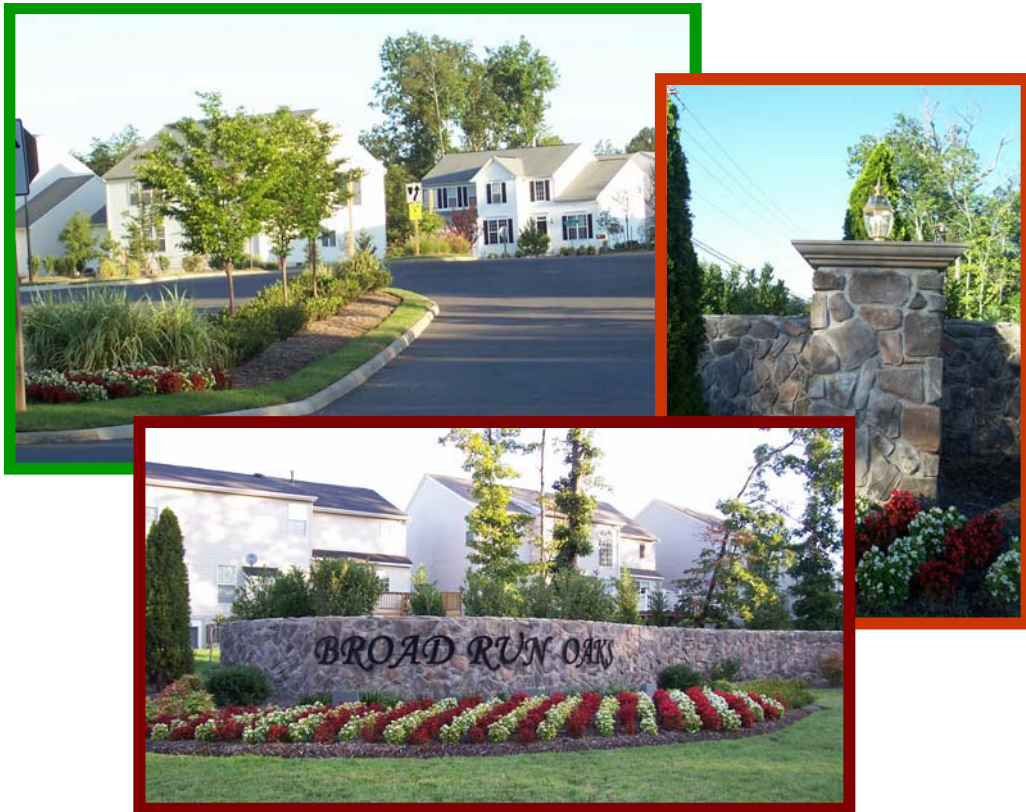


# Architectural Guidelines

## Broad Run Oaks Homeowners Association

October 2009



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**NOTE: Any items constructed and GRANTED APPROVAL by the ARB prior to the effective date of these Guidelines are granted grandfather privileges; however, if a grandfathered item is ever replaced, the replacement item must comply with these Guidelines in every respect.**

# **SECTION 1: OBJECTIVES AND GENERAL INFORMATION**

## **A. Objectives of Architectural Guidelines**

This document's objective is to guide homeowners, residents, and members of the Architectural Review Board (ARB) in maintaining and enhancing the appearance and property values of the Broad Run Oaks community. The guidelines described in this booklet also address improvements for which homeowners must submit applications to the ARB. They are not intended to be all-inclusive or exclusive, but rather to serve as a guide to what is permissible. The specific objectives of this booklet are:

1. To protect and enhance the value of the community by preserving and enforcing the Declaration of Covenants, Conditions, and Restrictions.
2. To increase residents' awareness and understanding of the Covenants, including their obligation to properly maintain the exterior appearance of their homes and lots.
3. To focus on all exterior alterations made by owners.
4. To describe the organizations and procedures involved with the Architectural Guidelines established by the Covenants.
5. To illustrate design principles that will aid residents in developing exterior improvements that are in harmony with the immediate neighborhood and the community as a whole.
6. To assist residents in preparing an acceptable application for submission to the ARB.
7. To provide uniform Guidelines to be used by the ARB in reviewing applications.

These Architectural Guidelines (referred to as 'Guidelines' for the remainder of this document), as adopted by the ARB and the Board of Directors of the Association, supersede in its entirety the previously adopted *Homeowner Handbook for Broad Run Oaks Homeowners Association* and are effective as of the date the Guidelines are published on the Association's website ([www.broadrunoaks.com](http://www.broadrunoaks.com)). Within a reasonable time after posting on the Association's website, a copy of these Guidelines will be mailed to homeowners' addresses of record on file with the Association. Homeowners can opt out of receiving a copy by mail if they send written notification to the Association's management agent so that it is received prior to the Guidelines being mailed.

NOTE: Based on a review by the ARB and approved by the HOA this version of the Guidelines, dated October 2009, supersede the version dated April 2006. The updated Guidelines have replaced the previous version posted on the Association's website. Updated printed copies can be requested by contacting the Association's management agent. The updated version will be provided at settlement for any person(s) purchasing within Broad Run Oaks following this date.

## **B. Protective Covenants**

The fundamental authority for maintaining the quality of design and the environment in Broad Run Oaks Homeowners Association (HOA) is found in the Broad Run Oaks Homeowners Association's *Declaration of Covenants, Conditions, and Restrictions* (referred to as 'Covenants' for the remainder of this document). These Covenants are an integral part of the deed to every homeowner's property in Broad Run Oaks HOA. Since the authority to adopt these ARB guidelines is specifically referred to in the Covenants, everything within these Guidelines is legally binding and ensures that the design quality will be maintained throughout the community. This, in turn, protects property values and enhances the community's overall environment. Every Broad Run Oaks property owner should have received a copy of the Covenants at settlement; if not, contact the Association's management agent to obtain a copy. These Covenants are established both the Broad Run Oaks HOA and the ARB. All too frequently, the owner does not read this information. Since these Covenants "run with the land," they are binding on all owners, whether or not they have been read. They should be periodically reviewed and fully understood, as they contain restrictions and obligations not necessarily addressed in these Guidelines. As a reminder, the Covenants and all other governing documents for the Association can be reviewed on the Association's website.

## **C. Role of the Broad Run Oaks HOA and the ARB**

The role of the Broad Run Oaks HOA (of which every homeowner is a member) is not only to own and maintain open space, but also to conserve and enhance the resources of the total community. The Association accomplishes these functions in a variety of ways, one of which is by ensuring, through the ARB, the retention of harmony through design qualities of the community.

## **D. Composition of the ARB and Appointment**

The ARB consists of at least three (3) members appointed by the Board of Directors. Please refer to Article VII of the Covenants and Article VIII of the Bylaws for more details on the basic organization and duties of the ARB.

## **E. What Changes Must Have ARB Approval**

Article VI, Section 2 of the Covenants states as follows:

No structure or addition to a structure shall be erected, placed, altered, or externally improved on any Lot until the plans and specifications, including design, elevation, material, shape, height, color and texture, and a site plan showing the location of all improvements with grading modifications, shall be filed with and approved in writing by the ARB, and, if required, by appropriate County authorities and, where required, appropriate construction permits obtained. "Structure" shall include, but not be limited to, any building or portion thereof, wall, deck, play equipment, greenhouse, skylight, solar panel, fence, pool, pavement, driveway, or appurtenances to any of the aforementioned.

In addition, Article VII, Section 8 of the Covenants states, in part, as follows:

Any exterior addition, change, or alteration made without application to, and approval of, the ARB shall be deemed to be in violation of these covenants.

Exterior additions, alterations, and improvements are collectively referred to in these Guidelines as "alterations." In various locations throughout this document, you will find that the ARB has set pre-approved standards for some alterations. Only those items specifically identified as pre-approved in this document may be installed without filing an application and receiving approval. For items where an application IS required, the following applies: (1) Each application is reviewed on an individual basis. (2) There are no "automatic" approvals, except the pre-approved items referenced above. (3) Approvals are homeowner and house specific, e.g., a homeowner wishing to construct a deck identical to one already approved by the ARB is still required to submit an application, and the previous approval of an identical deck on a different Lot does not necessarily guarantee approval of the deck for your Lot. The one exception involves structures such as decks and fences which were offered and constructed as builder options as part of the initial construction of the home and are shown on the original new construction site plan for the Lot in question. The Developer in accordance with the new construction guidelines (if built to exact builder option specifications) has already approved these structures. In order to have these builder options on file with the Broad Run Oaks HOA, it is the responsibility of each homeowner to provide documentation acceptable to the ARB of the builder option(s) constructed on his or her Lot. Please read Section 1; paragraph N. titled "Disclosure Packet" for more detailed information on the importance of the information provided in this section.

It is important to note that as technology advances, exterior alteration requests may emerge that are not addressed in these Guidelines. These improvements will be considered on a "case-by-case" basis by the ARB in accordance with the objectives and general information contained herein. The Board of Directors will review the ARB's recommendation in accordance with the Covenants, and in these types of cases, approval or denial of the application will be the responsibility of the Board of Directors. Should any of these cases arise, consideration may be given to amending these Guidelines in accordance with the "amendments to the guidelines" paragraph contained herein.

