



NEW HOMEOWNER DISCLOSURE PACKET

Mill Creek South Homeowners Association
P.O. Box 1283
Charlottesville, VA 22902
<http://www.millcreeksouth.org>

Mill Creek South Homeowners Association

Dear New Neighbor:

Welcome to the neighborhood! We are glad you have chosen to make Mill Creek South your new home. We believe our neighborhood is a wonderful place to live, thanks to its beauty and the friendliness and courtesy of its residents.

Our bylaws and covenants which govern certain aspects of neighborhood living ensure we maintain the unique and beautiful character of our community. The Board of Directors is responsible for upholding these standards, but it is the willingness and courtesy of all of our residents to follow them that makes the neighborhood such a great place to live. The bylaws and covenants are attached to this letter as part of your disclosure packet. The following page is a bullet-point list highlighting some of the covenants. This list is not all inclusive and is intended solely as a quick reference. We strongly encourage you to read the complete bylaws and covenants to gain a better understanding of the standards which govern our community.

The Board of Directors is also responsible for maintaining the common areas of Mill Creek South as well as handling other neighborhood issues. The Board has monthly meetings which you are invited to attend. Minutes from the meetings are distributed to residents' newspaper boxes and are posted and archived on the neighborhood's website (www.millcreeksouth.org). The minutes will inform you of the time and place of the next meeting.

Directors are elected each year at the annual homeowners meeting, held the second Wednesday in March at 7:30pm. Please plan on attending the annual meeting and consider serving as a Director. The meeting is a wonderful opportunity to meet your neighbors and discuss ideas about maintaining and improving our neighborhood.

Please feel free to contact any of the Directors with an idea, question, or concern. Contact information for the current Directors may be found at the bottom of the Association's minutes.

Also, we know this is a busy time for you, but it would be greatly appreciated if you fill out and return the **NEW HOMEOWNER FORM** attached to the packet or fill it out online at our website.

We look forward to meeting you soon!

MCS Board of Directors

Covenant Highlights

- Any structure, including fences, sheds, and additions, as well as any change to an existing structure, including paint color, must first be approved by the Architectural Review Committee (ARC). An ARC application form is included in your packet. You should contact the ARC Chair with any questions regarding the ARC, including whether your plans would require ARC approval.
- Trees with trunks greater than 3" in diameter may not be removed, unless they are dead, without prior permission from the ARC.
- No signs of any kind, including real estate and political signs, are allowed to be displayed on your property.
- Pets are not permitted off your lot unless they are on a leash.
- Toys, bicycles, tools, and the like should be kept in minimally visible areas.
- The exterior of your home and your lawn must be kept in good condition.
- If you are notified of a violation and do not correct the problem, the Association may have the right to do so at your expense.

Neighborhood Custom

In addition to the required actions by the covenants, there are a number of things neighbors consistently do in Mill Creek South out of courtesy, which we would like to highlight for you and ask you to observe.

- The neighborhood Speed Limit is 25 MPH. Many neighbors enjoy walking, some with children and pets, running, and cycling through our neighborhood. Please be sensitive to their safety and right to share the roadway. Please encourage your guests to do the same.
- There are many dogs and other pets in our neighborhood who are welcome additions to our community. However, if you own a dog, please contain your dog's waste to your lot, or be sure to clean up after your dog during walks. This includes common areas which may not seem as if they belong to anyone. People walk there, too. Please utilize the Dogipots on Stoney Creek and Arrowood.
- Also, if you own a dog, be mindful of your neighbors with regard to you pet's barking. If you will be away from your property and your dog barks frequently, please either keep your dog inside or have someone be responsible for checking on your dog frequently to satisfy his/her needs and minimize barking.

MILL CREEK SOUTH HOMEOWNERS ASSOCIATION, INC. DISCLOSURE PACKET

Pursuant to the Virginia Property Owners Association Act, as amended, the Mill Creek South Homeowners Association, Inc., declares the following:

1. The legal name of the Association is the Mill Creek Phase Two P.U.D. Home Owners Association, Inc., and it is incorporated in the Commonwealth of Virginia. The Association's registered agent is Patricia Alt, and her address is 1725 Shady Grove Court, Charlottesville, VA 22902.
2. No expenditure has been approved that will require an additional assessment during the current fiscal year or the immediately succeeding fiscal year. The Association's fiscal year end December 31.
3. The annual dues assessed against any developed lot are \$85.00. The Bylaws permit the Board of Directors to increase the annual dues 10% per year. The assessment date is January 1, with payment due thirty one days subsequent. Interest on unpaid dues is assessed at 12 percent per annum.
4. To our knowledge, there is no other entity or facility to which the lot owner may be liable for fees or other charges.
5. The Board of Directors has created a common reserve fund (CARF) for capital and major maintenance expenditures. See the distributed monthly minutes/financial statements.
6. To our knowledge, there are no pending lawsuits or unpaid judgments to which the Association is a party which either could or would have a material impact on the Association or which relates to the lot being purchased.
7. The Association has commercial general liability insurance coverage from the Cincinnati Insurance Company. The policy period runs from January 20 through January 19. The limitations of the general liability coverage are \$1,000,000 per each occurrence. The limitations of the umbrella policy are \$1,000,000 per each occurrence and \$1,000,000 aggregate.
8. Unless otherwise provided in a separate attachment, no notice has been given to the seller that any improvement or alteration made to the lot, or uses made of the lot or common area assigned to it, are in violation of any rules and regulations promulgated by the Association.
9. The Declaration of Covenants, Conditions, Restrictions, and Easements prohibit the display of signs of any kind, including "For Sale" signs to the public view on or from any lot or the Common Area.
10. There are no restrictions, limitations, or prohibitions on the right of a lot owner to display any flag on the owner's lot, except that construction of a free-standing flagpole would require review of and approval by the Association's Architectural Review Committee.
11. Copies of the Association's Articles of Incorporation, the Declarations of Covenants, Conditions, Restrictions, and Easements, the Bylaws, and the Architectural Review Guidelines are included in this Disclosure Packet.
12. The certification that the Association has filed with the Real Estate Board the annual report required by Sec. 55-516.1 of the Code of Virginia is included in this Disclosure Packet.

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
COMMONWEALTH OF VIRGINIA

EXPIRES ON
05-31-2013

9960 Mayland Dr., Suite 400, Richmond, VA 23233
Telephone: (804) 367-8500

NUMBER
0550 003392

COMMON INTEREST COMMUNITY BOARD
COMMON INTEREST COMMUNITY ASSOCIATION
CERTIFICATION OF ANNUAL REPORT

MILL CREEK SOUTH HOMEOWNERS ASSOC INC
DAVID ROBINSON
MILL CREEK SOUTH HOA - (PHASE TWO PUD)

P O BOX 1283
CHARLOTTESVILLE VA 22902



Gordon N. Dixon
Gordon N. Dixon, Director

ALTERATION OF THIS DOCUMENT, USE AFTER EXPIRATION, OR USE BY PERSONS OR FIRMS OTHER THAN THOSE NAMED MAY RESULT IN CRIMINAL PROSECUTION UNDER THE CODE OF VIRGINIA.

(SEE REVERSE SIDE FOR NAME AND/OR ADDRESS CHANGE)

(POCKET CARD)

COMMONWEALTH OF VIRGINIA

COMMON INTEREST COMMUNITY BOARD
COMMON INTEREST COMMUNITY ASSOCIATION

NUMBER: 0550 003392 EXPIRES: 05-31-2013

MILL CREEK SOUTH HOMEOWNERS ASSOC INC
DAVID ROBINSON
MILL CREEK SOUTH HOA - (PHASE TWO PUD)
P O BOX 1283
CHARLOTTESVILLE VA 22902



(FOLD)

(DETACH HERE)

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
9960 Mayland Dr., Suite 400, Richmond, VA 23233

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COMMONWEALTH OF VIRGINIA STATE CORPORATION COMMISSION
CERTIFICATION OF INCORPORATION



STATE CORPORATION COMMISSION

Richmond, August 18, 1992

This is to Certify that the certificate of incorporation of
Mill Creek Phase Two P.U.D. Home Owners
Association, Inc.

was this day issued and admitted to record in this office
and that the said corporation is authorized to transact its
business subject to all Virginia laws applicable to the
corporation and its business. Effective date: August 18, 1992



