

Community Association Handbook and Architectural Design Standards March 2022

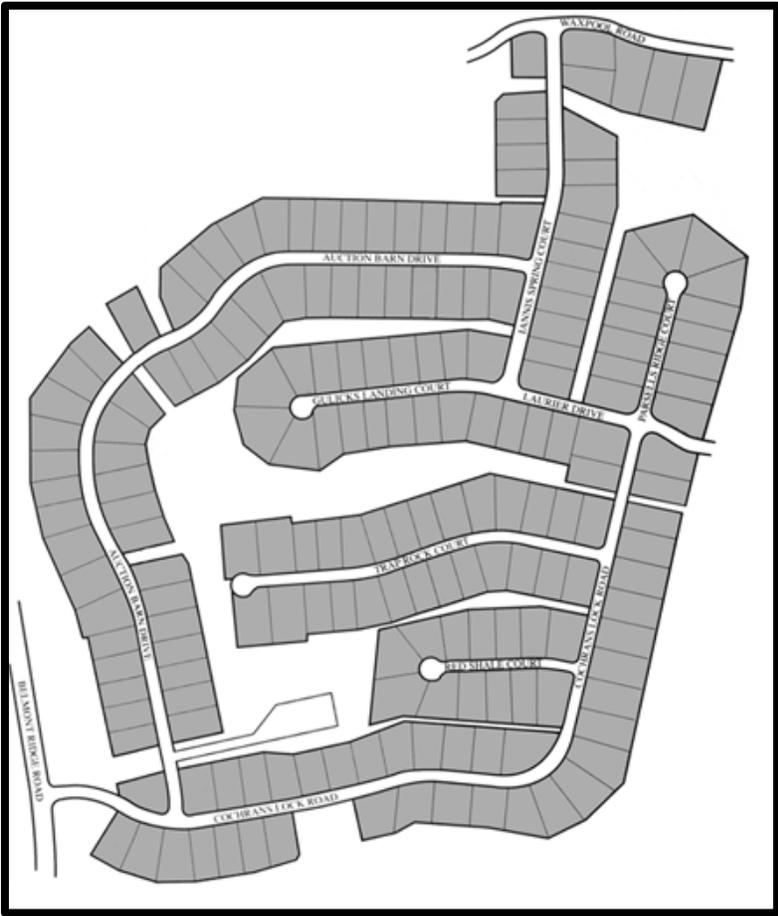


Table of Contents

Purpose of the Handbook	5
Purpose for and Objectives of Protective Covenants	5
The Homeowners Association & the role of the Architectural Review Board	6
Modifications Requiring Review and Approval by the Architectural Review Board	6
Design Review Criteria	7
Changes to the Standards	9
Applicable State and County Regulations	9
Application and Review Procedures	10
Application Process	11
Application Form	11
Description	11
Site Plan	11
Drawings / Photographs	12
Signatures	12
Time Frame for Completion of the Review	12
Application Status	12
Post-Approval	13
Commencement/Completion Date	13
Deviation from the Approved Design	13
Appeals Procedure	14
Applicant Homeowners	14
Non-Applicant Homeowners	14
Enforcement Procedures	14
Property Maintenance Standards	14
Exterior Structures	14
Driveways, Sidewalks, Walkways and Pathways	15
Mowing, Landscaping and Weed Control	15
Trash and Debris	16
Architectural Design Standards	17
Air Conditioners	17
Arbors	17

Attic Ventilators	17
Awnings	18
Benches/Chairs	18
Chimney/Metal Flues	18
Clotheslines	19
Compost Bins	19
Decks and Porches	19
Dogs/Doghouses/Dog Runs	21
Doors	21
Exterior Doors	21
Storm Doors	21
Driveways	21
Electronic Insect Traps	22
Equipment Screening	22
Exterior Decorative Objects	22
Exterior Lighting	23
Landscape Lighting and Path Lighting	23
House Light Fixtures	23
Electric Vehicle Charging Stations (EVCS)	23
Exterior Painting and Surfaces	24
Fences	24
Example of Fences	26
Firewood	27
Flues, Vents and Radon Fans	27
Fountains	27
Garage Doors	27
Gazebos and Pavilions	28
Greenhouses	29
Grills and Outdoor Kitchens	29
Gutters and Downspouts	29
Holiday Lights/Decorations	29
Hot Tubs and Spas	29
House Numbers	30
Irrigation Systems	30