## F. Review Criteria

The ARB evaluates all submissions based on the individual merits of each application. Besides evaluation of the particular design proposal, this includes consideration of the characteristics of the housing type and the individual site, since what may be an acceptable design of an exterior in one instance may not be in another. Design decisions made by the ARB in reviewing applications are based on the following criteria:

1. **Validity of Concept.** The basic idea must be sound and appropriate to its surroundings.
2. **Design Compatibility.** The proposed alteration must be compatible with the architectural characteristics of the applicant's house, adjacent houses, and the neighborhood setting. Compatibility is determined by reference to architectural style, quality of workmanship, materials, height, shape, texture, color, and construction details, as applicable.
3. **Location and Impact on Neighbors.** The proposed alteration's impact on neighbors will be considered by the ARB, with the primary concerns being access, view, sunlight, ventilation, and drainage. However, the ARB's approval of an application shall in no way relieve the applicant from his or her responsibility to ensure that the alteration does not improperly divert water onto a neighbor's Lot or otherwise improperly physically impact a neighbor's Lot.
4. **Scale.** The size (in three dimensions) of the proposed alteration must be compatible with adjacent structures and surroundings. For example, a large addition to a small house may be inappropriate.
5. **Color.** Color may be used to soften or intensify visual impact, depending on the particular location and circumstances. The parts of the addition that are similar to the existing house, such as roof and trim, must match in color to that of the house.
6. **Materials.** Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house. For instance, horizontal vinyl siding on the original house should be reflected in an addition. On the other hand, an addition with vinyl siding may be compatible with a brick house under some circumstances.
7. **Workmanship.** The quality of work should be equal to or better than that of the surrounding area. Poor workmanship, besides causing the owner problems, can be visually objectionable to others.
8. **Timing.** The approval of an application by the ARB will be revoked automatically if the approved alteration has not been completed within six (6) months after the date of approval or by the dates specified by the Prince William County Building Permit. If a County permit extension is requested and granted, the ARB must be notified of this and an ARB extension will then be automatic.
9. **Code Compliance.** All proposed alterations must comply with all Federal, State, and County codes, ordinances and regulations.

## G. Amendments to the Architectural Guidelines

These Guidelines may be amended to provide clarification, to reflect changed conditions or technology, or for such other reasons deemed appropriate by the Board of Directors in the best interests of the Association. The ARB will conduct a periodic evaluation of the Guidelines to determine if amendments are required. Owners may submit to the ARB written requests for changes to the Guidelines. Upon review, the ARB will make a recommendation to the Board of Directors. Amendments will require final adoption by the Board of Directors.

## H. Applications

The application form (see Appendix D) provides information that is used, along with other information that may be required by these Guidelines, in determining the scope and detail of the proposal. All applications must be shown to at least two (2) homeowners most affected by the proposed alteration; except that if your Lot's rear lot line abuts to (or borders) an adjacent Lot, then your application must be shown to at least three (3) homeowners most affected by the proposed alteration (for alterations to your rear yard, your application must be shown to and signed by the Owner of the Lot abutting your Lot's rear lot line).

Signatures must be obtained from these two (2) or, if applicable, three (3) homeowners to indicate awareness of the proposal. Their signatures do not indicate approval, just acknowledgement that the applicant has notified affected homeowners.

Each alteration requested must be submitted on an individual application (e.g., two or more alteration requests must each be submitted on an individual application). All information requested on the application as specified in these Guidelines must be completed; otherwise the application will be considered incomplete and returned

If any homeowner affected by the proposed alteration objects to the alteration, that objection must be communicated in writing to the Management Company prior to the ARB's review of the application. The ARB must consider such objections by other homeowners as the ARB processes the application.

## **I. Site Plan**

A site plan is required as part of most applications. A site plan is a scaled drawing of your Lot (site) which shows exact dimensions of the property, adjacent properties if applicable, and all improvements, including those covered by the application. Contour lines are required where drainage is a consideration. In most cases, the site plan for single applications should be developed from the plat plan provided to you when you purchased your home. More complex applications may require larger scale blowups of the plat plan of county approved development or site plans.

## **J. Review Procedures**

All applications shall be sent to the Association's Management Company address listed on the application. Each application is processed in the following manner by the Management Company:

Each complete application will be date stamped (to start the 45-day clock), and enough copies will be made for distribution to the ARB Chair to give to each ARB member. Applications for alterations must be submitted to the Management Company at least seven (7) days prior to the next scheduled ARB meeting in order to be considered at that meeting. Applications received less than seven (7) days from the date of the next scheduled ARB meeting may be accepted by the ARB for review, on a case-by-case basis, at the ARB's discretion.

The Management Company will review each application to determine whether the application is complete in accordance with these Guidelines. If information that is required for the review of the application is missing, the application will be returned to the applicant with a statement explaining what is missing. Once the Management Company confirms that the application is complete, copies will be made for each ARB member and delivered to the ARB chairperson.

At the ARB meeting, the ARB will check each application for complete information as required by these Guidelines. If information that is pertinent for the review of the application is missing, the application will be disapproved, and will be returned to the applicant with a statement explaining what is missing. It is important to note that in order for a disapproved application to be considered once again, all missing information must be submitted along with a copy of the original documentation. Also, in the event a new application is submitted with a change from the previous one, the updated application must be shown to the number of homeowners specified in subsection H above who are most affected by the proposed alteration, and the signatures of all homeowners most affected by the alteration must be obtained once again.

The ARB must act upon all complete, properly submitted applications within 45 days of receipt by the Management Company. It is the ARB's responsibility to carry out a meeting within 45 days upon receipt of an application in order to determine compliance with these Guidelines, and ensure compliance with the architectural standards of the Broad Run Oaks community. It is also each homeowner's responsibility to ensure that each alteration matches the approved application. Applicants with special cases that require an interpretation or explanation will be notified via mail that a decision has not been made on their application pending further clarification of their application, and asked that they be present for a meeting with the ARB concerning their case, on a date specified by the ARB. If the homeowner can not meet on the date specified, they will be asked to attend the next scheduled Board of Directors meeting or the next scheduled ARB

meeting to explain their application. Each decision made by the ARB will be documented on the application and the application will be returned to the Management Company. The Management Company will then send the homeowner a notification of the approval. The applicant understands the ARB's decision is not binding until twenty (20) days after the date of the decision to allow time for the appeal process specified in subsection K below.

## **K. Appeals Procedures**

An appeals procedure exists for applicants affected by an unfavorable ARB decision or for other residents who become aware of the requested alteration and object to the ARB's decision. To initiate the appeals procedure, the applicant or other affected resident must submit a written notification of appeal to the Management Company. This appeal must be made in writing and submitted within twenty (20) days of the ARB's decision, pursuant to Article VII, Section 9 of the Covenants. Applicants and other interested parties may appear before the Board in conjunction with the appeal at the next scheduled Board of Directors meeting. The Board of Directors will issue its decision on an appeal and will provide written notification of its decision to the applicant (and, if different, to the person who appealed) and to the ARB.

## **L. Enforcement Procedures**

The Covenants (Article VII, Sections 6 and 8) require the ARB to ensure compliance by all Lots within Broad Run Oaks HOA. The Association, acting through its Board of Directors, has the authority to take enforcement action against homeowners who fail to comply with these Guidelines and the Covenants. These enforcement actions may include requiring the homeowner to remove the unapproved alteration and restore the property to its original condition at the homeowner's sole cost and expense. In addition, the Board may impose violation charges against a non-compliant homeowner (see Appendix C, Policy Resolution 05-01-01, for the procedures that will be followed prior to assessing violation charges).

If a homeowner refuses to pay the violation charges, the Association may place a lien on the homeowner's Lot and/or file a lawsuit to recover the unpaid charges.

However, regardless of whatever other enforcement actions may be taken by the Association, the Association reserves the right to file a lawsuit against the homeowner to seek an injunction compelling the homeowner's compliance. Before taking enforcement action, all violations of a continuing nature will be confirmed by a site visit by a member of the Board of Directors, an ARB member, and the Management Company and a violation notice will then be sent to the homeowner. If a violation is by a homeowner's tenant, a copy of the notice may also be sent directly to the tenant. If the violation is not resolved within the time period specified in the notice, the ARB or the Management Company shall submit the violation to the Board of Directors for further action.

## **M. Maintenance Requirements**

Pursuant to the Covenants, all property owners in Broad Run Oaks are responsible for maintenance of all structures and grounds on their property. Each owner or tenant shall at all times keep his/her premises, buildings, improvements, and appurtenances in a safe, clean, neat, and sanitary condition. This includes, but is not limited to, items such as seeding, watering, and mowing of all lawns, the pruning and cutting of all trees and shrubbery, the painting (or other appropriate external care) of all buildings, and other improvements all in a manner and with such frequency as is consistent with good property management.

All owners of lots on which storm water management or storm drainage easements exist must keep such areas free of debris so as not to impede drainage. All owners are also responsible for knowing where all other easements and utilities are located on their lots and to make sure that those easements and utilities are not interfered with or damaged.

All owners and residents shall comply with all applicable federal, state, and local laws, ordinances, and regulations, and shall provide for storage and removal of trash and rubbish from his/her premises in a manner consistent with the Covenants and Guidelines.

1. **Dwelling and Structures.** Residents are responsible for maintaining the exterior of their dwellings and any other structures on their lots, such as decks, fences, sheds, and playground type equipment, etc. While it is difficult to provide a precise, all-inclusive listing of what the Association deems as unacceptable conditions, the following cases represent some of the more common conditions that would be considered a violation of the Covenants:
  - a) Peeling paint on exterior trim
  - b) Dented, loose, or missing siding
  - c) Playground equipment which is either broken or in need of repainting
  - d) Fences with either broken or missing parts
  - e) Sheds with broken doors
  - f) Structures in need of painting or other repair
  - g) Decks with missing, deteriorated, or broken parts
  - h) Foundations in need of repainting
  - i) Missing roof shingles
  - j) Missing exterior window shutters
  - k) Missing screens
  - l) Dumping debris or lawn clippings on common areas/open space
  - m) Compost pile(s)
2. **Turf.** Turf areas should remain planted with grass consistent with original lawn installed by builder, or within the guidelines found in Section 3; paragraph N. Turf should be alive and with proper color except when lawns are normally dormant due to weather conditions.
3. **Mowing.** Turf areas should be mowed at regular intervals, maintaining a maximum height of six inches (6") and a minimum height of two inches (2"). Planted beds must be kept in a neat and orderly manner.
4. **Weed Control.** Owners and/or residents are responsible for ensuring that all landscaping areas are kept planted with grass, trees, or shrubs and clear from all weed growth.
5. **Trash Removal.** Owners, residents, and tenants are responsible for trash removal on their property, as well as for removing trash from any other areas (including common areas) if the trash originated from their property.
6. **Erosion Control and Drainage Management.** Residents and tenants are responsible for seeing that their lots are protected from erosion, and that storm drain structures are not blocked so as to cause additional erosion problems. Residents are responsible for maintaining proper drainage through their property, and for not blocking or hindering natural drainage from adjoining properties.
7. **Pesticides and Herbicides.** The use of pesticides and herbicides when necessary should be regular and customary in nature and used with caution by following all manufacturers' instructions.
8. **Front yard lights.** Broad Run Oaks has very few street lights; therefore, homeowners are required to maintain their front yard post light in working order.