State Corporation Commission

William J. Bridge

Clerk of the Commission

2012 Mill Creek South Homeowners Association Budget

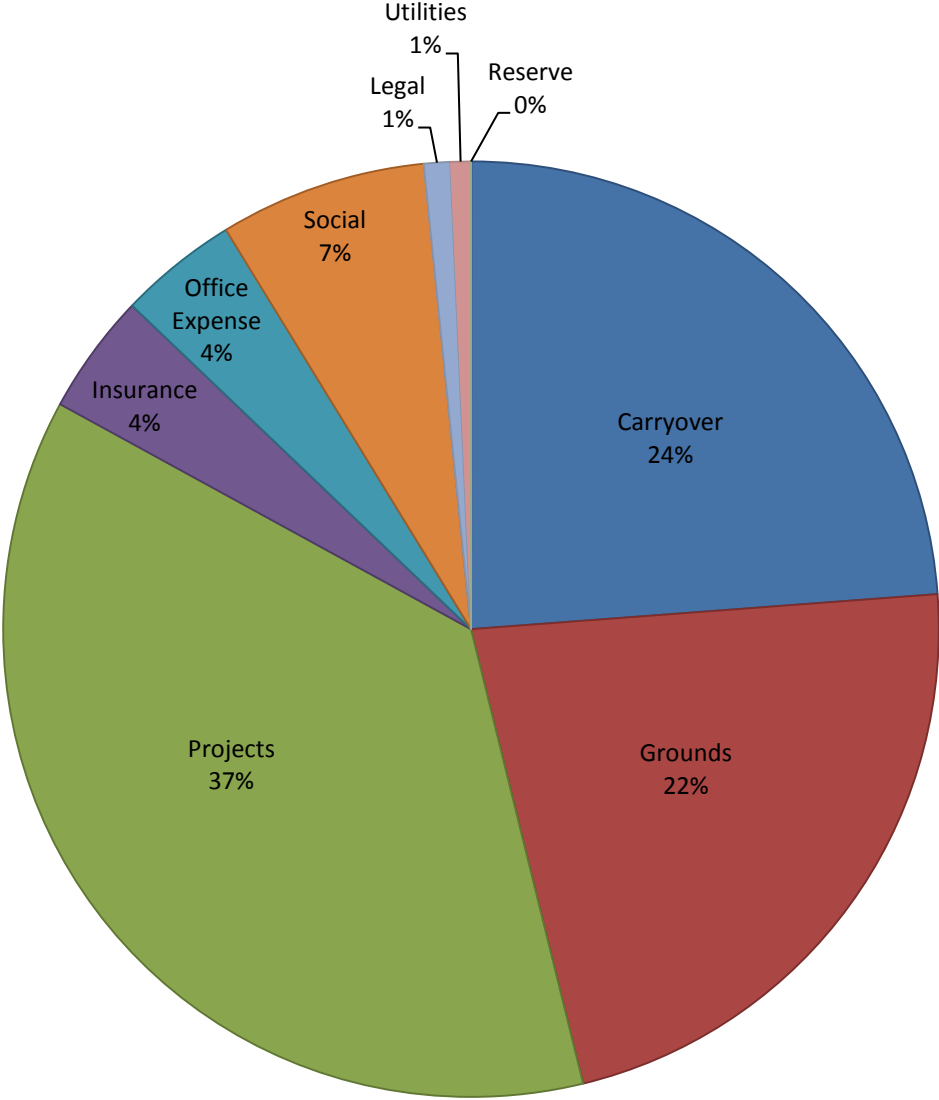
Category	Amount	Frequency	Total	Percentage of Income	Your HOA Dollar
Income	\$85	207	\$17,595	100.0%	\$1.00
Carryover	\$8,000	1	\$8,000	45.5%	\$0.45
Grounds	-\$7,500	1	-\$7,500	42.6%	\$0.43
Projects	-\$12,375	1	-\$12,375	70.3%	\$0.70
Insurance	-\$1,400	1	-\$1,400	8.0%	\$0.08
Office Expense	-\$1,380	1	-\$1,380	7.8%	\$0.08
Social	-\$600	4	-\$2,400	13.6%	\$0.14
Legal	-\$300	1	-\$300	1.7%	\$0.02
Utilities	-\$20	12	-\$240	1.4%	\$0.01
Reserve	\$0	1	\$0	0.0%	\$0.00
Total			\$0	145.47%	\$1.91

Office Detail	Amount	Frequency	Total
Tax Prep	\$125.00	1	\$125.00
Minutes Copies	\$40.00	12	\$480.00
Postage	\$25.00	1	\$25.00
Invoice Prep	\$200.00	1	\$200.00
PO Box Fee	\$70.00	1	\$70.00
Ink for Treas. Comp	\$30.00	1	\$30.00
Envl, paper,misc	\$50.00	1	\$50.00
Mailings	\$200.00	2	\$400.00
Total Office			\$1,380.00

Grounds Detail	Amount	Frequency	Total
Mowing	\$600.00	5	\$3,000
Maintenance Misc.	\$1,000.00	1	\$1,000
Tree removal	\$2,500.00	1	\$2,500
Entrance Maint	\$1,000.00	1	\$1,000
Total Grounds			\$7,500

Project Detail	Amount	Frequency	Total
Shelter	\$10,000.00	1	\$10,000
Neighborhood Improv	\$2,375.00	1	\$2,375
			\$0
			\$0
			\$0
Total Projects			\$12,375

Your 2012 HOA Dollar



MILL CREEK SOUTH

ARCHITECTURAL REVIEW APPLICATION

(NOTE!!! Please allow 30 days for application review and response.)

