

**Solitaire Homeowners Association**  
**Architectural Change and Oversight Process and Guidelines**  
updated September 12, 2021

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The following process and policies are provided by the Board of Directors as guidance to the ACC and Solitaire homeowners, in accordance with the stated purpose of the covenants of the association, namely, to enhance and protect the value, desirability and attractiveness of real property owned by the membership. Compliance with the following process and policies is necessary for approval of a change request, but not does not ensure such approval.

**Architectural Control Committee**

Solitaire uses an Architectural Control Committee (ACC) to administer the process for approving changes to real property and its appearance, in accordance with the covenants. The ACC also oversees members compliance with the covenants' requirement in Article VII that properties be maintained "to the satisfaction of the Association." By buying in an HOA community, all Solitaire homeowners have agreed to follow the rules of the association. This means for example that there are both limits on the types of improvements that are permitted and maintenance requirements for landscaping and homes.

The ACC consists of the Board of Directors and two other members of the Association appointed by the Board. The current Board and ACC members are listed on the Solitaire HOA website Home page. The two association members along with one board member generally meet and act on matters before the ACC and the full Board is available when needed to decide any appeals from initial ACC decisions.

**Architectural Change Approval Process and Policies**

ACC decisions on change requests require agreement by three of the ACC members, generally ACC decisions are made by the two association members and one board member. However, ACC members do not vote on their own requests. Decisions of the ACC may be appealed to the Board in which case a majority of the Board will determine the Solitaire HOA decision which will then be final.

**Architectural Policies**

**1. Buildings, structures, alterations, improvements, etc.**

The Solitaire covenants prescribe that no building, structure, alteration, addition, or improvements of any character shall be made until the plans for such changes have been approved by the ACC. Criteria to be considered for the approvals include quality of workmanship and materials, harmony of external design with surrounding structures, color, location with respect to topography and finished elevation, effect on outlook from surrounding property, and all other factors which will, in their opinion, affect the desirability or suitability of the construction.

## Procedures for approval

- Members who desire to make such changes in the external characteristics of their property should submit a written request for approval to any of the ACC members, using forms established for that purpose (copy on page 7 below, or available from members of the ACC) who then forwards the request to the ACC chair for review.
- For other than minor changes, the application for approval should be accompanied by descriptions and plans for the proposed changes, including names and phone numbers of any contractors involved. The latter should include an authorization for representatives of the ACC to contact them to discuss the work.
- For any changes which will affect the view, privacy, or noise level of adjacent property, the applicant shall discuss the proposed project with the neighbors (identified) and state whether any objections were noted.
- ACC will undertake to provide a response to all requests within a reasonable short period, but in any event within 45 days of the request.
- Where applicable, rationale for ACC approval or disapproval will be provided to the applicant. If a proposed change is disapproved by the ACC, the ACC may attempt to suggest an alternative approach whereby the proposed change can be found acceptable. Such conditional suggestions are considered to disapprove the original request, unless the applicant agrees to accept the suggestions and modify the request accordingly.
- The review process will be discussed and voted on in an open meeting. A record of all applications for approval and the ACC determinations will be maintained by the ACC Chair.

## 2. Basketball Hoops

Basketball hoop installations in Solitaire are subject to the following requirements and procedures.

- a. General Standards:** The number of basketball hoops visible from any street in Solitaire is limited by the Solitaire covenants. Requests to install basketball hoops not visible from the street, which are not subject to numerical limitations in the Solitaire covenants, will be evaluated on a case-by-case basis considering prospects for noise or any other undesirable effects on immediate neighbors. Procedures for approval of such installations will be the same as prescribed under paragraph 1, above. It is noted that in addition to the criteria cited in the covenants, hoop installations should be at least 15 feet from the curb, per county regulations.
- b. Hoop Design Standards:** All structural elements of a basketball hoop, including the main pole and the backboard frame, must be black. The backboard itself must be clear, and a net must be fully attached to the hoop without broken strings. Any padding on the pole must be black and wrapped tightly around the pole. Manner of installation of the pole

will be into a sleeve in the ground which allows the pole to be easily removed. Hoops using a free-standing base filled with water or sand do not meet this standard.

- c. **Approvals do not convey:** Approval of the installation of a basketball hoop is for the applicant homeowner only and does not convey to anyone else if the applicant's property is sold or leased. The homeowner who sells or leases such property must remove the installation not later than the closing date for such sale or lease. When a property with an approved hoop is sold or leased, the ACC may approve another such installation in accordance with the Solitaire covenants and these guidelines.
- d. **Waiting list:** When the maximum number of allowable basketball hoops visible from a street is reached, then the ACC will maintain a waiting list for any other homeowners who wish to install such street-visible hoops, based on a written request submitted to the ACC Chair, using the form described in paragraph 1, above. When any property with an authorized installation is sold or leased, or if an existing installation is removed, then the ACC will consider requests for approval in accordance with the Solitaire covenants and in the order that the requests were submitted on the waiting list (oldest first).