## N. Disclosure Packet

Upon request of the homeowner or a person so designated by the homeowner (and payment of the applicable fee), a Disclosure Packet, as required by Section 55-512 of the Virginia Code, will be completed and issued to the requestor within the time period required by statute. This disclosure packet provides information on the current status of assessment payments and on the existence of any architectural violations. Any exterior alteration, which has been made since the builder completed his approved plan and which required ARB approval pursuant to either the Covenants or the architectural guidelines in effect at the time the alteration was made, must have an approved ARB application in the lot file for that address. Lack of an approved application constitutes a violation. When this situation occurs, there is typically no record of these builder options on file at the Broad Run Oaks HOA. In order to have these builder options on file with the Association, it is the responsibility of each homeowner to provide documentation

acceptable to the ARB of the builder option(s) constructed on his or her Lot. An acceptable form of documentation would be a copy of the contract between you and your builder, which shows this option. The disclosure packet helps to protect the future buyer against unknown problems with past owners' architectural changes. If everything is in order, it also protects the seller from potential lawsuits involving violations of the Covenants by subsequent owners. To obtain a disclosure packet for your property, send a written request to the Management Company, along with appropriate payment as required (including a preparation fee and, as applicable, a rush fee, and the cost of any requested mailing or delivery).

## **O. Alterations Not Allowed**

The following is a list of alterations that are not allowed in Broad Run Oaks HOA. This list is not meant to be all-inclusive or exclusive, but rather to serve as a general guide to what is not permissible.

1. Bee keeping
2. Detached Garages
3. Clotheslines
4. Dog runs
5. Permanent, freestanding flag poles

## **SECTION 2: MAJOR ALTERATIONS**

### **A. Major Exterior Changes**

Major alterations are generally considered to be those that substantially alter the existing structure either by subtraction or addition. Major building alterations include, but are not limited to, rooms, screened porches, garages, driveways, decks, and fences. Applications are required for exterior changes to property or house. One application per alteration is required.

The design of major alterations should be compatible in scale, materials, and color with the applicant's house and adjacent houses. The location of major alterations should not limit, as much as reasonably possible, the views or amount of sunlight and natural ventilation on adjacent properties. Pitched roofs must be compatible with the slope of the roof on the applicant's house. New windows and doors should be compatible with the type used elsewhere in the applicant's house and should be located in a manner which will relate well to the location of exterior openings in the existing house. If changes in grade or other conditions that will affect drainage are anticipated, they must be indicated. Approval will be denied if it appears that adjoining properties will be adversely affected by changes in drainage.

To the extent possible, construction materials must be stored so that views from neighboring properties are minimized. Excess material should be removed within seven (7) days after completion of construction. No debris may be allowed to accumulate during construction so as to become a safety or health hazard. In all cases, a single application is required for each change.

Each application must be reviewed based on the Guidelines and must be processed within a specific time. For extensive changes, call the Management Company for guidance. Formal application forms can be obtained from the Management Office or downloaded from the Association's website. All questions on each application form must be completely answered. If an issue arises over whether an alteration encroaches onto another Lot or the common area, the homeowner who caused the possible encroachment shall be required to arrange and pay for a survey to pinpoint relevant boundary lines.

### **B. Fences**

The preservation of open space and natural features enhances Broad Run Oaks HOA. Fencing, if it is carelessly used or placed, or encroaches upon open space can destroy it.

#### **1. General Standards**

An application is required for ALL fencing. Fencing shall not extend beyond property lines, extend forward of the front corners of the house, or extend into front yards. All wood fencing must be left in a natural wood color, or stained in a natural wood color such as cedar and redwood. Fences can be a maximum of six (6) feet in height.

#### **2. Materials**

All fence materials will either be hard wood (cedar, redwood, etc.), pressure-treated pine, or reinforced white vinyl (e.g., vinyl wrapped around wood or vinyl with interior steel reinforcement). Fencing which is finished on one side only must be constructed with the finished side facing out.

- a) Wood fencing is to be left natural wood or stained in a natural wood color such as cedar and Redwood (not painted).
- b) Gate materials should be compatible with fencing in design and height.

#### **3. Sight Lines / Safety**

Fences cannot interfere with sight distance easements or otherwise create vehicle safety issues. Homeowners are solely responsible for determining where easements are located on their Lot and for determining whether the proposed fence location requires prior approval from the County, Virginia Department of Transportation (VDOT), or other governmental department or agency.

#### **4. Corner Lots**

Fences for homes that are on corner lots where the side of the property is adjacent to a roadway must be installed so that it is in accordance with the Prince William County Code for line of site. If there are any questions, please contact the Management Company.

NOTE: Swimming pools, spas and hot tubs have specific requirements for fences. Please refer to swimming pools, spas and hot tubs section of these Guidelines to obtain these requirements.

#### **Application to ARB for a fence must include:**

1. A site plan showing the location as it relates to the applicant's house, adjacent houses, and property lines.
2. Description of materials, drawings, or picture of fence styles being installed.
3. Grading and/or drainage changes, if any.

### **C. Patios & Decks**

Patios and decks should be located in rear yards and may be left to weather naturally with the use of a clear or semi-transparent wood tone preservative, or stained in a natural wood color such as cedar and redwood. Wood tone finish deck and rail materials (e.g., composite or aluminum) may also be used instead of wood for deck projects. White sleeved solid core material may also be used for railings. The applicant is required to obtain the necessary Prince William County building permits. Front or side yard locations will be evaluated on an individual basis.

When patio or deck schemes include other exterior changes (e.g., fencing, lights, plantings, sheds, etc.) other appropriate sections of these Guidelines should be considered during the completion of the application, and a separate application must be submitted for each item being added and/or modified. An application is required for all decks. An application is required for all patios where any portion is 16 ½ inches above grade as in accordance with the Prince William County Code. All patios that are not above 16 ½ inches at their highest point do not require ARB approval. Any posts or trellis rising above the deck or patio surface shall extend to a uniform height not to exceed 10 feet above the deck flooring.

#### **Application to ARB for a deck or patio must include:**

A detailed drawing clearly showing the following:

1. A drawing of the proposed deck/patio clearly showing the length and width.
2. The height of the deck/patio above grade.
3. Placement of any stairs on the deck.
4. Dimensions of any other details that clearly describe the proposal.
5. The plan must show a guardrail, guardrail design and where the guardrail will be installed, if guardrails are required by county ordinance or regulation. Guardrail height shall be between 36 and 42 inches, with either vertical pickets or two horizontal supports in addition to the top-rail.
6. Details of changes to windows or doors of the house, if applicable.
7. Site plan (copy of the latest survey) showing how far the deck extends into the yard and the relationship of the deck to the house, lot, and adjacent properties.
8. A description of the materials and colors to be used.
9. Indicate on the plan whether or not the under-deck area will be used for storage. If so, indicate whether trellis work or solid walls will be used. Solid walls must be treated as a shed and conform to the storage shed Guidelines. Approval must be obtained for under-deck storage.

NOTE: Lattice covering/screening underneath a raised deck is automatically approved if it matches the material and coloring of the approved deck. Under deck storage is allowed if the storage area is enclosed by approved lattice.

## **D. Storage Sheds**

Any storage shed has an aesthetic impact on neighbors. An inconsiderately placed or poorly designed shed can visually and functionally detract from an otherwise desirable residential area. Sheds are allowed in rear yards with approved privacy fencing. Sheds must be made of wood or wood-like materials in a similar manner to those used on the construction of the home, to include color which matches the primary colors of the home. Ruggedized plastic sheds are also allowed. The shed design and architecture should be simple in nature so as not to stand out any more than is necessary. Unnecessary adornments and decorations are not permitted. The shed may not exceed eight feet (8') in height (as measured from the ground level) at the ridge (highest point) of the roof, and the foot print may be no larger than ten by twelve feet (10' x 12') or 120 sq ft. Aluminum and/or metal sheds are not permitted in Broad Run Oaks. All structures must be in accordance with all applicable government codes and regulations.

### **Shed Design Criteria:**

1. The shed must be designed in relation to the style of the home as to give the appearance of a separate extension of the house. Sheds may be part of a deck/porch, in accordance to Prince William County ordinance.
2. The shed must be designed with consideration to the "visual rights" and aesthetic interests of neighboring properties and must be well maintained.
3. Proper permits must be obtained by the homeowner.

### **Application to ARB for a shed must include:**

1. Site plan showing the relationship of the shed to the house, lot, and adjacent properties.
2. A description of material and color to be used.
3. Drawings or pictures with dimensions and other details, as required to clearly describe the proposal. Be sure to include height, length, and width of shed.

## **E. Room Additions**

Any room addition has an aesthetic impact on neighbors. An inconsiderately placed or poorly designed room addition can visually and functionally detract from an otherwise desirable residential area.

For the purpose of this section, "existing structure" is considered to be any exterior improvement on a single family Lot.

### **Room Additions Design Criteria:**

1. The design of major exterior changes must be compatible with and complementary to the design of the existing structure to be altered in terms of structures' original design, scale, massing, roof pitch, materials, windows, color, trim detail, etc.
2. Proposed additions that clearly adversely impact the use or value of adjacent properties will not be approved.
3. The ARB review will consider the impact of a proposed addition on view, daylight, and natural ventilation, grade, and drainage of adjacent properties.
4. All surfaces must be stained/painted or sided (as appropriate) to complement the trim color of the house.

### **Permit Criteria:**

All room additions must be in compliance with all state and local building codes, ordinances, and regulations. It is important to reinforce that each homeowner must obtain the appropriate County Building Permits prior to the commencement of construction. ARB approval assumes that county approval has been obtained or will be obtained prior to commencement of construction. County approval does not guarantee ARB approval, and vice versa.

### Construction Criteria:

The quality of construction of any proposed addition must be at least equal to that of the existing structure in terms of material, construction details, and finish.

### Application to ARB or a room addition must include:

1. Architectural design drawing (floor plan, elevations, roof plans, etc.) which fully delineate the proposed addition and its relationship to the existing structure.
2. A dimensional site plan, at scale, clearly showing the location of the proposed improvement, as well as existing house and existing decks, patios fences and/or accessory structures, significant vegetation, and property lines and easements. The plan must show the location of all existing improvements on each adjacent property.
3. Details of changes to windows or doors of the house, if applicable.
4. A description of the materials and colors to be used.

