

**“Bruton Glen” Homeowner’s Association**

**Attn. Board of Director’s**  
P.O. Box 5546  
Williamsburg, Virginia 23188-5546  
E-Mail: [BrutonGlenHOA@cox.net](mailto:BrutonGlenHOA@cox.net)

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**ARC Policy & Regulations**  
**(Homeowner’s Association Architectural Policy & Procedures)**

**Revised By BOD’s: November 2008**

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**Purpose:** This document serves to amplify and clarify requirements and restrictions set forth in the Bruton Glen Homeowner’s Association Covenants & By-Laws. It also serves as a guideline for ARC Officials and Board of Director’s to appropriately manage and regulate the provisions set forth in this policy.

**Policy:** In accordance to the Association’s governing documents (Covenants & By-Laws), the following provisions will regulate the construction, alteration, etc. pertaining to any and all properties associated with Bruton Glen Homeowner’s Association.

**Procedures:** In accordance to the Association’s governing documents as prescribed, all Homeowner’s acquiring property and/or residency in Bruton Glen will be subject to the provisions set forth in this policy.

All Homeowner’s are required to submit an ARC Application prior to any construction and/or alterations being rendered upon such property as prescribed in this policy and/or other associated governing documents. No construction and/or alterations as prescribed in this policy and/or Association’s governing documents will be permitted prior to receiving written approval from the Architectural Review Committee and Board of Director’s.

Any Homeowner submitting an ARC Application for constructing and/or altering any structure as prescribed in this policy and/or any other governing documents associated with the Bruton Glen Homeowner’s Association, will be subject to compliance and the provisions set forth in this policy.

All Homeowner’s violating this policy and/or governing documents will be subject to a violation fee as prescribed in this policy. All violations will warrant proper notification being submitted to the Homeowner associated with the property and the pending violation.

The following procedures will provide expedite and adequate processing of ARC Applications being submitted for approval and prevent delays in the processing procedures.

1. Homeowner’s will prepare and copy all required documentation to be submitted to the ARC upon submitting applications.
2. Homeowner’s will attach a copy of the required building permit if necessary, as prescribed by York County Code & Compliance regulations.
3. Homeowner’s will obtain an ARC Application available on-line at [www.brutonglen.org](http://www.brutonglen.org) or through the request of the ARC and/or BOD’s.
4. Homeowner’s will complete the ARC Application entirely, filling out all required information as prescribed on the application.
5. Homeowner’s will submit the ARC Application via U.S. Mail, E-Mail, etc., along with all pertinent documentation required.

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**Procedures (continued):**

6. Upon the submission and receipt of the ARC Application, the ARC will review the application and provide a recommendation to the BOD’s for its approval or denial within the time frame prescribed in this policy.
7. Upon the receipt of the ARC’s recommended decision pertaining to the application submission, the BOD’s will then review the ARC Application for completion and then submit a letter of approval or denial to the applicant (Homeowner), based upon the recommendation of the ARC and the pertinent restrictions as prescribed in the Association’s governing documents and/or County Code & Compliance Regulations.
8. Any incomplete ARC Application will be immediately returned to the applicant (Homeowner) for re-submission with all pertinent information, documentation, diagrams, and/or schematics, etc. required as prescribed in the Association’s governing documents.
9. Once an ARC Application has been returned to the Homeowner for inadequacy and re-submitted for review, it will again proceed through the application process as prescribed in the policy.



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**REGULATIONS:**

**DEFINITIONS & REQUIREMENTS:**

1. Any structure, whether designed for permanent installation or temporary use of more than three months, shall require the majority vote and approval of the Architectural Review Committee and Board of Director’s.
  - a. **Permanent Structure** – any addition such as a fence, deck, shed, swimming pool, etc. intended to increase the value of the home and of which are permanent in nature such as playgrounds, swing sets, etc.
  - b. **Temporary Structure** – any structure erected which is not permanent in nature, such as playgrounds, swing sets, that remain on the property of a dwelling for any period longer than three (3) months.
2. Any permanent structure erected must meet all York County Code & Compliance requirements and/or regulations. It is the responsibility of the property owner to apply for and receive any required permits before bringing the plan before the Architectural Review Committee.
3. Any permanent structure to be approved must be in keeping with current community aesthetics. Permanent structures that require vinyl siding and asphalt roofing, such as sheds, will be required to match the color schematic of the original dwelling. Any other permanent structure, not using vinyl siding or asphalt roofing, must be either natural wood in color or painted the same color schematic of the original dwelling.
4. Property Owner’s of temporary and permanent structures, in accordance with York County Code and Compliance regulation’s, are responsible for ensuring said structures do not become either a haven or breeding ground for rodents, mosquitoes, etc. Specifically, any structure that encourages standing water must be drained on a bi-weekly basis, so as to ensure the safety of our community residents. This does not include permanent structures, such as swimming pools, fountains, etc. which are treated and maintained with pool chemicals to assure proper cleanliness and maintenance.
5. The Architectural Review Committee must approve any changes to the original exterior dwelling color schemes before such changes are made. Examples of these changes include, but are not limited to, changes made to trim, porches, shutters, garages, doorways, and original siding.
 