Landscaping (also see “Trimming & Removal” Section)	31
Mailboxes	31
Outside Fireplaces and Fire Pits	32
Painting	32
Parking	32
Patios/Pool Decks	32
Pools, Pool Houses and Perimeter Safety Fencing	33
Privacy Screening	34
Recreation and Play Equipment	35
Portable Play Equipment and Goal Nets	35
Children’s Recreation and Play Equipment	35
Playhouses	36
Recreational Courts	36
Basketball Equipment	36
Trampolines	37
All Other Sporting Equipment and Facilities	37
Retaining Walls	37
Roofs	38
Room Additions, Garages and Sunrooms	38
Satellite Dishes and Antennas	39
Screened Porches	40
Security Bars	40
Sheds / Storage	41
Shutters	41
Sidewalks, Walkways and Pathways	41
Signs	42
Security System Signs	42
Warning Signs	42
Real Estate Signs	42
Other Signs	43
Skylights	43
Solar Panels	43
Sprinklers	44
Sun Control Devices	44

Trash/Recycling Containers	44
Tree Installation & Removal	45
Vegetable Gardens	46
Vehicle Storage	46
Recreational Vehicles	46
Walking Paths	47
Water Fountains & Water Gardens	47
Windows, Window Coverings & Screens	48
ARB Application Form (Exhibit A)	50
Architectural Design Standards Suggestion Form (Exhibit B)	53
Due Process Procedure (Exhibit C)	54
Changes to Standards	59

Introduction and Background

Purpose of the Handbook

The purpose of the Village of Waxpool architectural standards (hereafter “Standards”) Handbook is to preserve and maintain the architectural design scheme, overall appearance (“curb appeal”) and environmental standards of The Village of Waxpool subdivision. These Standards address improvements and maintenance issues that most commonly come before the community’s Architectural Review Board (ARB). This handbook will assist in familiarizing lot owners with the Standards.

The ARB intends to maintain the entire development in a manner consistent with the original design scheme, while still allowing an opportunity for individual expression and general community improvement. **Compliance with these standards will protect, preserve, and enhance property values.**

To help ensure that the Standards serve the Community, there is a form in Appendix 2 that homeowners can use to suggest changes to the Standards.

The specific objectives of the Village of Waxpool Architectural Design Standards are:

1. To increase understanding and awareness of ARB Design Standards among homeowners.
2. To assist homeowners in preparing applications for desired improvements.
3. To provide standards to be considered by the ARB when evaluating applications for improvements.
4. To describe the organization and procedures involved in establishing, managing, enforcing, and maintaining the Standards.
5. To educate homeowners about the procedure for submitting suggestions for improvements to the Standards, so that the Standards may function as an evolving document that may be amended to meet the needs of the Community more effectively.

The Handbook publishes specific design standards adopted by the Board of Directors of the Village of Waxpool Homeowners Association, Inc. It explains the application and review process for homeowners seeking approval for any exterior modifications, alterations or improvements to their dwellings, structures, or lots.

Purpose for and Objectives of Protective Covenants

When the developer built the Village of Waxpool subdivision, he subjected the entire parcel of land comprising of the subdivision to a Declaration of Covenants, Conditions and Restrictions (“Declaration”). He did so by recoding the Declaration in the land records of Loudoun County. Upon recordation of the Declaration, the restrictive covenants set forth therein became binding upon each sub-divided lot of the parcel and upon each lot owner who subsequently purchased a lot within the parcel. The Declaration is a legal document which is enforceable at law and in equity. The relevant legal statute is the Virginia Property Owners’ Association Act (VA. Code Section 55.1-1800, *et seq.*).