## **F. Sunrooms, Greenhouses, and Screened Porches**

Attached sunrooms and screened porches will be reviewed as room additions and all surfaces must be stained/painted or sided (as appropriate) to match the trim color of the house. Architectural drawings are required for all sunrooms and screened porches. If a screened porch is to be added to an existing, approved deck, an application for the deck is not required, only an application for the screened porch is required. However, if a deck does not exist, the applicant must follow the Guidelines for the deck and will be reviewed as both a deck and a room addition.

Detached greenhouses are not allowed in Broad Run Oaks; this excludes covered planting beds which are less than eight feet wide by four high (8' x 4') and are enclosed in a six foot (6') privacy fence and are not visible from the perimeter of the fence. Cold frames for gardening must not exceed 16 sq. ft. in total area and must not be more than 18 inches (18") above ground level. Cold frames must be constructed of natural, untreated wood and glass, and must be maintained in good repair at all times. Applications for cold frames and covered planting beds are not necessary if they are under cover of fence.

## **G. Swimming Pools, Spas, and Hot Tubs**

1. Only in-ground swimming pools are allowed.
2. Swimming pools, spas, and/or hot tubs (including any associated pumps and machinery) must be located and contained within the "rear lot" of the property and be no closer than five feet (5') to the Lot's property line. In addition, swimming pools cannot be situated any closer than thirty feet (30') from the closest point of any neighboring Broad Run Oaks house (measured from the closest point of the adjoining house to the closest point of the swimming pool).
3. Applications for swimming pools will only be considered for homes with a "rear lot" that does not abut a neighboring Broad Run Oaks residents' front yard. Approval of the pool is contingent upon the completion of a six foot (6') privacy fence. Fence location as well as type of fence must be included in the application for the pool.
4. As a minimum, swimming pools shall be fully compliant with all Prince William County codes.
5. Hot tubs and spas without a safety cover that complies with ASTM F 1346, per Prince William County barrier requirements, must have a privacy fence surrounding the unit. For the purpose of a hot tub and/or spa, a privacy fence is considered six-foot (6') board-on-board fence.
6. Swimming pools already constructed, with proper county permits, and approved by the ARB prior to the effective date of these Guidelines are granted grandfather privileges; however, if a grandfathered pool is ever replaced, the replacement pool must comply with these Guidelines in every respect.
7. All fences shall be kept in good repair and conform to the instructions found in Section 2 paragraph B, of these Guidelines.

8. Exterior lighting for pools, spas, and/or hot tubs and lighting from a source within the pools, spas, and/or hot tubs should be turned off when it is not in use by resident or guest or not later than 11:00 p.m. on weekdays and 1:00 a.m. on weekends. Consideration for your neighbors should always be taken when using any outdoor lighting.

Additional Information: The County application process and the commencement of construction should be initiated only after receiving final written approval from the ARB. Once construction begins, the aim should be to complete construction within eight (8) weeks or less to minimize disturbance to neighbors. Construction equipment shall not be in use before 7:00 a.m. or after 7:30 p.m. The Management Company will contact the neighboring Broad Run Oaks residents whose names, addresses, phone numbers, and signatures appear on the pool application and will contact residents that border the property if they are not listed on the application. The Management Company will inform those residents of the submitted application and allow them to express any concerns they may have about the respective pool application. These Guidelines are to protect general aesthetics for the majority of the community; as such, the ARB and the Board will take neighborhood and community impact into consideration when reviewing applications.

Application to ARB for swimming pools, spas, and/or hot tubs must include:

1. A site plan showing location and dimensions of the pool, spa, and/or hot tub, and other related material equipment, fences, etc. in relation to the applicant's house, property lines, and adjacent dwelling(s).
2. Detailed drawing and plans of the pool, spa, and/or hot tub, deck area, lighting arrangements, walkways, fences, etc., and pertinent information concerning water and electrical supply system, drainage, and water disposal system.
3. Landscaping plan for outside (exterior) of fencing.
4. Privacy fence plan for pool, spa, and/or hot tub (NOTE: a separate application is required for privacy fence installation).

## **H. Recreation and Play Equipment**

The desire for swings, basketball backboards, tot lots, etc., on detached lots or neighborhood property is frequently expressed. Most equipment of this sort is commercially available but is often less than pleasing in appearance. Creatively designed equipment is encouraged. The Guidelines listed below are provided in an effort to reconcile the need for play equipment with the goal of minimizing its visual impact. Recreation and play equipment may not be placed within two feet (2') of property lines and may not be placed on any roads, including pipe-stems, cul-de-sacs, etc., on any open space property or within right-of-way easements or other easement areas. Careful thought should be given to location and kinds of equipment to be installed.

Play Equipment:

Play equipment must be placed in rear yards in locations which are the least visible from the street and other houses. All equipment must be stored immediately adjacent to the owner's house when not in use so as to minimize the visual impact on neighbors. Play equipment constructed of wood is encouraged. All swing set frames, whether wood or other material (e.g., metal or plastic), if painted shall be painted by the manufacturer in earth tone colors (i.e., brown, dark green, or other natural wood tones) that compliment the home. Wood frames that are already a dark earth tone need not be painted. Neutral colors are preferred on wearing surfaces and accessories (equipment with canopies or manufactured in other than earth tone colors will be considered on a case-by-case basis). Play equipment meeting the criteria above, located in yards with a six foot (6') privacy fence, that measure less than twelve feet (12') in length and six feet (6') in width, and where no more than two feet (2') in height of the play equipment can be seen from the road or adjacent properties do not require approval.

Basketball Backboards:

Basketball backboards and poles must be located adjacent to the owner's driveway or in the rear yard so as to minimize the visual impact on neighbors. Basketball goals must be placed so that players are not playing in the streets or on sidewalks, pursuant to Prince William County law. Approval for backboards and poles is specific for the current owner of the lot and does not transfer with the sale of the home. Portable basketball hoops do not need approval from the ARB, but they must be maintained in good repair at all

times. Preferred storage of portable basketball hoops is in the garage or in the rear yard when not in use. However, portable basketball hoops can be stored adjacent to the home if within the scope of the driveway. DO NOT lay hoops down in front/side yards. Portable basketball hoops not maintained in good repair and/or stored properly are a violation of these guidelines, and can be removed from the property by VDOT.

Application to ARB for recreation and play equipment must include:

1. Site plan showing relation to proposed play equipment to adjacent property lines, applicant's house, and adjacent houses.
2. Photograph and/or sketch of proposed play equipment.
3. Dimensions.
4. Color and material.

## **SECTION 3: Minor Exterior Changes**

### **A. Air Conditioners-Exterior Unit / Window Fans**

Window air conditioning units may not be utilized for any reason. Window fans which do not protrude beyond the frame of the window may be used.

### **B. Antennas**

Only satellite dish antennas and other antennas specifically covered by the Federal Communication Commission's Over-the-Air Reception Devices Rule (47 C.F.R. Section 1.4000) (the "FCC Rules") are allowed within Broad Run Oaks. The FCC Rules specifically cover the following types of antennas

"Permissible Antennas" include: (1) A "dish" antenna that is one meter (39.37") or less in diameter and is designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite; (2) An antenna that is one meter or less in diameter or diagonal measurement and is designed to receive video programming services via MMDS (wireless cable) or to receive or transmit fixed wireless signals other than via satellite; or (3) An antenna that is designed to receive local television broadcast signals.

No other exterior antennas shall be erected or permitted on any building, lot or common area of the community. Satellite dishes in excess of one meter (39.37") are not permitted.

Prior notice of installation of all antennas is requested by the ARB so as to allow the ARB to assist the homeowner in selecting the best possible location for the equipment, while complying with the requirement for the least visible and least obtrusive location. Broad Run Oaks HOA reserves the right to restrict placement of Permissible Antennas. However, nothing in these Guidelines shall be interpreted or enforced in a manner that would violate the FCC Rules by (1) unreasonably delaying or preventing installation, maintenance, or use of a Permissible Antenna; (2) unreasonably increasing the cost of installation, maintenance, or use of a Permissible Antenna; or (3) precluding a Permissible Antenna's reception of an acceptable quality signal.

Permissible Antennas should be placed in the rear of the home, unless the homeowner has written confirmation from the installation company on the installation company letterhead stating that a location other than the rear of the home was required due to a reception issue. If placement on the rear of the home is not possible due to reception, the antenna must be placed in a location other than the front of the home that is as inconspicuous as reasonably possible and screened from view without causing reception issues. Installation must take aesthetic considerations into account, including the visual impact on neighbors and the visual impact when viewed from the street. Local television broadcast receiving antennas, although increasingly rare in use, should be placed in the home's attic if such placement does not preclude reception of an acceptable quality signal. If external installation is necessary, the preferred location is on the back slope of the roof so as not to be visible from the front of the home. All Permissible Antennas must be installed in accordance with the manufacturer's instructions and specifications.

#### Masts:

1. For aesthetic reasons, masts (or poles) shall only be used if needed to achieve acceptable quality signals and, if used, shall be no higher than absolutely necessary to receive such a signal.
2. In no event shall masts encroach upon common area or any other owner's lot. For instance, a mast cannot be installed so that it extends over a Lot's boundary line.
3. As required under the Virginia Uniform Statewide Building Code (VUSBC) Section 3109.1, an Antenna installed on a roof "shall not be erected nearer to the lot line than the total height of the antennal structure above the roof (including the mast)." The purpose of this restriction is to help prevent damage or injury to others if a mast falls.
4. Based on wind load requirements contained in the VUSBC Section 1609.0, a mast must be designed to resist wind loads of at least 70 mph. An Owner is deemed to comply with this provision if it provides

the Association with the mast manufacturer's brochure that references the required wind load design. The purpose of this restriction is to help prevent damage or injury to others if a mast falls.

5. Professional Installation. Masts extending more than twelve feet (12') above the roofline (if otherwise permissible under these Guidelines) must be installed by a professional installer due to safety concerns posed by wind loads and the risk of falling antennas and masts.