New Application _____
Revised Application _____

BOARD USE:
Application Number _____
Date Received _____

Homeowner
Address
Lot Number

Home Phone
Work Phone
Email Address

Type of Work Proposed (Check all that apply.)

<input type="checkbox"/> Fencing	<input type="checkbox"/> New window(s)
<input type="checkbox"/> Porch	<input type="checkbox"/> New gutters and leaders
<input type="checkbox"/> Shutters	<input type="checkbox"/> Staining exterior
<input type="checkbox"/> Shed	<input type="checkbox"/> Repainting trim
<input type="checkbox"/> Dormer	<input type="checkbox"/> Modification to existing structure
<input type="checkbox"/> Skylight	<input type="checkbox"/> Addition to existing structure
<input type="checkbox"/> Chimney	<input type="checkbox"/> Permanent site work (walls, drives, athletic equipment, flagpoles, etc.)
<input type="checkbox"/> Garage	<input type="checkbox"/> Exterior installing of mechanical/electrical equipment, tanks, etc.
<input type="checkbox"/> New Door(s)	<input type="checkbox"/> Other (Explain on page 3.)

Please review the Architectural Review Guidelines at www.millcreeksouth.org before preparing your application.

Application Requirements

1. Plat Plan. We need a copy of your plat plan at a scale of 1 inch = 20 or 30 feet, showing exact location of project with respect to house, trees, and other structures.

- Show distances to property lines, utility lines, and easements. Show any changes to site contours.
- If project includes new or relocated fences, retaining walls, driveways or walkways, show these on plat plan.
- Plat plan not needed when changing or adding windows, doors, shingles, siding, or skylights.

2. Additions and Free-Standing Structures. Required drawings for building additions and free-standing structures (including prefabricated sheds) include: exterior elevations, floor and roof plan, at the scale of 1/4 inch = 1 foot or 1/8 inch = 1 foot.

- Elevations for all new or altered sides of the structure must show window and door placement, window and door style and trim, eaves and overhangs, corner boards, roof style and pitch, and finish materials (e.g. cedar siding, Hardiplank, brick facing on exposed foundation).
- Drawing must be labeled with all dimensions (e.g. window height and width, length and height of exterior walls). See Sample Drawings at www.millcreeksouth.org for guidance. The floor plan, roof plan, and elevations for an addition must show how the addition connects to existing house.

3. Decks. Required drawings for decks include: Floor plan and at least two elevations, showing railings, skirting, posts, steps, gates, pergolas, or other elements, at scale of 1/4 inch = 1 foot.

4. Fences and Walls. Required drawings for fences and walls, including retaining walls: A drawing at 1/4 inch = 1 foot, showing the dimensions, style and materials of the fence or wall and including gates, gate posts, and corner posts.

5. Additional Submissions. We encourage submission of photos, manufacturer's literature, and sample of materials to assist in describing the project.

In addition to the required drawings, you may submit photos, manufacturer's literature and sample of materials to assist in describing the project.

6. Written Description. Write a brief description of the project on page 3, including information, such as stain and paint colors, paving materials, etc.

7. Miscellaneous Questions.

Yes No Will trees larger than 3-inch caliper be affected or removed? If yes, show on plat plan.

Yes No Will digging or excavation be involved? If yes, call Ms. Utility at 1.800.552.7001.

Yes No Will storm water systems be affected? If yes, attach description of proposed methods to minimize the impact.

Yes No Will soils be moved? If yes, attach description of proposed methods to minimize impact.

Yes No Is county building permit required? Call 434.296.5832 to find out.

Yes No Will contractor be used? If yes, provide name, address, and phone below:

Please send application and supporting materials to:
Dell Erwin, 1721 Arrow Wood Drive - dellerwin@gmail.com - 245.5891
***** Please keep a copy of materials sent for your records! *****

Space Below for Architectural Review Committee Use ONLY

____ Approved ____ Rejected ____ Approved as noted ____ Revise and Resubmit

Remarks and Comments:

Committee Signature _____ Date _____
Committee Signature _____ Date _____
Committee Signature _____ Date _____

Contact Dell Erwin at dellerwin@gmail.com or 245.5891 for final inspection.

Remarks and Comments

Reviewer _____ Date _____

WRITTEN DESCRIPTION

Please review the Architectural Review Guidelines at www.millcreeksouth.org before writing your description. Include stain and paint colors for all projects.

ARCHITECTURAL REVIEW COMMITTEE REQUIREMENTS

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**MILL CREEK SOUTH HOMEOWNERS ASSOCIATION
ARCHITECTURAL REVIEW COMMITTEE (ARC) REQUIREMENTS
Adopted by the Board September 21, 2011**

A. INTRODUCTION

1. Why This Document? The intent of this document is to provide information related to architectural requirements in an accessible and easily understood format.