Because the Declaration is recorded against each lot in the Village of Waxpool, it is in the chain of title to each lot and is binding upon all initial lot owners as well as their successors (subsequent purchasers) in title.

Covenants in residential subdivisions preserve property value by establishing architectural and maintenance controls for the entire community, preserving the overall design concept of the community, promoting harmonious architectural and environmental design qualities and features, and promoting and enhancing the visual and aesthetic appearance of the community.

Covenant enforcement accomplishes the purposes of the restrictive covenants. Further, enforcing restrictive covenants protects homeowners from actions of neighbors that can detract from the physical appearance of the community and thereby diminish property values.

Because the Declaration cannot cover every possible scenario or proposed change to a lot, the Declaration (Article IX, Section 8) also confers upon the Board of Directors the authority to approve and adopt rules and regulations. Upon publication of such rules/regulations to the membership, they also become binding and enforceable at law in equity.

The Design and Maintenance standards published herein have been approved by the Board of Directors as rules/regulations of the Association. They are enforceable by the Association at law or in equity and by any remedy set forth at Va. Code 55.1-1819B.

The Homeowners Association & the role of the Architectural Review Board

When a person purchases a lot in the Village of Waxpool, he/she automatically becomes a member of the Village of Waxpool Homeowners Association, Inc. ("Association"). The Association is a Virginia property owner's association which administers and enforces the Declaration. It is also a non-stock corporation which is the title owner of record of all common area within the subdivision. Per Article VIII of the Declaration, the Association regulates the external design and appearance of the subdivision through the Architectural Review Board (ARB), the members of which shall be appointed by the Board of Directors of the Association.

The Architectural Review Board consists of three or more persons appointed by the Board of Directors. The Architectural Review Board performs the functions set forth in the Article VIII of the Declaration. In essence, the Architectural Review Board regulates all modifications and changes to existing improvements and property.

Modifications Requiring Review and Approval by the Architectural Review Board

All proposed modifications, improvements, additions, alterations and/or changes, permanent or temporary, to the exterior appearance of an

improvement, structure or lot are subject to review and approval by the Architectural Review Board.

The review process is not limited to major additions or alterations, such as adding a room, deck, or patio. It also includes such items as changes in color and materials. Approval is also required when an existing item is to be removed.

That said, not every action taken by lot owners requires an ARB application and approval. The following situations (and ONLY the following situations) are exempt from the review/approval requirement by the Architectural Review Board:

- Exteriors may be repainted or re-stained if there is no color change from the original.
- Similarly, exterior components may be repaired or replaced so long as there is no change in size or the type of material and color.
- Minor landscape improvements, including foundation plantings, a single specimen planting, or minor landscaping work done in the backyard (see the Landscaping section) are permitted without application/approval. In general, landscape improvements of this type of scale which do not materially alter the appearance of the lot, involve a change in topography or grade and which are not of sufficient scale to constitute a natural structure are exempt from the design review process.
- Lot owners may replace developer-planted trees that have since died or are dying; however, replacement trees must be of similar size (minimum of 2 inches in diameter, measured at 2 feet from the soil level) and they must be selected from the following types: Maple, Zelkova, Oak and Sycamore.

All landscape improvements that are more involved than a mere foundation planting or a single specimen must be applied for and reviewed by the Architectural Review Board.

If there is any doubt if a proposed exterior change is exempt from design review and approval, homeowners should seek clarification from the Management Company before proceeding with the improvement.

Design Review Criteria

There is an advantage to design standards which provide definitive "do's" and don'ts." Those types of standards limit judgment or discretion and provide clear guidance to homeowners as to whether or not proposed improvements will be permitted.

To the extent possible, specificity has been incorporated in the following design standards. Perfect and complete specificity, however, is neither possible nor desirable. The appropriateness and acceptability of improvements, particularly those of a major nature, may depend on a number of circumstances and factors, all of which must be evaluated on a case-by-case basis.

An improvement which is appropriate for one type of house, lot size and location may be inappropriate in another situation.