#### Notification to ARB for antennas:

As stated above and consistent with the FCC Rules, the Broad Run Oaks HOA has a notification form that must be submitted for the installation of an antenna. The title of this form is "Homeowner Notification Form for Satellite Dish Installation," however this is NOT a request for approval. A copy of this notification form is listed as Appendix E in these Guidelines. Prior to installation, an Owner should submit a fully completed notification form to the Association. This notification should be given as much in advance of actual installation as reasonably possible.

### **C. Attic Ventilators and Metal Flues**

Attic ventilators and turbines are permitted. They should match the color on the house if mounted on a gable end, or may be painted to match the roof if placed on a roof. Roof location shall be on the least visible side of the roof peak. Large metal flues and any vent through the roof may be painted to match roof color.

An application is not necessary for units that meet the above conditions.

### **D. Chimneys**

Chimneys may be masonry or enclosed. Chimney caps must be painted, and any vent through the roof shall be painted to match the roof color. Enclosed chimneys must be made of the same materials and same color as the house siding.

#### Application to ARB for chimneys must include:

1. Site plan showing the relation of chimney to the house, property line, and adjacent neighbors.
2. Picture and/or detailed drawing of chimney to include dimensions.
3. Color and style of house.
4. Description of materials being used to construct chimney. If brick is being used and there is brick already on the house, then the brick colors must match.

### **E. Invisible Electronic Fences for Dogs**

The use of "invisible" wireless electronic fences is encouraged for helping to confine dogs to a homeowner's property. However, regardless of whether such a fence is installed, an owner remains solely responsible for complying with all Prince William County animal control ordinances and remains solely responsible for any injury or damage caused by the owner's pets. See Article VI, Section 8 of the Covenants for restrictions regarding pets. An application for an "invisible" wireless electronic fence is not required, but it must be installed and used in accordance with the manufacturer's specifications and warnings.

Homeowners are reminded to contact "Miss Utility" before digging.

### **F. Doghouses/Dog Runs**

Dog runs are not permitted. Doghouses will be considered after the submission of a complete application. The application shall clearly show the proposed size of the doghouse and provide evidence that the proposed doghouse is within reasonable proportion to the size of the pet. Doghouses should closely match the colors of the house or be made of natural wood and must be well maintained. Doghouses are only

allowed in the rear yard under cover of a six foot (6') privacy fence. However, regardless of whether you have an approved doghouse, dogs shall not be kept outdoors overnight, but rather must be kept inside the owner's house.

## **G. Exterior Decorative Objects (including outdoor furniture)**

Approval is required for all exterior decorative objects greater than twelve inches (12") tall (other than temporary holiday objects) placed in the front of a home or in the rear of a non-privacy fenced lot, including natural and man-made objects.

Outdoor furniture on front porches and in rear yards are allowed and do not require approval. The use of indoor furniture, particularly overstuffed furniture, on patios, decks, porches and in yards is prohibited. Furniture left outdoors must be kept in good repair. Outdoor furniture must be of a scale and style that does not detract from the appearance of the area.

Exterior decorative objects not permitted to be placed in the front of a home or in the rear of a non-privacy fenced lot include but are not limited to items such as wagon wheels, large sculptures, pools, stumps and driftwood piles, and animal and human figures. "Decorative objects" requiring approval do not include up to three natural stones less than 24" above grade and up to six (6) small figurines, not exceeding 12" tall.

Any non-offensive object is allowed in the backyard without application as long as it is under cover of fence.

Homes with a front stoop are allowed to have four (4) planters on their stoop not to exceed 24" in height and 24" in diameter located on the stoop or adjacent stairs without an application. Homes with front porches are allowed up to six (6) planters no larger than 24" in height or 24" in diameter, (hanging or sitting planters) without an application. All planters must be located on the front porch, steps, or stoop. Planters that are not located on the porch or stoop should be referred to Section 3, Paragraph N below for provisions relating to landscaping, edging, and rock gardens.

An application is required for Astroturf or similar artificial grass-like ground covering. No such exterior Astroturf is permitted in the front of the property. It should be noted that brightly colored exterior carpet has an adverse visual impact on the community and is prohibited.

Backyards without fences are pre-approved to have a birdbath, birdfeeder, and up to six (6) small sculptures under 12" in height.

### **Application to ARB for exterior decorative objects must include:**

1. Site plan showing the relation of object to house, property line, and adjacent neighbors.
2. Picture and/or detailed drawing of object to include dimensions, color, and material of object.

## **H. Exterior Lighting and Electronic Insect Traps**

Exterior lighting added to the front of a home must match or complement existing lamp styles. Ground-level lights must be unobtrusive in nature. Lighting in the front or rear yard must be placed so that light does not shine outside the property perimeter. In particular, care must be taken in arranging the angle of a spotlight. Sodium or mercury vapor lights/lamps are not allowed. Proposed additional lighting shall not be approved if it will result in an adverse visual impact to adjoining neighbors due to location, wattage, or other features.

Low voltage Landscape lighting used to light front or rear walkways do not require approval if the number of lights does not exceed one light per three linear feet of the walkway and is in compliance with the Prince William County code.

All exterior lighting (including lights on porches, garages, and lampposts in front yards) should be well maintained and care should be taken to replace burned out bulbs as soon as possible, where applicable.

Electronic insect traps do not require pre-approval, but will be regulated based on the same criteria as exterior lighting. Electronic insect traps must be located in the rear yard and should be operated only during those times when the owners or their guests occupy the immediate area protected by the trap. However, no device shall be installed or maintained in such a way as to cause discomfort to adjacent owners from noise or obtrusive light.

Application to the ARB for exterior lighting must include:

1. Site plan showing the relation of the lighting to house, property line, and adjacent neighbors.
2. Picture and/or detailed drawing of the lighting to include all dimensions and height of fixture(s) above ground.
3. State wattage of bulb to be used.

## **I. Exterior Painting**

Color changes apply not only to the house siding, but also to doors, shutters, trim, roofing, and other appurtenant structures. Change of exterior color should relate to the colors of the houses in the immediate area. Repainting or staining a specific object to match its original color need not be submitted for approval.

Application to ARB for exterior painting must include:

1. List of all exterior colors on the house and appurtenant structures.
2. A color sample of the new color to be used.

## **J. Firewood**

Firewood does not require approval as long as the following criteria are met. Firewood shall be kept neatly stacked and located in the rear of the residence, entirely on the owner's property, and at least ten feet (10') from the side and rear property lines. Piles larger than two cords are not authorized. Piles longer than six feet (6') should be a minimum of two (2) rows deep. Piles must not exceed four feet (4') in height for safety. Firewood piles must contain firewood only, not debris. Location should be in such a manner as to minimize visual impact. In certain cases, screening may be required.

## **K. Flagpoles**

Permanent free standing flagpoles are prohibited. "Permanent freestanding flagpole" is defined as any pole designed for or used to display a flag or banner except for wall mounted flagpoles that do not exceed six feet (6') in length and are attached at an incline to the front wall or pillars of the house. Wall mounted flag poles meeting these specifications are allowed and do not require an application for prior approval. Holiday flags must be removed from display within fifteen (15) days after the holiday.

## **L. Gutters and Downspouts**

Gutters and downspouts must match those in existence in color and design and must not adversely affect drainage on adjacent properties.

## **M. In-Home Businesses**

Pursuant to Article VI, Section 1 of the Covenants, the lots shall be used exclusively for residential purposes only. The Association considers in-home businesses (if permitted by Prince William County within Broad Run Oaks' zoning district) to be consistent with the "residential purposes" of the lots. Homeowners wishing to operate an in-home business must obtain all required governmental permits and such businesses shall comply with all applicable state and county laws, ordinances, and regulations. A homeowner must provide written notice to the Association (including a copy of any governmental permits) prior to engaging in a permitted in-home business.

## **N. Landscaping, Rock Gardens, and Vegetable Gardens**

All landscaping shall demonstrate sensitivity to the interests of adjacent property owners to enjoy light and open views. Landscaping and gardens must not obstruct sight lines required for vehicular traffic. Landscaping must not hide fire hydrants, impede storm sewers, or adversely affect drainage on neighboring properties or utility lines. Any landscaping around electrical boxes must adhere to the electric company guidelines posted on the unit. Trees and bushes should be spaced so they will not overhang property lines and curbs in the foreseeable future. All gardens must be neatly maintained; this includes removal of all unused stakes, trellises, and dead growth.

Landscape designs of such a scale or type as to be inconsistent with the existing design features of the house, adjacent houses and the Community, and include total or substantial removal of builder installed turf which exceeds 40% of the front, side, or rear yards is prohibited. The percentage is computed based upon the total area available for plant growth in the front, side, or back, and each is measured separately. Examples include the substantial (more than 40%) or total removal of turf and replacement with another material, other than grass to include items such as mulch or gravel.

An application is not required for trees or single bush plantings. Major changes, to include the planting of four (4) or more trees measuring four inches (4") in diameter measured twenty four inches (24") from the base of the tree, and/or six (6) or more shrubs which exceed thirty six inches (36") in height and thirty six inches (36") in width, to original landscape of Lot require an application. An application is also required for hedges or other features, which, in effect, become structures, fences, or screens.

An application is not required for the installation of garden timbers or other landscaping edging less than twelve inches (12") in height which border planting beds. The items listed above which are over 12" high for a length of eight feet (8') or more require an application and must include a site plan with the location of object(s) drawn in, and information on landscaping plans and any grading changes.

### **Rock Gardens:**

Rock gardens may replace builder installed planting beds without prior approval, as long as they do not exceed the original builder planting bed dimensions. All rocks within the garden shall be left in their natural color. Any crushed stone, gravel, pebbles, or combination thereof is prohibited along property lines. Such stone is permitted only in landscape beds and between stepping stones. They are not permitted for outlining driveways without ARB approval. Collections of rocks exceeding twenty four inches (24") in width, depth, height, or length above grade and outside of approved planting beds are prohibited.

### **Vegetable Gardens:**

An application is not needed for vegetable gardens which are located in the rear of a home with a privacy-fenced lot. Non-fenced lots require approval for vegetable gardens. All vegetable gardens must meet the following conditions:

- a) Be located between the rear wall of the house and the rear property line.
- b) The size does not exceed 1/8 of the area described in item a) above, or 100 square feet, whichever is less.
- c) Does not damage other property through the flow of water.