### 3. Other Permanent Sports or Recreational Equipment

Installations of permanent sports or recreational equipment other than basketball hoops are subject to the following requirements:

- a. **Location:** Such equipment (with the exception of basketballs hoops, separately addressed) must be located behind the rear face of homes only. Installations not visible from Solitaire streets and without neighbor objections should normally be approved unless there are unusual circumstances. Equipment should comply with R-2 zoning restrictions according to county regulations. These include max area of 100 square feet, located more than the height in distance from the rear property line; and (if higher than 7 feet) located more than 15 feet from side property line. Homeowners are requested to remove non-permanent sports or recreational equipment from visible front locations when they are not in use. No boats, trailers, mobile home, tents or any structure of a temporary character, or portable vehicle other than automobiles, shall stay parked forward of any dwelling for a period exceeding four consecutive calendar days.
- b. **Visibility:** A homeowner seeking approval of such equipment must take steps to seek to avoid or (if this is not possible) minimize visibility from the any street in Solitaire. In considering approvals for installation of such equipment, the ACC will evaluate whether the equipment could be unattractive or apt to constitute a nuisance to neighbors, especially if neighboring property owners express concern.
- c. **Installation, appearance, and materials:** Such equipment should be installed in a way that is not obtrusive, and which harmonizes with the appearance of the immediate neighborhood. The materials and installation of the equipment must be consistent in quality with the existing homes and structures in Solitaire.
- d. **Procedures for Approval:** Procedures to obtain approval will be the same as described in paragraph 1, above.

### 4. Antennas and satellite dishes

While the use of satellite dishes less than 1 meter in size and conventional TV antennas with masts less than 12 feet is granted under the Telecommunications Act of 1996, Solitaire HOA requests that each homeowner endeavor to locate satellite dishes toward the back of their property, minimizing visibility from the street. With respect to conventional TV antennas, our

neighborhood has appreciated the absence of externally mounted antennas since 1988. Solitaire HOA requests that homeowners follow the established tradition of placing such antennas in their attics. Also, in keeping with the neighborhood's established precedent, the ACC requests standard 18" satellite dishes be used whenever practical.

## **5. House exteriors**

**a. Brick Exterior:** All houses shall have exposed brick on at least the front and each side, and existing homes with exposed brick on all four sides shall be kept with exposed brick on all four sides.

**b. Roof replacement/repair:** Roof replacement/repairs on the main structure shall use only cedar shake roofs; provided, however, notwithstanding the foregoing, the ACC shall have the right to review and, in its sole discretion, approve a similar looking, high quality synthetic/composite shake material product on a case by case basis, which, in the opinion of the ACC, matches, and overtime will continue to match, the overall appearance of cedar shake and will not deviate from the conforming and consistent aesthetic in the community by more than a de minimis amount. If individual shingles need to be replaced, they should be stained to closely match the color of existing shingles, however in no event shall different materials be used on the same home (e.g., no natural cedar shake with individual non-cedar shake shingles).

**c. Window mullions/grids:** The mullion/grid structure shall be retained in the windows visible from the street. These shall be maintained in good repair.

**d. Garage doors:** Garage doors facing the street shall be wood and painted or stained to match the front door or house trim.

**e. Repainting:** Painted surfaces may be repainted to the same color without prior approval.

## **6. Vehicle repairs and servicing**

Vehicles shall not be serviced (oil changes, etc) nor be subjected to major repairs while parked on the street. Automobiles shall not be left disassembled in the driveways for more than two days.

## **7. Lighting**

Installation of decorative or security lights, with the exception of Christmas lighting (discussed below), requires approval by the ACC.

## **8. Maintenance of lawns and plantings**

Members are reminded of their obligation according to the Covenants to maintain the appearance of lawns and plantings, to include:

- a.** All lawn areas shall be mowed every 7 days or as weather conditions permit to a finished height of 3" to 4.5" throughout the mowing season;
- b.** All lawn areas shall be watered and fertilized as needed to maintain health of the lawn.
- c.** Sidewalks, curbs and beds shall be edged regularly throughout the mowing season;
- d.** Shrubs and trees shall be pruned to maintain shape and condition;
- e.** Perennials shall be cut back to prevent overgrowth;
- f.** Dead or diseased trees shall be removed and replaced (approval may be required);
- g.** Dead or diseased tree branches shall be removed;
- h.** Weeds should be removed from landscape beds and tree wells on a regular basis;

- i. Mulch and/or ground cover shall be applied to landscape beds and tree wells on a regular basis; and
- j. Leaf and debris shall be removed on a regular basis.