2. Why an Architectural Review Committee (ARC)? This committee was created pursuant to the Declaration of Covenants and is responsible for upholding the architectural controls contained in the covenants.

The objective of the architectural review process is to maintain the visual character of the Mill Creek South community as established by the original developer. That character includes: preservation of natural woodlands and a sense of open space, consistency in architectural style, scale, materials and details with the houses built by Craig Builders.

The architectural style, quality of construction and natural surroundings are what attracted most of us to Mill Creek South. That is why it is absolutely essential that all proposed new construction and modifications to existing structures be submitted to the ARC for review and approval.

Adhering to ARC requirements helps maintain our property values and the harmonious aesthetic qualities of our subdivision. The consequences of deviating from our requirements help establish precedents others will cite and follow. Some appraisers and realtors are commenting negatively that the community is changing.

Maintaining the original architectural design requires the good will and commitment of each homeowner in following the requirements and abiding by the ARC review and approval procedures.

As needed, the committee meets monthly. All homeowners are welcome.

3. ARC Members

Dell Erwin, Chair	1721 Arrow Wood	245-5891	dellerwin@gmail.com
Dan Burke	1516 Stoney Creek	296-9661	cdburke7@comcast.net
Steve Nelson	1707 Bent Tree	979-1176	spn7w@virginia.edu
Natalie Somer	1608 Stoney Creek	296-4287	somer.nt@gmail.com

4. ARC Authority. Our covenants and bylaws include legal requirements that are binding on all who purchase property in the subdivision. When we signed the

purchase documents for our houses, we agreed to abide by the covenants, including the architectural requirements.

If a construction project is started without committee approval, the work will be required to be stopped until an application has been submitted, reviewed and approved. Homeowners are also responsible for obtaining [Albemarle County Building Department](#) permits for most types of construction projects.

Note the Declaration of Covenants, Conditions, Restrictions and Easements for Mill Creek Phase Two, Article VIII, Use Restrictions: (Underlining emphasis is ours.)

(m) Every Owner shall be responsible for maintaining a good exterior appearance of his or her Lot and improvements thereto, including, but not limited to, exterior painting and staining, and reasonable maintenance of lawn and property.

Section 2.

Charges and Liens for Compliance Herewith. In the event that any Owner shall violate any one or more of the Use Restrictions set forth in Section 1 of this Article VIII, or in the event such Owner shall have been notified by the Association or its agents, employees, or attorneys (in writing sent by registered or certified mail to the Owner's residence address) of such violation, and in the event such violation is not stopped, halted, or corrected (as set forth in such written notification) and continues, then, without further notice, the Association may cause such violation to be stopped, halted, or corrected, without liability for doing so, and may cause any and all costs incurred (including attorneys' fees) in connection therewith to be charged as an assessment to such Owner. Such assessments may be collected in any of the manners specified on Article VI thereof, including suit at law or in equity or by filing a notice of assessment of lien as herein provided. The remedy herein provided shall be in addition to any other remedy provided or allowed by law in equity and shall not be deemed an exclusive remedy. Election or (sic) one remedy (whether herein specified or allowed or otherwise) shall not act as a bar to the subsequent or concurrent use of other available remedies.

ARTICLE IX

GENERAL PROVISIONS

Section 1. Enforcement. The Association, or any Owner, shall have the right to enforce, by any proceeding at law or equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by the Association or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

5. Mill Creek South in Decline. The ARC, board of directors, and many residents are concerned that Mill Creek South is losing its original quality and trending down at an increasing pace. This is happening because:

- modifications are not reviewed and approved by the ARC;
- deviations from approved design during construction; and
- passage of time, multiple resales, and changing tastes.

6. How Homeowners Can Help

- 1) Read the disclosure packet you received when you bought your home.
- 2) Review the ARC Requirements as you plan any additions or changes to the exterior of your home.
- 3) Follow the review and approval requirements in the ARC Requirements.
- 4) Do not apply for a building permit before obtaining ARC approval. Changes to your design could mean getting a new permit and paying additional county fees.
- 5) If you or your contractor start work and find you need to make exterior changes, contact the ARC immediately. Design changes that affect the exterior appearance of your project must be approved. The committee will respond promptly.
- 6) Feel free to alert a board member, ARC member, your neighbors, and the homeowner if you see anything that does not seem to conform to the ARC requirements. Stand up for your community values!

B. WHAT REQUIRES ARC APPROVAL

1. Additions and Alterations. Includes porches, decks, carports, breezeways, attached garages, enclosure of existing decks and porches, and any other addition to or alteration of the existing structure.