Specific standards are not intended to stifle individual creativity and beautification. Rather, the standards provide requesting homeowners with sufficient detail regarding as to what type of improvement is approvable. Some lot owners may "think outside the box" and develop unique proposals or solutions. Provided that the proposed alterations or improvements are consistent with the design scheme and aesthetics of the community and that there is no potential adverse effect to property values, the Architectural Review Board will consider such proposals regardless of whether the proposal is specifically included in these standards.

Listed below are the criteria which provide the basis for both the design standards and the Association's evaluation of individual design applications:

Design Compatibility: The proposed modification or improvement should match the architectural characteristics of the applicant's house and be compatible with adjoining houses and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, and similar use of materials, color, and construction details.

Scale: The scale of the proposed modification or improvement should relate to the size of the applicant's home, the location and size of the lot, adjoining homes and surroundings. This criterion applies to both structural and landscape modifications.

Impact on Neighbors: The proposed modification or improvement should relate favorably to the surrounding property, the applicant's home, adjacent homes, and the neighborhood. Consideration will be given to both visual and functional impacts on neighbors. Visual impact refers to the aesthetic appearance of the proposed modification or improvement, which includes consideration of design quality, scale, location, and architectural compatibility. Functional impact refers to such concerns as view, sunlight, ventilation, and drainage. Examples of adverse functional impacts include, but are not limited to, structural additions which would cause a material loss of sunlight or ventilation to a neighboring dwelling, or adversely affect a surrounding homeowner's view, and an alteration in topography, which would change natural drainage patterns to the detriment of a neighboring property. Adjacent lot owners must be notified of proposed modifications and/or improvements and must acknowledge such notification. (See subparagraph entitled "Signatures" under heading "Application Process" for a more detailed discussion of the notice requirements).

Color and Materials: Continuity or compatibility of color and finishing materials with the original construction and surrounding dwellings will be a specific consideration in evaluating the appropriateness of proposed

modifications or improvements.

Relationship to Environment: Proposed modifications or improvements should not have a negative impact on the natural environment. The removal of trees or other vegetation, grading and other topographical alterations will be assessed on a case-by-case basis for potential adverse effects, such as a material change in the rate and/or direction of storm water run-off and soil erosion.

Changes to the Standards

These standards may be amended by the Association's Board of Directors, either on the Board's own initiative or upon considering the ARB's recommendations for amendment. Once approved by the Board, amendments to these standards are binding upon all owners and occupants of lots. Amendments may be made to clarify existing standards; to modify existing standards to address real-life issues; to address the impact of new technologies; and/or to add new standards and procedures to more effectively manage the architectural design process. Upon adoption, amendments supersede previous versions of the standards. Homeowners are encouraged to submit suggestions for amendments to the standards.

Applicable State and County Regulations

Applicants are responsible for complying with all local, state, and federal laws and regulations, such as Loudoun County setback requirements, right of way restrictions, sightlines, etc.; and for obtaining approvals and applicable permits for all modifications, alterations, reconstruction, and new construction.