**Note;** this does not refer to the maintenance and upkeep of said homeowner’s property, such as repainting of the same color scheme.
6. All other requirements concerning structures (temporary, permanent, and/or mobile) outlined in the Covenants & By-Laws remain in effect.

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- **Privacy Fences (Minimum Height 4’/Maximum Height 6’)** – all privacy fences must be constructed of pre-fabricated manufactured materials and/or wood (Pressure Treated or Cedar) and stained, or finished with a natural wood color, such as brown. The actual color must be presented along with the ARC Application and approved by the ARC & BOD’s. Privacy fences being constructed may not extend beyond the property lines set forth by the official survey of said property. It’s the responsibility of the property owner(s) to assure that the correct property survey lines are located and marked prior to construction. If necessary, the property owner may be required to have the property surveyed by an authorized, licensed surveyor.
- **Decks** – all decks must comply with York County Code & Compliance regulations and be constructed of wood (Pressure Treated or Cedar) or pre-fabricated manufactured composite materials approved by the State Building Code and adopted by York County Code & Compliance. Post construction of any deck must be finished with a natural wood color, such as brown or finished with a deck sealer, such as Thompson’s Water Seal. In some cases the color of the decking boards, etc. may vary from a natural wood color, which will require approval from the ARC prior to construction. The actual color must be presented along with the ARC Application and approved by the ARC & BOD’s.
- **Storage Sheds** – all storage sheds must comply with York County Code & Compliance regulations. Storage sheds may be constructed of wood or prefabricated kits using manufactured composite materials. All storage sheds must match the color schematic of the original dwelling or be of a natural color, such as beige, tan, etc. The actual color must be presented along with the ARC Application and approved by the ARC & BOD’s.
- **Landscape Structures (Trellis, Arbors, etc.)** – any landscape structure permanent in nature, such as an arbor, trellis, etc. must be approved by the ARC & BOD’s. These structures include arbors, trellis’s, etc. that are constructed of wood and/or metal materials but are not limited to pre-fabricated structures that may be purchased through vendors, such as Lowe’s, The Home Depot, Etc.
- **Driveway (Additions & Extensions)** – any driveway addition and/or extension must be approved by the ARC & BOD’s. Application submissions must include a schematic of the property and the addition and/or extension being proposed for construction. Driveway additions and/or extensions will be required to be constructed of concrete. Certain circumstances may require or permit driveway additions and/or extensions to be constructed of asphalt. These circumstances will be required to be outlined in the ARC Application and will be reviewed on a case by case basis. No gravel driveway additions and/or extensions will be permitted.
- **Walkway (Additions & Extensions)** - any walkway addition and/or extension must be approved by the ARC & BOD’s. Application submissions must include a schematic of the property and the addition and/or extension being proposed for construction. Walkway (Sidewalks) additions and/or extensions will be required to be constructed of concrete, landscape stone, etc. Certain circumstances concerning landscape walkways may require the use of other materials other than those prescribed and will be required to be outlined in the ARC Application and will be reviewed on a case by case basis. No gravel walkway additions and/or extensions will be permitted in front of the properties (Structures) set-back lines.