2. Doors/Windows/Skylights/Solar Panels. Replacement doors or windows with a style or color different from the original.

3. Driveways. Changes that alter the location or slope of the original driveway.

4. Exterior Changes. Includes change of siding and trim color, installation of shutters, lattice, storm doors, sun screens or awnings, construction or installation of dormers, bays, skylights, solar panels, or pop-outs.

5. Outside Structures. Includes garages, mailboxes, gazebos, propane tanks, play houses, sheds, rain barrels, fences, etc. See the documents on the website: *Fence Requirements, Shed Requirements, and Rain Barrel Requirements* for more details on those structures.) **Note: Never vinyl or metal storage sheds.**

6. Major Projects. The ARC suggests that in designing major projects such as additions and garages, homeowners consult with an architect or a builder who has built similar projects in Mill Creek or Mill Creek South.

7. Site Contours. Projects that alter the contours of the site or could affect storm drainage.

8. Trees. Removal of living trees greater than three inches in diameter.

C. DESIGN AND OTHER INFORMATION

1. Antennas. The Telecommunications Act of 1996, Section 207, granted the Federal Communications Commission the authority to preempt community association restrictions on direct broadcast satellite, television broadcast, and multichannel multiunit distribution service antennas.

2. Beyond 301 Starcrest. The houses beyond this point are part of Lake Reynovia subdivision and are under different covenants and architectural design criteria. They may not be used as precedents for any exterior design elements in Mill Creek South.

3. Building Locations. Relative to property lines, set backs and easements, homeowners must comply with Albemarle County zoning and building requirements and with the requirements of utilities, including the Albemarle County Service Authority.

4. Colors of Siding and Trim. These shall be selected from the colors used by Craig Builders in Mill Creek South. Additions and new structures shall have the same siding and trim colors as the existing dwelling. No house may have the same siding color as adjoining houses on the same street.

[Natalie Somer](#) (434.296.4287) has a list of the original color schemes for each house and samples of siding colors you may borrow.

5. Common Design Features

- 1) Steep roofs, with brown or grey asphalt shingles
- 2) Hip or gable roofs. Shed roofs only as extension of gables or hips. No free-standing shed roofs. No flat roofs, domes, octagons, etc.
- 3) Horizontal siding: cedar or fiber cement (e.g. HardiePlank)
- 4) Earth tone stain on cedar siding
- 5) Brick-faced foundations. Chimneys in brick or boxed with horizontal siding
- 6) Traditional panel front doors
- 7) Mailboxes—style and color approved by the ARC
- 8) Maintained lawn grass swales (parking strips) along the public streets

6. Consistency with Craig Builders Designs. All new structures and all additions and modifications to existing structures shall be consistent with the architectural designs used by Craig Builders in Mill Creek South. All additions and secondary structures should maintain the original proportions and scale of the existing dwelling.

7. Craig Builders Three Design Categories

1.) Contemporary (Copperstone, Alder, Ashley, Autumn Run, Stonebrook, Springate)

- Limited door and window trim. Trim the color of siding or another earth tone—never white.
- Windows are sliders or casements with dark sash
- Windows are single pane—no divided lites
- Square porch columns with no capitals or bases.

2.) Cottage Style (New Englander, Springate II, Wedgewood, Millstone)

- Square-cut window trim (rough-sawn cedar), painted to match siding or in other earth tone
- Divided lite windows, usually casements
- Square porch columns with no capitals or bases

3.) Traditional (Includes New Englander II, Darby, others)

- Milled window and door trim, painted white
- Divided lite, double-hung windows
- Traditional square porch columns with capitals and bases
- White fascias on porches; shutters on front elevation
- Cornice returns at gable ends on front elevations; overhanging gable ends on front elevations

8. Doors/Windows/Skylights. Doors and windows of new additions and detached structures shall match those of the original dwelling, or if the original windows are being replaced, all windows should be of the same sash color and style. Note:

- A storm door shall be the same color as the existing door.
- Skylights shall be similar to those originally installed by Craig Builders.

More About Windows

- 1) Replacement of windows with windows of a different style or color requires ARC approval. Most windows are available in white, dark brown, or bronze. Sometimes dark colors require a special order. Be sure to allow for the ordering time when you plan your project.
- 2) If your home has slider windows and you decide to replace them, casement windows are more consistent with the original house design than double-hung windows.
- 3) Window opening proportions for slider/casement windows and for double-hung windows are different. Double-hung windows look out-of-place and are not in keeping with Mill Creek South design, unless the height is approximately twice the width. If you choose to replace slider/casement windows with double-hung windows, the opening will probably need to be modified so that your double-hung windows will have traditional proportions. This may require replacing some siding or surrounding the new narrower windows with wood casings. All changes must be approved by the ARC.
- 4) Window replacement is expensive. However, cutting costs by installing inexpensive pop-in windows and squarish double-hung windows devalues your property and affects the whole neighborhood negatively. Shop around for good design at an affordable price.