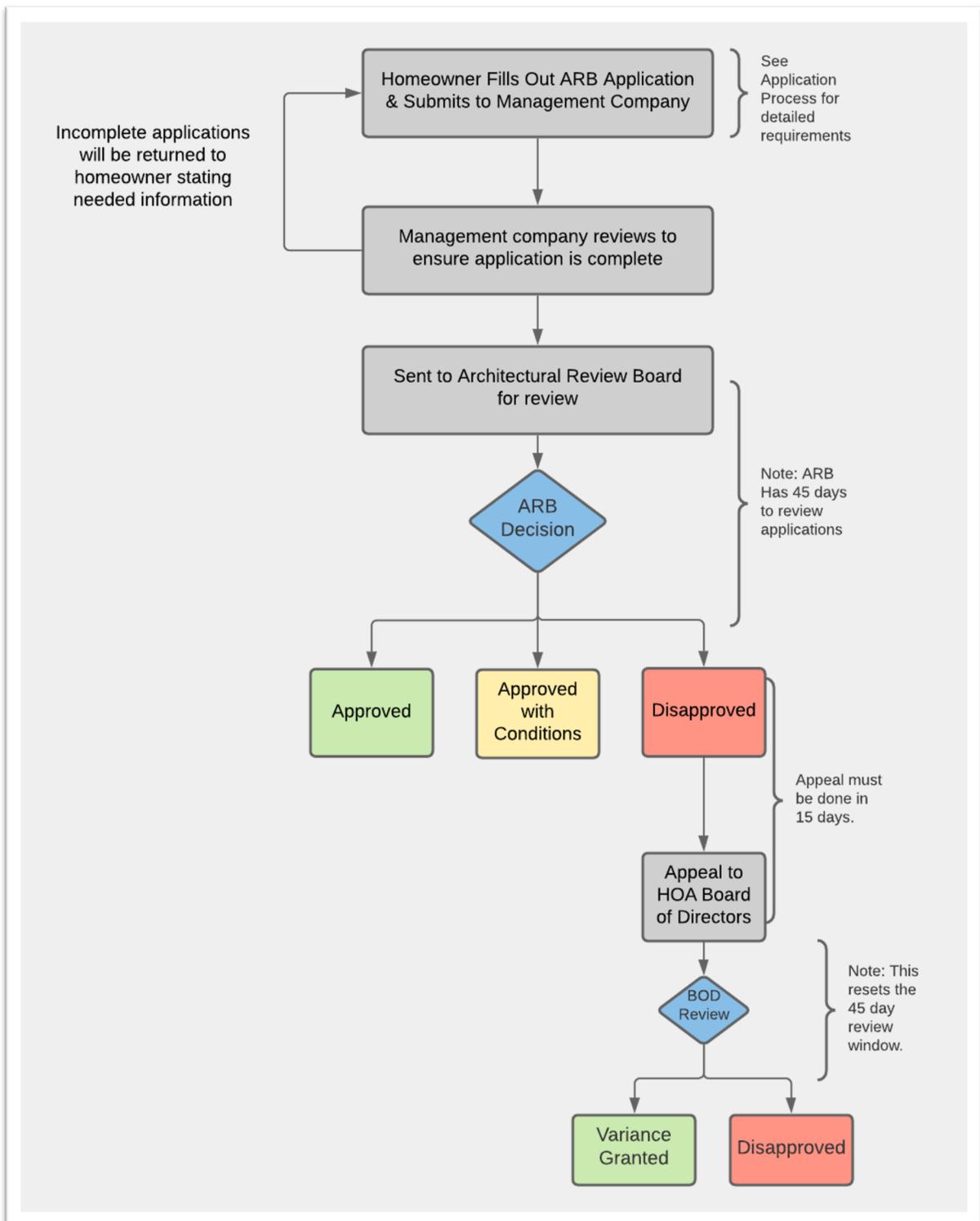
Any acknowledgement or approval by the Association of a lot owner's request does not indicate or represent that lot owners or residents have complied with county, state and federal laws or regulations.

Additionally, regulatory approvals by governmental agencies do not preempt the design review authority of the Architectural Review Board and/or the Board of Directors. Architectural Review Board and/or Board of Director approval does not obviate the obligation to obtain any required government approvals, which approvals shall be the sole responsibility of the lot owner to obtain. The lot owner is solely responsible for compliance with all applicable local, state and federal regulations and codes.

Locating and marking underground facilities in advance prevents possible damage to underground utility lines, injury, property damage, service outages and possible fines to the property owner. The property owner shall contact Miss Utility (1-800-552-7001) for marking underground utilities before digging or excavating. To find out answers to frequently asked questions go to <https://va811.com/>

Application and Review Procedures

Application and review procedures used by the Architectural Review Board are detailed below.



Application Process

All applications for proposed improvements must be submitted in writing using the application form authorized by the Board of Directors for the Architectural Review Board. A copy of this form is included as an exhibit to this Handbook and is also available on the Village of Waxpool HOA Website, <https://www.waxpoolhoa.com>. Applications must be deemed complete to commence the review process. Incomplete applications shall be disapproved and returned to the applicant with a statement of deficiencies, which must be remedied for the application to be reconsidered.