ALL gardens/landscaping shall be well maintained. All edging and retaining walls must be maintained and remain level and straight. Stones under air-conditioning units are permitted without prior approval.

## **O. Mailboxes**

All mailboxes will be uniform in design and not materially deviate from those initially installed by the Developer or Builder. The mailbox shall be black in color. The mailbox post shall be natural wood, which may be sealed with transparent or semi-transparent water sealant. All mailboxes located within VDOT right-of-ways must comply with VDOT restrictions against fixed-object hazards. House numbers shall be visible at a minimum on the right side of the mailbox and may be present on both sides of the mailbox if the homeowner wishes. Homeowner's name is also authorized if desired. Mailbox covers are allowed

provided they comply with U.S. Postal Service regulations (i.e., house number visible). One newspaper box attached to the mailbox is pre-approved; additional newspaper boxes require the prior approval of the ARB.

## **P. Permanent Grills and Barbecue Pits**

Any permanent outdoor grill must conform to Prince William County or other local ordinances and should be placed at the rear of the lot and must not be located within ten feet (10') of the side and rear property lines. Permanent outdoor grills and pits not built on the deck or patio connected to the residential structure shall be constructed of brick or stone. Any exterior application for permanent outdoor grills and pits must include details of the construction of the grill and any surrounding patio or deck.

### Application to ARB for grills and barbecue pits must include:

1. Site plan showing the relation of the grill or barbecue pit to the house, property line, and adjacent neighbors.
2. Picture and/or detailed drawing of the grill or barbecue pit to include dimensions and materials used.

## **Q. Real Estate Sales/Rent Signs/Other Permitted Signs**

Pursuant to Article VI, Section 7 of the Covenants, the only signs permitted on the lots are customary home and address signs. Customary home or address signs include items such as decorative "Welcome to the XXX family home" signs, home security system signs, yard sale signs, beware of dog signs, invisible fence signs, and other signs of this nature which are not commonly found to be offensive. Signs must not exceed twelve inches (12") in height and twelve inches (12") in width. Signs announcing the birth of a child are always welcome in Broad Run Oaks, but should be removed in a reasonable time not to exceed one month from the date of installation.

No more than one approved home or address sign shall be displayed to public view on any lot, and such sign must be no more than two square feet in total surface area and must not be illuminated.

A yard sale sign is hereby deemed approved if the above criteria are met and the sign is put up no sooner than 48 hours prior to and taken down no later than 24 hours after the event.

A home security system sign is hereby deemed approved by the ARB as long as the above criteria are met and the sign is made or supplied by the system provider.

Real estate sale or lease signs are hereby deemed approved by the ARB as long as the following criteria are met: (1) No more than one such real estate sign shall be displayed to public view on any lot; (2) the sign must be displayed only in the front yard of the lot, (3) the sign must be of standard size; and (4) the sign must not be illuminated. All permitted real estate signs must be removed within three (3) days from the date of the closing/settlement on the Lot or, if applicable, the execution of the lease agreement

Other than the one real estate sale sign allowed on the lot being sold, up to two (2) temporary real estate sale signs advertising an open house and/or providing directions to prospective buyers may be placed elsewhere within the Broad Run Oaks Community. These signs shall only be displayed between 9 a.m. and 5 p.m. of any day. Such temporary signs shall not be placed on private property without the prior consent of the homeowner/resident, and shall not be placed within VDOT right-of-ways without VDOT's prior consent.

## **R. Miscellaneous Signs**

Pursuant to Article VI, Section 7 of the Covenants, no other signs are allowed other than those approved under Section Q above without ARB approval.

## **S. Sidewalks, Pathways, and Driveways**

New stone or brick sidewalks (pathways) should be set back at least four feet (4') from the property line where site conditions permit, and should be installed flush with the ground. All driveways must be asphalt or concrete. Extensions and additions to existing driveways will be considered based on the impact on adjoining properties. Any such modifications to driveways must be of the same material as the existing driveway. Driveway grades should not exceed twelve percent (12%). A maximum grade of eight percent (8%) is recommended. Driveways should be no wider than necessary with a maximum width of sixteen feet (16').

Resurfacing of existing walks or driveways do not require ARB application, as long as the resurfacing does not require removal of existing materials or change the original foot print of the existing driveway or walkway.

Installing pavers to form a walkway through a planting bed for the purpose of easier access to faucets and exterior electrical outlets does not require an application. Otherwise, all paver walks require submission of an application for ARB prior approval.

### **Application to ARB for sidewalks, pathways, and driveways must include:**

1. Site plan showing the exact location of the pathway, driveway, or sidewalk.
2. Materials to be used including color. If using brick, type should blend with that on the house (if any).
3. Method of installation plus a description of grading changes required, if any, and the resulting impact on neighbors.

## **T. Parking and Storage of Recreation and/or Commercial Vehicles**

### **General Parking Regulations:**

1. No vehicle shall park in any designated NO PARKING zone or in a Fire Lane, or block sidewalks.
2. No owner or resident shall paint, display, make, or place any sign, initials, numbers, or any other addition or alteration to any common area parking space or private street.
3. No vehicle shall be operated within Broad Run Oaks other than on those paved areas specifically designed for operation of motor vehicles.
4. Vehicle repairs, restoration, or maintenance shall not be performed on the Common Area or on a Lot; except that minor emergency maintenance (excluding fluid changes and other action that may soil or impact the property). Normal cleaning is permitted on the owner's driveway.
5. All vehicles must be parked in accordance with these parking guidelines. Vehicles in violation will be considered in violation and subject to the enforcement authority of the Association.

Pursuant to Article VI of the Covenants, any vehicle fitting or falling into one or more of the following classifications shall be deemed to be in violation of these parking guidelines and subject to enforcement authority, including the authority of the Association to tow vehicles upon 24 hours notice at the owner's sole expense:

1. An "inoperable or junk vehicle," which includes any vehicle that could cause or be classified as a safety or environmental hazard (such as vehicles that are leaking gasoline, oil, antifreeze, or other toxic substances), or for a period of thirty (30) consecutive days or longer has been partially or totally disassembled by the removal of tires, wheels, the engine, or other essential parts required for operation of the vehicle.
2. An unregistered, unlicensed, or uninspected vehicle in violation of state or local laws and ordinances.
3. A vehicle parked on or in a Lot owner's property in an area that is not specifically intended for vehicles (i.e., any area other than a paved driveway or garage).
4. Commercial or industrial vehicles exceeding 1.8 ton load rating which are parked regularly or habitually, or are parked overnight in the community without the prior written permission of the ARB.

5. Vehicles which are strictly prohibited from overnight or regular parking within Broad Run Oaks include: Moving vans, tractors, tow trucks, hearses, buses, any vehicle used as a taxi cab or car for hire, any vehicle defined as a “commercial motor vehicle” in the Virginia Code (§ 46.2-341.4), any vehicle displaying business or trade-related lettering or advertisements which is larger than 1.8 ton load rating, and any vehicle that is patently used for business or trade purposes (i.e., vehicles having ladder racks, tool storage compartments, or other visible apparatus not customary to standard passenger automobiles). For purposes of this rule, the term “overnight” means for at least five (5) consecutive hours from dusk to dawn on any given night; and the terms “regularly or habitually” means on more than one occasion in any given week.
6. Certain commercial vehicles of less than 1.8 ton load rating may be regularly or habitually parked in the driveway of the home owner if the following criteria are met:
  - a) The signage is totally covered by a flexible plastic magnetic cover, which is the same color as the vehicle background it adjoins to.
  - b) The cover must not be unreasonably large or unreasonably configured.
  - c) The vehicle must be consistent with the type of passenger vehicle normally driven by homeowners for non-commercial purposes.

## **U. Recreation Vehicles**

Recreational vehicles (and associated equipment) shall not be parked or stored outside of the homeowners’ garage without the prior written approval of the ARB. For the purpose of this rule, the term “recreational vehicles” means a boat or boat trailer; any type of trailer; any motor home or other self-contained camper, mobile home, mobile home trailer, or fifth wheel trailer; any camper slip-ons not mounted on the vehicle; any pop-up camp/tent trailer or other similar recreation oriented portable or transportable facility or conveyance; and any other vehicle which could not normally or regularly be used for daily transportation, including dune buggies, non-operative automobile collections, off road and un-registered motorcycles or mini-bikes, or other automotive equipment not licensed for use on the highways of Virginia.

The ARB hereby deems the following approved: Recreational vehicles may be parked up to ten (10) consecutive days entirely within the driveway of a resident’s home by obtaining a temporary permit from the Management Company. The permit shall be displayed on the dashboard or on the windshield of the RV at all times while within the Broad Run Oaks Community. However, this permit shall not be granted to an owner (or that owner’s household, tenants, or guests) more than five (5) times in any one (1) year.

## **V. Storm and Screen Doors/Windows**

Full view storm/screen doors that conform to one of the styles found in Appendix A are considered pre-approved. Storm doors must either match the trim color of the house, the color of the door found directly behind the proposed storm or screen door, or white. Door examples not seen in Appendix A need approval and will be judged on a case-by-case basis. Storm window frames should match the trim color of the house. Security doors incorporating bars or ornamentation such as scallops and scrolls are prohibited.

### **Application to ARB for storm and screen doors/windows must include:**

1. Drawing, picture, or advertisement that clearly shows door to be installed.
2. Manufacturer and Model Number of door to be installed.
3. Color of entry door.
4. Type/style of glass to be used in door to be installed.
5. Any options to be included in door to be installed.

## **W. Sun Control Devices**

Sun control devices must be compatible with the architectural character of the house in terms of style, color and materials. Permanent installation of bamboo screens is prohibited. Awnings and trellises should be

consistent with the design of the houses to which they are attached and an application is required. Awnings and trellises are allowed only on the back of houses. Vertical trellises for flowers and vines are allowed in the side yard.

The location of any awning or trellis must not adversely affect views, light, or natural ventilation of adjacent properties. Solid colors are required. All trellis work must match the trim or deck if part of the deck, or match the dominant color of the applicant's house. Frames for canvas awnings must be painted to match the trim or dominant color of the house. If awnings are removed for winter storage, frames must be removed.