9. Easements/Right of Way. The county building regulations permit structures that are not on permanent foundations to be built in the 15-foot side yard area, but the homeowner has to get a special exception if the structure, such as a shed, requires a building permit.

Building and Zoning says that a shed should be built “no less than 6 feet from property line.”

The homeowner needs to ensure the structure does not cross property lines and should get a survey if there is doubt about the property line.

The Virginia Department of Transportation has the right of way beside roads, generally between 25-150 feet from the road center.

10. Existing Vegetation. It should be disturbed as little as possible by the proposed construction. No living tree with a diameter of 3 inches or greater may be felled without approval from the ARC.

11. Exterior Stain and Paint. Siding is to be stained, not painted, using solid color stain with a flat finish, not semi-transparent or transparent stain. Paint, which is a surface application, does not adhere well to cedar and will peel and crack. Solid color stain lasts longer than paint because it bonds with the wood. Paint should be used on doors and trim.

HardiePlank (or the equivalent) finishing should be determined by the homeowner and contractor, considering the manufacturer's recommendations. Colors are to be selected from the ARC approved palette.

12. Exterior Trim and Details. Exterior window and door trim, fascias, corner boards, porch columns and all other exterior trim and details shall be consistent with those used by Craig Builders on houses of the nearest corresponding style.

13. Fences. Fences may be erected only in side and rear yards and shall be no taller than five feet above the ground level at any point. They shall not extend past the front corner of the house.

Solid board fences will not be approved, and picket fences shall be constructed with the finished side facing outward (i.e., toward the street, adjoining properties and common areas). It is preferred that fences not be sealed, stained or painted. The use and color of any sealer, stain, or paint shall be approved by the ARC.

Note: Never fencing in front of house or chain link fencing.

14. Foundations. Any exposed foundations on front and side elevations are to be faced in brick that matches that used by Craig Builders in color, size, and joint spacing.

15. Mailboxes. Mailboxes and mailbox posts shall be of the design and color approved by the board of directors. Mailboxes and posts shall be painted Duron's Shore Beige, unless the box and post are of a design approved by the board that does not require painting. The approved vinyl unit costs around \$100.

NOTE: The board is gathering input from homeowners regarding replacement for mailboxes in disrepair. Many believe that such mailboxes are a blight on the neighborhood and affect our property values. When a final decision is made, it will be recorded in these requirements.

The ARC supplies mailbox paint and primer free to homeowners. Contact dellerwin@gmail.com or 245.5891.

If you are interested in having your existing mailbox repaired or repainted by the Mill Creek South mailbox repair team, [click here](#).

16. Miss Utility. Contact 1-800-522-7001 to have utility locations marked before making construction plans.

17. Propane Tanks. Tanks should be behind houses, if possible, and of a muted color or painted the color of the house. Any that can be seen from the front should be shielded by either vegetation, lattice, or other screening and painted the color of the house/deck or left natural.

18. Rain Barrels. Barrels should be behind houses, if possible, and of a color that blends in with surroundings, such as brown, black, or green or painted the color of the house. Any rain barrels that can be seen from the front should be shielded by either vegetation, lattice, or other screening and painted the color of the house/deck or left natural.

19. Roofs. Roof pitches of additions should be reasonably consistent with the pitch of the principal roof or roofs of the existing dwelling. Roofs of detached structures, such as garages and sheds, shall be constructed at the same pitch as the principal roof of the dwelling and shall be a gable or hip roof of the same style as the roof of the dwelling. No detached structure may be built with a shed roof.

Roofs of new dwellings must be consistent in pitch, overhangs, and shingle color, style and type with the original Mill Creek South homes.

Roof shingles must match the original roofing of the dwelling as closely as possible in color, size, construction, exposure and must be of the type "double thickness laminated strip shingle."

20. Siding. Siding shall be of the same type and dimension used in the original dwelling, except that HardiePlank, or similar cement fiber siding material, may be used in lieu of cedar siding. Siding must be installed horizontal and with the same exposure as on the original dwelling. Siding of new homes shall be consistent with these criteria. **Note: Never vinyl or metal siding.**

21. Working with Your Contractor

- 1) For your protection, always use a licensed contractor and get references from the contractor for three recent jobs similar to yours. Call the references and ask them specific questions about their satisfaction with the contractor (e.g., completing the work on time and within budget, getting your concurrence on changes, cleaning up and minimizing inconvenience to the family, and leaving everything in working condition.)
- 2) Review the ARC Requirements with your contractor and make sure you have a mutual understanding about how these guidelines apply to your project.
- 3) Ask the contractor if any items will require a long lead time to order (e.g., windows) and make sure that item complies with the ARC requirements before ordering.