All applicants must also be in good standing with the HOA – that is to say, no outstanding ARB violations, must be current with all HOA assessment obligations, etc.

Approval by the Association does not imply approval by applicable state, county, or federal authorities, nor does it imply that the proposed project complies with relevant laws, ordinances or governmental regulations.

NOTE: If your contractor says, "I'll get all the approvals," they mean the County approvals. ONLY YOU can apply for HOA ARB APPROVAL!

Application Form

Each project requires a separate application. A project is considered to be any set of cohesive enhancements that, if done in the same time period, would reasonably be considered a single construction effort. For example, decks and fences would be considered separate projects because they can be constructed independently of one another. Conversely, a pool with a concrete patio area around it, or a retaining wall and related landscape screening could be considered a single cohesive project. Complete the sections of the application that are applicable to your project.

Description

The form requires a completed description of the alteration or improvement. This includes a complete and accurate listing of the materials to be used; overall dimensions; height above the ground for improvements such as decks and porches; colors of existing house, trim and roof color; and colors of the proposed alteration or improvement. In addition, material and/or color samples (when applicable) are requested. The description should also include provisions for landscaping and grading.

Site Plan

A site plan is a scaled drawing of your lot (plat) that shows the house boundaries, dimensions of the property, easements, adjacent properties if applicable, and all alterations, modifications, and improvements (including those covered by the application), including exterior elevations for the proposed structures. Contour lines may be required where drainage is a consideration. You should have received a plat when you purchased your home. If you do not have a plat, you can obtain one from Loudoun County (<https://www.loudoun.gov/5069/Plats>). The Architectural Review Board may request further detailed information about applications if the ARB deems it necessary, but the plat will suffice in most cases.

Drawings / Photographs

Complete drawings showing all dimensions, elevations and details of the proposed improvement or alteration are required. Drawings shall show the relation of the improvement or alteration in relation to the existing home or other relevant structures. Drawings that are illegible or unclear take time to review, slow the process and may be returned to the applicant for clarification. Your application may be submitted with photographs or manufacturers' brochures to provide more details.

Signatures

The applicant must attempt to notify adjacent property owners (to the left & right of your lot) of any proposed modifications and/or improvements. Adjacent lot owners must be notified of proposed modifications and/or improvements and must acknowledge such notification by signing the design review application before it is sent to the Architectural Review Board. In the event an applicant is unable to secure an adjacent lot owner's acknowledgment on the application after at least two attempts to do so, or in the event an adjacent lot owner refuses to sign the acknowledgment, the applicant may submit the application for consideration provided the application is accompanied by a certified mailing receipt of a letter mailed to the adjacent lot owner(s) notifying the lot owner that the application is being submitted to the Association and enclosing a copy of the application.

Time Frame for Completion of the Review

The Architectural Review Board meets on a regular basis to review complete applications that have been reviewed by the Management Company. **The Architectural Review Board has forty-five (45) days to review and approve or disapprove an application.** In the event the Architectural Review Board fails to approve or disapprove a correctly filed, complete application within forty-five (45) days of receipt of the application sent by Certified Mail-Return Receipt Requested or by e-mail (delivery receipt requested), approval by the Architectural Review Board shall be deemed granted, except for those applications for additions or alterations prohibited in this Declaration of the architectural standards adopted by the Association, in which case the application shall be automatically deemed to be disapproved. Failure of the Architectural Review Board or the Board to enforce the architectural standards or approved plans for any period of time shall not constitute a waiver by the Architectural Review Board of the Board of any provision of the Declaration.

It is advisable for homeowners contemplating substantial improvements to first ensure that they are aware of all required supporting documentation prior to submitting a design review application.