**9. Fencing**

Any fencing installations shall require pre-approval by the ACC. Normally, this will require selection of metal (aluminum simulating wrought iron) fencing and location behind front face of home, preferably close to the rear face. Wooden fencing may be authorized on the perimeter of the neighborhood only.

**10. Driveway replacement/repairs**

Driveways should be replaced or repaired with concrete only, and never with blacktop.

**11. Items which do not require approval**

There are no controls, beyond members' own good taste, imposed by the Association on the following items.

- a. Minor landscaping (e.g., annuals and small perennials)
- b. Anything in the interior of the house not conspicuously visible from the outside
- c. Re-paint to same color
- d. Christmas lighting and decorations (December 1 through January 15). All lighting should be removed by January 15.
- e. Installation of standby natural gas-powered electric generators. (These should be placed to avoid or minimize street visibility, and give preference to reduced noise models.)

**12. Subsequent applications for same items**

Approval by the ACC for an installation or other type change in property appearance does not constitute an automatic precedent for approval of a subsequent change of the same type. Location or other factors may cause a change to be acceptable in one location and not another.

**13. Provision for Revisions to these Guidelines**

Any member who wishes to propose revisions to the procedures and policies in this document should submit recommendations to one of the BoD members. The Board will undertake to promptly consider and take action as appropriate, and inform the originator of their decision. The Board does not have unilateral authority to implement decisions or procedures that would not be consistent with the Covenants.

**14. Policy Letter Definitions**

- a. 'Permanent' shall mean any installation which, because of its size, weight, or attachment to the ground or concrete, cannot be and is not meant to be readily disassembled or moved from a fixed location, and/or "Permanent" shall mean any installation on a Lot for more than 15 cumulative days per year.
- b. "Sports or recreational equipment" shall mean any structure, equipment, or facility normally used for sporting or recreational activity including but not limited to such items as basketball hoops, swing sets, swimming pools, nets of various types, play sets, toys, boats, etc.

## 15. Architectural Oversight Process

- On its own or based on feedback from an association member(s) to [oversight@solitairehoa.com](mailto:oversight@solitairehoa.com) the ACC may decide in an executive session to send to a homeowner an email courtesy notice that there is a concern about whether the property meets the landscape or dwelling maintenance requirements in the covenants or spelled out in this policy.
- The courtesy notice will ask for the homeowner to respond within 10 days and state when he/she will take action to correct the condition.
- The ACC and the homeowner may discuss the matter informally.
- Before issuing a courtesy notice, the ACC may use a third-party contractor or a checklist to identify items, such as missing or crooked mullions, dead or dying plants or trees, excessive weeds in grass or beds, or wood trim in need of painting or refinishing.

Further oversight steps:

If the homeowner disagrees with the courtesy notice, he/she may after discussing the matter informally with the ACC, ask the full Board to consider their response in an executive session to decide whether corrective action is required.<sup>1</sup>

- If the Board decides that corrective action is required, the Board will inform the homeowner and set a time period for corrective action.
- If the deficiency has not been substantially corrected within the time period set by the Board then the Board will issue a notice of opportunity for hearing giving the homeowner an opportunity to appear before the board as required by section 55.1-1819 of the POAA.
- Should the Board find that there is a violation after a hearing then it may take any actions authorized by the Solitaire HOA covenants and the POAA.

## 16. Attachment: Blank Application for Change Approval

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<sup>1</sup> The courtesy notice, any checklists, and the homeowner's comments to the courtesy notice or to the Board will be treated as individual member files under POAA 55.1-1815 C.9 and will not be made available to all members.

Solitaire Homeowners Association  
Architectural Control Committee  
**APPLICATION FOR CHANGE APPROVAL**

**Name:**  
**Address:**

**Lot Number:**  
**Telephone:**

**Type of Change Requested:**

**Contractor (if Applicable):**

**Phone:**

**Direct contact by ACC authorized?**

**Description of proposed work:**

(Note: Attach additional pages as needed, including drawings or plans if appropriate. Include details of location, construction and color, etc)

**Time desired for work to begin:**

**Anticipated date for work completion:**

**Names of neighbors whose views were solicited:**

**Any objections noted:**

**Signature:**

**Date forwarded to ACC:**