- 4) Include in the contract all elements and details that will affect the exterior appearance of your projects. For example, if you will be adding or replacing windows, specify the type (e.g., double-hung, basement, or slider) and color of the windows. Also, specify whether the windows will be single pane or divided lite and whether any trim is to be used. All of these details must be consistent with the style of your house.
- 5) In your contract, specify that the contractor is not to make any substitutions without your approval. **Do not allow your contractor to push you into making changes that might require the ARC approval without allowing time to get ARC approval.**
- 6) Be sure the contractor understands not to proceed with any construction until you have received the ARC's approval. Notify your contractor promptly when you get approval.
- 7) Sometimes the ARC adds comments and instructions when it approves an application. Be sure to inform your contractor about these instructions and include them in your contract.
- 8) Contractors are not permitted to put up signs on your property. The builder's sign is permitted only when a new home is built on a vacant lot. The board permits this because the sign provides a phone number in case of an emergency.
- 9) Construction work is not to begin before 7:30 a.m. (county ordinance) and should end by 7:30 p.m. Make it clear to your contractor that he/she is to minimize disruptions to the community and to your site: park vehicles on shoulders, not in street, remove debris, cover stockpiled materials, avoid playing loud music, take measures to prevent damage to other properties in the event of high winds and heavy rains.

D. APPLICATIONS

1. Special Project Specifics

- 1) Decks. Dimensioned drawings to scale showing floor plan, elevations, and materials. The color should be a natural wood color or match the house.
- 2) Fences. Dimensioned drawings to scale showing the site plan on a copy of the plat and both faces of the fence if different, any gates, and materials. (Include the online form "Fence Requirements" with your application.)
- 3) Sheds. The supplier's standard drawings and if available, a photo or artist's rendering of the shed. Show location on a plat copy. (Include the online form "Shed Requirements" with your application.)
- 4) Propane Tanks/Rain Barrels/Skylights/Solar Panels. Indicate location, size, color(s), type of barrier, material, etc.

2. Building Additions and Detached Structures. Include with the application:

- 1) Dimensioned drawings to scale, including details such as:
 - A floor plan
 - A roof plan
 - Elevations of all exterior sides of the structure or addition
- 2) A site plan on a copy of the plat showing the exact location of the project, the distance to all property lines, and the type and location of erosion control measures, if needed.
- 3) Elevation details, showing all exterior details, including:
 - Window and door placement
 - Window and door style and trim
 - Eaves and overhangs
 - Corner boards
 - Roof style and pitch
 - Finish materials (e.g., cedar siding, HardiePlank, brick)
 - Elevations drawn at the scale of ¼ inch = 1 foot. See Craig Builders drawings, following the examples of elevations.

3. Application Submission and Response Procedures

- 1) Requests for architectural review should be submitted to the chairperson of the ARC. You may complete an application online and send to dellerwin@gmail.com or deliver to Dell Erwin, chairperson, 1721 Arrow Wood Drive. Phone 245.5891 or email Dell if you have questions.
- 2) The committee will respond within 30 days of receipt of the application. If an approved project is not started within one year of approval, a new application must be submitted.
- 3) Applicants should allow 30 days for committee action. The committee will return to the applicant any application that is incomplete and/or does not clearly describe the proposed construction or alteration. A new 30-day approval period begins when the committee receives the completed application.
- 4) The committee may ask to meet with the applicant to discuss the proposed project. Any comments made at such a meeting shall be recorded by the committee and a copy of the comments provided to the applicant. If the committee requests that the applicant revise the plans, a new 30-day approval period begins when the committee receives the revised application and plans.
- 5) Applicants are advised not to obtain a building permit before obtaining the ARC approval, in the event that the committee requires changes to be made in the plans.

- 6) If any county department or other regulatory agency requires the plans approved by the committee to be changed in a way that affects exterior appearance, the applicant must submit the changes for architectural review. In such cases, the committee will make every effort to expedite the review.
- 7) Any construction started before formal approval by the committee is subject to a stop-work order from the board of directors and to the imposition of fines.
- 8) Projects are to be completed in a timely manner.
- 9) The committee will notify the applicant of its decision or its questions by either email, letter, or phone.
- 10) A copy of a signed application form with appropriate comments will be provided to the homeowner after approval or disapproval.
- 11) Applicants may appeal the decision of the committee by a letter to the board of directors.
- 12) When the work is complete, the applicant is to call the committee chairperson for a final inspection.