Application Status

The following are the statuses that will be assigned to applications:

Submitted	Homeowner has submitted the application to the HOA Management Company
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Incomplete	The application has been reviewed by the HOA Management Company and is missing required items (e.g., signatures from adjacent lots, plat with project, paint colors, etc.)
Disapproved	The application has been reviewed by the Architectural Review Board and it does not meet the guidelines detailed in the Village of Waxpool Architectural Standards. The homeowner can appeal the decision to the Board of Directors. <i>Note: this will reset the 45-day review window by the ARB once the appeal has been made by registered mail to the management company.</i>
Approved	The application has been reviewed by the ARB and is found to be in compliance with the guidelines detailed in the Village of Waxpool Architectural Standards
Approved with Conditions	The application has been reviewed by the ARB and is found to be in compliance with the guidelines detailed in the Village of Waxpool Architectural Standards and can proceed with the conditions detailed by the ARB (e.g. additional screening, tree plantings etc.)

Post-Approval

Once an application is approved, the applicant may proceed with construction ONLY AFTER obtaining permits, approvals or inspections that may also be required from the county. **The Association’s Management Company, the Architectural Review Board and the Board of Directors have the right to inspect the project work area at any time to ensure that the applicant complies with the approved plan.**

Commencement/Completion Date

Applications must contain the proposed commencement and completion dates. All alterations, modifications and/or improvements must be commenced within three (3) months and completed within six (6) months of the approval. Extensions may be granted on case- by-case basis, but it is the responsibility of the homeowner to request an extension.

Deviation from the Approved Design

There are circumstances in which deviations from the approved design may be required. For example, it may be determined that a patio project requires a retaining wall that was not a part of the original application. Any need to deviate from an approved design requires the submission of a modified application and must comply with the current standards. The homeowner should mention in the application that:

- 1) The project was previously approved, and
- 2) Describe the scope of the revised project, highlighting any differences from the original application.

Appeals Procedure

Applicant Homeowners

An applicant may appeal a decision of the Architectural Review Board to the Board by giving written notice of such appeal to the Association's Management Company within fifteen (15) days of the adverse ruling, which appeal must be submitted by Registered Mail or Certified Mail-Return Receipt Requested.

Non-Applicant Homeowners

Any member of the Association may communicate to the Architectural Review Board by contacting the Association's Management Company regarding support or opposition to a proposed application, although no notice to non-applicant members is required except as specified in the Association's covenants and these standards.

Enforcement Procedures

The Architectural Review Board and the Board of Directors are legally empowered to enforce compliance with the Association's Declaration, design standards, rules and regulations, and association documents. The following enforcement procedures will be used to ensure compliance.

A violation may be observed and reported to the Architectural Review Board by a member of the Board, the managing agent, Association staff or a homeowner. In the case of homeowners wishing to report a potential violation, a written notification shall be transmitted to the Association's Management company.

If the alleged violation is of a transitory or short-term nature (dog running loose, etc.) and cannot be readily confirmed, no further action will be taken unless owners of at least two (2) homes report the violation in writing.

If the alleged violation can be confirmed by a site visit by a member of the Architectural Review Board, Board of Directors or the managing agent, the resident in violation will be sent a written demand letter to cease and desist from the alleged violation. Notice will be either hand delivered or sent by first class mail to the address of record with the Association.

Please refer to the "Due Process Procedure" (Exhibit C) of this Handbook for the full procedure adopted.

Property Maintenance Standards

A homeowner shall always maintain their property in good repair and in a state of neat appearance.

Exterior Structures

- The exterior of all structures, including but not limited to, homes, equipment, arbors, gazebos, pavilions, greenhouses, grills, hot tubs & spas, patios, screened porches, pools and pool houses, awnings, compost bins, decks and porches,

fences, mailboxes, recreation and play equipment, retaining walls, sheds, storage units, shall be kept in good maintenance and repair.

- No exterior structure shall be permitted to stand with its exterior in an unfinished condition for longer than six (6) months after the commencement of construction.
- In the event of a fire, windstorm, or other damage, the exterior structure shall not be permitted to remain in a damaged condition for longer than three (3) months unless an extension of time is expressly approved by the HOA Board in writing.
- No significant blistering or peeling of exterior painted surfaces is permitted.
- Any exterior structures of the house (i.e., siding, gutters and downspouts, roof shingles, windows, window screens & doors) that are missing, broken or otherwise in a state of disrepair, must be repaired as quickly as possible.