Application to ARB for sun control devices must include:

1. Site plan showing location of trellis and/or awnings.
2. Sketch and/or photograph of house.
3. Sketch, photograph, or manufacturer's product information of proposed sun control device including indication of dimensions, construction details showing how the awning or trellises attaches to the house, materials, and color. In the case of fabric awnings, material and color must be included.

## **X. Tree Removal and Planting**

Living, healthy trees with a diameter in excess of four inches (4") measured 24" above ground shall not be cut down or removed without prior written approval of the ARB. However, dead or diseased trees in excess of 4" in diameter, similarly measured that are generally known as flowering trees (such as dogwood or red bud) or as broadleaf evergreens may be cut without prior approval of the ARB, if the tree is being promptly replaced by a pre-approved tree. All other removals and/or plantings of trees in excess of 4" in diameter, similarly measured, require the ARB's prior written consent.

Any tree requiring removal due to insect infestation should be reported to the HOA so that our grounds maintenance crew can inspect the common areas surrounding the home, if any, for possible infestation. Also, no live vegetation on slopes of greater than twenty percent (20%) gradient or in "no cut" or other non-disturbance areas marked on original plans may be cut or planted without approval of the ARB through the Open Space Committee.

Residents are advised to consult with the Prince William County Arborist for compliance with county ordinances on tree cutting. Only the Board of Directors shall have the authority to cut or remove trees located on the Common Area.

Application to ARB for tree removal and planting must include:

A site plan-showing location of trees to be removed or planted.

## **Y. In-ground Sprinkler System**

An application for an "in-ground sprinkler system" located on a Lot is not required, but any installation must comply with applicable county requirements.

The homeowner is reminded to call "Miss Utility" before digging.

## **Z. Trash**

Tightly closing trash containers, provided by the trash company, shall be used at all times. Pursuant to Article VI, Section 9 of the Covenants, trash and recycling containers, including yard debris (grass clippings, tree trimmings, etc.), should only be placed on the curbside or street on days of collection. However, enforcement action will not be taken so long as such containers are not placed for pickup prior to 5:00 p.m. the day before pickup. Trash cans and recycling bins shall be collected promptly after trash pickup (the same day as trash pickup, with a 24 hour grace period) and stored out of view of the roadway at all other times. Trash cans may not be stored on Association property.

Owners/residents are responsible for picking up litter on their property and debris on common ground that originated from their property. Plastic trash bags containing food and related refuse must be placed in a secure container.

Burning of trash or refuse is not permitted. Neither the Lots nor the Common Area shall be used for the dumping of trash or debris.

## Appendix A. Examples of approved storm doors

The below photos show examples of storm doors which are acceptable under Section 3; Paragraph V, of the ARB guidelines. The items listed below are examples of acceptable storm doors using the Broad Run Oaks definition of a "Full-View Storm Door." These items are pre-approved by the ARB and do not require an application.



Larson 36" White Charleston Storm Door  
Item # 149271  
Model # 345-04



Pella 36" White Kingsview Storm Door  
Item # 188193  
Model # PSD3802



Comfort-Bilt 36" White Springfield Storm Door  
Item # 47878  
Model # CO204032



Comfort-Bilt 32" White Springfield Full view Storm Door  
Item # 47797  
Model # 47797



Pella 36" Green Ashford Storm Door  
Item # 105323  
Model # PSD4601



Pella 36" White Ashford Storm Door  
Item # 109365  
Model # 109365



Pella 36" Cranberry Ashford Storm Door  
Item # 105325  
Model # PSD4601



Pella 36" White Ashford Storm Door  
Item # 105316  
Model # PSD4601



Anderson 3000 Series 36" width White Storm Door



Larsen 36" Aluminum Retractable Screen Storm Door



Pella 36" Full View Storm Door  
Model # 3700

## Appendix B. Pre-approved planters

These items represent the planters that are acceptable under Section 3; Paragraph G. Planters in the styles below that meet criteria outlined in Section 3; Paragraph G do not require ARB approval.



Garden Treasures 18\" data-bbox="142 203 304 239"/>

Item # 104863  
Model # U4760AAA



Garden Treasures 19 1/2\" data-bbox="332 203 514 239"/>

Item # 134441  
Model # U4704AAA



Garden Treasures 16\" data-bbox="522 203 701 228"/>

Item # 69728  
Model # FGS-427709



Garden Treasures 18\" data-bbox="712 203 883 228"/>

Item # 68111  
Model # FGS-427631



Dynamic Design 24\" data-bbox="142 328 321 365"/>

Item # 44256  
Model # MB2412ST



Dynamic Design 24\" data-bbox="332 328 489 365"/>

Item # 44345  
Model # MB2412EV



Dynamic Design 24\" data-bbox="522 328 703 365"/>

Item # 44353  
Model # MB2412WH



Pennington 10\" data-bbox="712 328 909 353"/>

Item # 94452  
Model # 671984

## Appendix C. Pre-approved landscaping and edging stones

The items below represent examples of pre-approved landscaping edging as referenced in Section 3; Paragraph N. These items are pre-approved and do not require ARB approval in accordance with the guidelines found in Section 3; Paragraph N.



Oldcastle Brown/Gray  
Bordercrete Edger Block  
Item # 43896  
Model # 43896



Matt Stone Oak Empire  
Edger  
Item # 183037  
Model # 183037



Oldcastle Red  
Perfect/Bullet Edger  
Item # 186824  
Model # 11540



Oldcastle Red/Black St.  
Croix Colony Edger  
Item # 12243  
Model # 50004



Oldcastle Fuego Blend  
Keyloc Paver/Edger  
Item # 98323  
Model # 98323



Oldcastle Tan/Black  
Keyloc Paver / Edger Block  
Item # 87772  
Model # 87772



Matt Stone Gray Curved  
Curb Edger  
Item # 123104  
Model # 123104



Oldcastle 12" Grey  
Limestone Edger  
Item # 186999  
Model # 186999

## Appendix D. ARB Application

### BROAD RUN OAKS HOA ARCHITECTURAL REVIEW BOARD (ARB) EXTERIOR ALTERATION APPLICATION

Name: \_\_\_\_\_ Section: \_\_\_\_\_ Lot #: \_\_\_\_\_

Address: \_\_\_\_\_

Daytime Phone #: \_\_\_\_\_ Evening Phone #: \_\_\_\_\_

Project Start Date: \_\_\_\_\_ Project Completion Date: \_\_\_\_\_

Email address (optional): \_\_\_\_\_

Application type (*deck, fence, exterior alteration, etc.*): \_\_\_\_\_

Please attach a complete, detailed description of your alteration plans along with pictures showing color, size, style, etc of the alteration along with a copy of a site plan of the property (plat) which shows where on the property the alteration is to be done in relation to the house and property lines. Refer to the Guidelines for additional information that may be required. **NOTE: Each alteration request must be submitted on an individual application.** The following space is provided for any additional details/comments.

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Two (2) signatures of adjacent property owners most affected by the proposed alteration are required. A third signature is required if the alteration is for your rear yard, in which case your application must be shown to and signed by the owner of the lot behind (abutting) your lot. If three signatures are not required, it must be indicated on the application. If adjacent lots are unoccupied, signature(s) may be obtained from nearby property owners who have a view of the change. A signature only indicates awareness, not approval or disapproval of the proposed change. **NOTE: If the homeowner whose signature appears below has an objection and disagrees with this alteration, he/she is encouraged to follow the procedure outlined in the Broad Run Oaks Architectural Guidelines, Section 1, H. Applications, pages 6-7.** This objection must be communicated to the ARB prior to the ARB's review of this application.

	Printed Name	Address	Lot#	Signature
1.				
2.				
3.				

I understand that I am responsible to obtain a Prince William County building permit for certain projects such as decks, room additions, fences, etc., and that I will obtain the appropriate permit(s). I understand that compliance with the Broad Run Oaks Design Guidelines and approval by the ARB does not necessarily constitute compliance with the provisions of building and zoning codes of Prince William County. (The building ordinance of Prince William County Building Department requires that you file plans with the building inspector at his office in the Prince William Building located at 1 County Complex Court, Davis Ford Road (703-792-6924) for construction requiring a building permit). Further, nothing herein contained shall be construed as a waiver or modification of any county restriction.

I understand and agree that no construction or exterior alteration shall commence until written approval of the ARB's decision has been received by me through the Management Company, and that if alterations are made, I may be required to return the property to its former condition at my own expense if this application is disapproved wholly, or in part, and that I may be required to pay all legal expenses incurred. I understand that members of the ARB are permitted to enter upon my property at any reasonable time for the purpose of inspecting the proposed project, the project in progress, and the completed project, and that such entry does not constitute a trespass. I understand that the alteration authority granted by the ARB will be revoked automatically if the alteration project has not been completed in six months or by the dates specified by the Prince William County Building Permit. If a County permit extension is requested and granted, the ARB must be notified of this and an ARB extension will also be made.

**BROAD RUN OAKS ASSOCIATION, INC. ARB EXTERIOR ALTERATION APPLICATION –PAGE 2**

- I understand that the ARB decision is required on all applications within 45 working days of receipt by the ARB of a complete application.
- I understand that the alteration authority granted by this application will be revoked automatically if the alteration requested has not commenced within 180 days of the approval date of this application and has not been completed by the date specifically approved on this application.

**IMPORTANT: If this application is for a fence or deck, you must check one of the next two boxes:**

- For deck application:** I understand that the deck may be allowed to weather naturally. However, this does not preclude the use of a clear or semi-transparent wood tone preservative.
- For fence application:** I understand that wood fencing may be allowed to weather naturally. However, this does not preclude the use of a clear or semi-transparent wood tone preservative.

My signature below indicates that I understand and will comply with each of the terms on this application. Additionally, I will comply with all appropriate requirements of the current Broad Run Oaks ARB guidelines.

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please mail your application to:**  
**Broad Run Oaks HOA**  
**c/o Armstrong Management Services, Inc.**  
**3949 Pender Dr., Suite 205**  
**Fairfax, VA 22030**

*If you have any questions or concerns about this application, contact the Community Association office.*

## ARB ACTION

- Approved                       Disapproved

NOTE: A quorum of ARB committee members is required in order to process this application. Please list each ARB member present during this review in the spaces below:

1.	2.	3.	4.
5.	6.	7.	