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**APPLICATION PROCESS:**

1. All applications must be submitted to the ARC Director, and/or ARC Chairman. Homeowner’s may elect to submit applications to the Association’s Board of Director’s - President or Vice President, which will then be forwarded to the ARC Director and/or Chairman for processing.
2. Applications may be submitted to the mailing address provided, direct submission (hand delivered), or via e-mail submission.
3. Upon receipt of the ARC Application, the ARC Director and/or Chairman will review the application for compliance and completion. Any ARC Application not completed entirely and/or lacking the appropriate documentation required, will be immediately returned to the applicant (Homeowner) for completion and re-submission.
4. The ARC Director and/or Chairman will then schedule and convene a meeting of the Architectural Review Committee at the earliest possible convenience, but no later than two weeks following receipt of the application by the ARC Director and/or Chairman. All applications must be reviewed by the Architectural Review Committee and approved or denied within thirty (30) days of receipt of said application, as prescribed in the Declaration of Covenants, Article VII.
5. Upon the decision and recommendations of the ARC in reference to submitted applications, the ARC Director and/or Chairman will then forward the application to the BOD’s for final review. Based upon the recommendations of the ARC, the BOD’s will convene to review the application and render a final decision to either approve or deny the application. This process may be convened through the use of electronic communications, such as e-mail, telephone, etc. in order to expedite the application process and prevent the delay of rendering a decision to the homeowner.
6. Each application submitted, whether approved or denied, will be further discussed and reviewed at the next BOD’s/Homeowner’s Association bi-monthly meeting.
7. Applications submitted without the required York County permits, will be automatically denied and immediately returned to the applicant. The ARC Director and/or Chairman may make such denials without convening a meeting for review by the Committee. This only applies to those applications requiring permits as prescribed by York County Code of Compliance Regulations.
8. Any decision made by the Architectural Review Committee and has received final approval by the Board of Director’s is considered to be final in nature. Applications denied may be resubmitted to the Architectural Review Committee if any relevant changes or recommendations outlined by the ARC and/or BOD’s as prescribed by the Association’s governing documents have been provided by the homeowner.
9. All ARC Applications submitted, must be presented with pertinent schematic, drawings, etc. at the time of submission to the Association prior to review. Any application and/or schematics being submitted to the Association **will not** be returned to the applicant upon approval, but will be retained on file with the Association. Homeowner’s are encouraged to maintain copies of the application and all pertinent documents prior to seeking approval.
10. Any application presented to the Architectural Review Committee which receives the approval of the Architectural Review Committee and Board of Director’s, will be validated for a period not to exceed one-hundred twenty (120) days or four (4) months, which ever is pertinent in relation to this approval.
11. Any new construction or improvement project requiring approval by the Association, which has not begun construction, but has been approved, will void such approval after the validated time period has expired as indicated above.

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**ENFORCEMENT:**

1. The Architectural Review Committee and/or BOD’s reserve’s the right to conduct inspections of home improvement projects at random periods. No notification to the homeowner will be required before making such inspections. At no time does this enforcement permit anyone on the committee or otherwise to exceed local or state laws pertaining to the homeowner’s right to privacy and/or private property restrictions.
2. Anyone can submit complaints about any structure, change, addition or improvement in the community to the Architectural Review Committee Director and/or Chairman either in writing via letter and/or e-mail or by verbal notification. Complaints may also be brought before the Association’s BOD’s for forwarding to the ARC Director and/or Chairman.
3. The ARC Director and/or Chairman will immediately review and investigate all complaints concerning any subject referred to in this document and/or the Association’s governing documents. The ARC Director and/or Chairman, will then make an assessment of the complaint referencing such matter as being either; **“In Violation”** or **“Not in Violation”** of the Association’s governing documents. This information will then, immediately be forwarded to the BOD’s President for dissemination to the homeowner and board members.
4. All violations concerning construction, alterations, etc. will be required submission of an ARC Application to the Architectural Review Committee for further review and consideration.
5. Upon notification to the Homeowner of any violation, the Homeowner will be required to cease construction and/or alterations of said project immediately, until an ARC Application has been submitted to the ARC and approved by the BOD’s. An initial fine of fifty dollars (\$50.00) will be imposed upon the property owner for any valid violation brought forth to the Association. This fine will be charged to the Homeowner’s account, upon the notification of violation being sent to the property owner.
6. A written notification of such violation(s) will be issued to the property owner and/or resident. Depending upon the violation, the property owner and/or resident will then have fifteen (15) to thirty (30) days to come into compliance with the Association’s governing documents.
7. After notification of such violation(s) has been rendered to the property owner and/or resident with non-compliance to the Association’s governing documents, the Association will then reserve the right to impose an additional fine as necessary. Additional fines may be imposed as follows;
  - a. After fifteen (15) days of non-compliance, the Association may then impose an additional fine in the amount of fifty dollars (\$50.00) for every 15 days following the initial notification.
  - b. After thirty (30) days of non-compliance, the Association may then impose an additional fine of one-hundred dollars (\$100.00) per month, until the violation has been rectified through either compliance or resolved by means of legal actions.
8. Furthermore, violations not corrected after thirty (30) days, and that are also in violation of York County Code Regulations, will have a copy of the violation notice forwarded to County authorities for further enforcement action. However, prior to any notification of violation being sent to any outside agency will require the approval of the Board of Director’s, validating that the violation notification provisions have been met, and to assure that the homeowner has received proper notification.