any weathervane.

WINDOWS - ARB approval is required for the replacement of all windows not originally installed by the builder. Nothing may be placed in the window, which could be viewed from the street, such as window air conditioning, window HVAC units, or fans.

WINDOW TREATMENTS - Window tint used as an energy saver or for privacy issues must be approved by the ARB. No tinted, mirrored, brightly colored or other such window treatment may be installed which cause attention to themselves by virtue of these features. White lined draperies are strongly encouraged.

- ARB Rules January 1, 2007
- Amended March 18, 2010
- Amended March 19, 2010, ARB, line 1, and ARB Enforcement of Rules
- Amended April 14, 2011, Exterior Buildings/ Sheds
- Amended November 5-12, 2013, Amended to create separate Rules and Regulations pertaining to the Architectural Review Board and the VAB HOA Board, amended ARB and Architectural Changes paragraphs to clarify the authority of the ARB vs the authority of the VAB HOA Board, modified Satellite Dishes and Cable, modified Signs, and added Wells
- Amended December 12-13, 2013, Amended to modify Fences and Screens (the latter only due to Fences)
- Amended October 6-7, 2014, Amended to modify Architectural Changes, Landscaping (title only), Satellite Dishes and Cable, Screens, Signs, and Windows
- Amended October 8, 2014, Amended to modify Landscaping
- Amended October 14, 2014, Amended to modify Exterior Buildings / Sheds; Temporary Structures
- Amended August 18, 2015, Amended to modify Basketball Hoops and Backboards, House Numbers, and Mailboxes
- Amended May 2, 2018, Amended to modify Basketball Hoops and Backboards