If disapproved, list any comments and/or stipulations:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

(ARB Chairperson)

If the applicant disagrees with the final ARB decision, the Broad Run Oaks Architectural Review Guidelines provides an appeals procedure. A written request for an appeal must be made in accordance with the Broad Run Oaks Architectural Design Guidelines in Section 1, "J. Appeals Procedures". A copy of these two pages with the ARB approval/disapproval will be mailed back to you once an ARB decision is made. Each homeowner should keep a copy of the processed application as proof of the status of the alteration application.

Disposition of this application:

- ARB returns processed application to Armstrong Management Services (AMS)
- AMS mails the processed application back to the applicant and keeps a copy on file for the HOA records.

**Appendix E.**  
**Homeowner Notification Form for Satellite Dish Installation**

**Broad Run Oaks HOA**  
**c/o Armstrong Management Services, Inc.**  
**3949 Pender Dr., Suite 205**  
**Fairfax, VA 22030**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

LOT NUMBER: \_\_\_\_\_ SECTION: \_\_\_\_\_

PHONE: (H) \_\_\_\_\_ (W): \_\_\_\_\_

INSTALLATION DATE: \_\_\_\_\_

TYPE OF DEVICE: \_\_\_\_\_

DESCRIPTION OF DEVICE: (Size, color, manufacturer, etc.): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NUMBER OF DEVICES TO BE INSTALLED: \_\_\_\_\_

INSTALLATION LOCATION: (Check one of the following preferred locations)

- Ground level in the rear screened with landscaping.
- Rear side of the roof.
- Structure mount (rear side of house).

**NOTE: IF YOUR INSTALLATION IS REQUIRED TO BE IN ANOTHER LOCATION, PLEASE PROVIDE A DETAILED DIAGRAM SHOWING THE INSTALLATION LOCATION AND A DESCRIPTION OUTLINING THE REASONS WHY ALL OF THE PREFERRED LOCATIONS LISTED ABOVE ARE UNACCEPTABLE ALTERNATIVES.**

OWNER SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

**PLEASE MAIL THIS FORM TO THE ADDRESS LISTED ON THE  
TOP OF THIS PAGE.**

## **Appendix F. Policy Resolution 05-01-01, Monetary Assessment for Violations**

### **(Creation of Procedures to Ensure Due Process in Enforcement Cases)**

**WHEREAS**, the Virginia Property Owners Act provides the Board of Directors with the power to assess monetary charges against members of the Association who are responsible for violations of the regulations of the Association;

**WHEREAS**, the Virginia Property Owners Act requires the Board of Directors to formally adopt and publish a written resolution to enact the statutory power to assess monetary charges against members for violations of the regulations of the Association; and

**WHEREAS**, for the benefit and protection of all of the members of the Association, the Board of Directors deems it desirable to formally adopt a resolution to enact the statutory power to assess monetary charges and to establish a procedure for enforcement of the regulations of the association which are consistent with principles of due process and Virginia law.

**NOW, THEREFORE, BE IT RESOLVED THAT:** On behalf of the Association, the Board of Directors may issue a citation to any owner whose behavior or use of property does not conform to the Association's regulations.

### **ENFORCEMENT PROCEDURES**

#### **First Notice:**

A first notice of citation shall be issued in writing and delivered by regular mail to the owner at his/her address listed in the Association's records, and to the property address, if the owner's listed address is different from the property address.

The first notice of Citation shall generally advise the owner of the nature of the offense, cite the specific provision within the Association's regulations which has allegedly been violated, specify the remedy required, and state the number of days within which corrective action must be completed.

#### **Second Notice:**

If the offense is not remedied within the number of days requested in the notice of citation, the Board of Directors reserves the power to issue a second notice of citation which shall follow the basic form of the first notice of citation and include any additional information deemed important by the Board of Directors concerning the offense.

The second citation shall also warn the owner of the Board's power to impose monetary charges for offenses of the Association's regulations and shall inform the owner of his /her right to request a hearing before the Board of Directors to contest the citation. The notice of citation shall request. The owner to confirm in writing by a certain date his/her desire for a hearing to contest the citation.

The second notice shall be delivered by hand, or be sent via certified mail, return receipt requested, to the owner at his/her address listed in the Association's records, and to the property address, if the owner's listed address is different from the property address. Notification will be deemed effective if any owner fails or refuses to sign for any registered or certified mailing from the Association.

### **II. HEARING GUIDELINES**

If the offense is not remedied within the number of days requested in the second notice of citation, and the owner has not requested a hearing in writing by or before the hearing confirmation date, the owner shall be

deemed to have waived the right to a hearing and the Board of Directors shall have the power to impose monetary charges. The Board of Directors shall be required to conduct a hearing prior to the imposition of monetary charges in accordance with §55-513 (B) of the Property Owners Association Act.

Written notice of a hearing, including the charges or other sanctions that may be imposed, shall be delivered to the owner by hand or mailed by registered or certified mail, return receipt requested, to the owner at least 14 days in advance of the hearing date. The notice shall include the time, date and place of the hearing. At the hearing, the Board of Directors shall provide the owner with a reasonable amount of time to present any and all defenses to the citation. The owner may have counsel present at the hearing.

Following the hearing, the Board of Directors shall meet in executive session to determine whether satisfactory proof of the alleged violation was provided, and if so, whether monetary charges should be imposed.

### **III. ADMINISTRATIVE ACTION GUIDELINES**

When the Board's judgment is unfavorable to the owner, the Board shall undertake the administrative actions required to effect the monetary charge as an assessment against the owner's lot. Monetary charges may not exceed \$50.00 for a single offense or \$10.00 per day for any offense of a continuing nature. In accordance with Senate Bill 721, which amends section 55-513 (B) of the Property Owners Association Act, the total charges for any offense of a continuing nature shall not be assessed for a period exceeding ninety (90) days. After *the* date a lawsuit is filed challenging any such charges, no additional charges shall accrue. '

The Board of Directors reserves the power to hold owners legally responsible for ensuring that their tenants, guests, or invitees comply with the Association's regulations.

The procedures outlined in this resolution may be applied to all violations of the Association's regulations, but do not preclude the Association from exercising other enforcement procedures and remedies authorized by the Association's legal documents, including, but not limited to, the initiation of suit or self-help remedies. The Board of Directors reserves the power to assign all of its powers and responsibilities herein to a standing or special committee of its choice.

The effective date of this Resolution shall be, 2005

Broad Run Oaks HOA

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Secretary Date

## **Appendix G. Policy Resolution 05-01-02, Collection Policy Resolution**

### **(Collection Policy for Delinquent Accounts)**

**WHEREAS** the Board of Directors of the Association is charged with the responsibility of collecting assessments for common expenses from homeowners pursuant to Article V, Section 5.10 and Section 5.11 of the Declaration of Covenants and Restrictions; and

**WHEREAS** from time to time homeowners become delinquent in their payments of these assessments and fail to respond to the demands from the Board to bring their accounts current; and

**WHEREAS** the Board deems it to be in the best interest of the Association to adopt a uniform and systematic procedure for dealing with delinquent accounts in a timely manner, and further believes it to be in the best interest of the Association to refer these accounts promptly to an attorney for collection so as to minimize the Association's loss of assessment revenue; and

**WHEREAS** the Board has retained the Association's attorneys for their experience in representing homeowners associations in collections and other matters; and

**BE IT RESOLVED** that the Association's attorneys shall pursue all collection and other matters which the Board, acting through the Manager, may from time to time refer to them and to provide any advice and counsel which the Board may from time to time require; and

**BE IT FURTHER RESOLVED** that the Association, shall pay the Association's attorneys their usual and customary charges for time incurred in connection with their representation of the Association, together with all costs incurred by the firm, including but not limited to fees and charges for filing, service of process, messenger service, photocopies, postage, long distance calls, investigator's services, credit reports, and title reports, promptly upon receipt of the monthly invoice; and

**BE IT FURTHER RESOLVED** that pursuant to Article V, Section 5.10 of the Declaration there is hereby levied against any assessment account which is not paid within (30) thirty days after the due date, late fee in the amount of Thirty Dollars (\$30.00) which the Manager is authorized and directed to charge to and collect from any delinquent homeowner; and

**BE IT FURTHER RESOLVED** that Management is directed to apply any monies received to late fees, legal fees and miscellaneous fee prior to assessment fees.

**BE IT FURTHER RESOLVED** that Management is directed to send to any homeowner who is more than one (1) month delinquent in the payment of Assessments written notice by certified mail that, if the account is not paid in full within thirty (30) days, the delinquency will be forwarded to the Association's attorney for collection and the association may declare the entire balance of such Annual or Special Assessment due and payable in full and;

**BE IT FURTHER RESOLVED** that the membership right of any owner whose account is thirty (30) days past due may be suspended at any time at the discretion of the Board during the period that any installment, charge or assessment remains unpaid; and

**BE IT FURTHER RESOLVED** that the Board of Directors reserves the right to approve or disapprove any payment plan proposed by the delinquent homeowner.

The effective date of this Resolution shall be, 2005.

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Secretary / Date

## **Appendix H. Policy Resolution 05-01-03, Trash Receptacles and Recycling Bins**

### **(Trash Receptacles and Recycling Bins)**

**WHEREAS**, the Association through its Board of Directors is empowered to exercise all of the powers and privileges and perform all of the duties and obligations of the Association as set forth in the Declaration of Covenants, Conditions and Restrictions; and

**WHEREAS**, the Board has determined that it is necessary and in the best interests of the Homeowners Association to adopt a policy regarding the replacement of any lost, stolen, or destroyed recycling bins or wheeled trash carts; and

**WHEREAS**, it is the intent that this Resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors; and

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Homeowners of Broad Run Oaks will be responsible for the replacement of any lost, stolen or destroyed recycling bins at a cost of \$10.00 per bin and wheeled trash carts at a cost of \$150.00 per totter

**BE IT FURTHER RESOLVED THAT**, a copy of this Resolution shall be sent to all Broad Run Oaks Homeowners.

The effective date of this Resolution shall be, 2005

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Secretary / Date