Driveways, Sidewalks, Walkways and Pathways

- Driveways, sidewalks, walkways, and pathways shall be kept in good maintenance and repair.
- For safety reasons, snow must be removed from sidewalks within 24 hours after snowfall. This is a requirement and responsibility of each homeowner.
 - Loudoun County Ordinance - 1022.01 REMOVAL OF SNOW AND ICE. (a) Removal Required. Every occupant, owner or other person in charge of any property in the County which has a sidewalk or a footway of stone, brick, gravel, cinder, wood or other substance, when such walk is publicly owned or maintained, and is adjoining and touching the property in front, rear or either side thereof, shall have all snow and ice, and any combination thereof, removed from such sidewalk or footway within six hours after such snow or ice, or a combination thereof, has ceased falling, unless the same has fallen during the night, in which case it shall be removed before 12:00 noon following the night in which the snow or ice, or combination thereof, has fallen. In the event snow or ice, or a combination thereof, falls upon Sunday, such occupants, owners, or other persons in charge shall have until 12:00 noon Monday to comply with this requirement.

Mowing, Landscaping and Weed Control

- All turf areas on a lot must be kept neatly mowed during the growing season. Grass should not be permitted to exceed six (6) inches in height.
- Turf areas and other vegetation should be watered during dry periods unless Loudoun County has mandated water restrictions due to drought conditions. Any dead plants, shrubs or trees should be immediately removed.
- Turf areas should be kept as weed free as possible. At no time should weed cover exceed more than twenty-five percent (25%) of any of the four property areas (front, left, right and rear) turf areas.
- All hedges, trees and shrubs must be neatly trimmed and maintained, and their size maintained in proportion to the lot and home through pruning.

- All portions of a lot which are not improved by an impervious surface, or a structure must be maintained with grass (or other vegetation installed by a builder or approved by the ARB).
- No bare earth may be exposed on a lot except for flower beds or vegetable gardens with appropriate approvals required.
- **Dumping of debris in the Common Areas of the Village of Waxpool prohibited.**
 - More information about the Common Areas can be found on the Village of Waxpool Website – <https://www.waxpoolhoa.com>
- Landscaped beds shall be neatly maintained including the pruning of trees and shrubs and the removal of weeds, dead growth, and unused/obsolete stakes.

Trash and Debris

- Trash containers, recycling containers and yard debris shall be always stored out of sight, except for the approved interval during which such items are placed adjacent to the street for pick-up.
- Our refuse contractor may repair or replace damaged or broken trash/recycling bins. Contact <http://www.patriotdisposalservices.com/> for more information.
- Trash containing food must be placed in covered containers.
- Trash & recycling shall be secured in such a way that it is not inadvertently blown or scattered on neighboring properties or common areas. Cleanup of any trash that is scattered is the responsibility of the homeowner whose trash was scattered.
- No accumulation of trash and debris may be stored on a lot at any time.
- Construction materials required for the improvement of a home or lot shall be neatly stored in an unobtrusive location as possible on the lot when not in use. All remaining construction materials shall be immediately removed from the property once the project is complete.

Architectural Design Standards

The following categories are intended to provide guidance to lot owners. The categories are not exhaustive and in no event shall these standards be interpreted as precluding the filing of an appropriate application for any architectural change, revision, addition and/or modification (unless these Standards specifically state that an application is not required).

In the event of any uncertainty, lot owners should assume that an application is required or obtain a written letter from the Association confirming that an application is not required. Failure to either submit an application or obtain a written waiver letter from the Association is at the lot owner's risk and expense.

The Architectural Guidelines are intended to be a "living document," that can evolve over time. For those projects that are not covered by the current standards, an application should be submitted to the Architectural Review Board. The application will be reviewed by the ARB. If disapproved, the homeowner can appeal the decision to the Board of Directors. Change suggestions to the Architectural Standards can be made by filling out Exhibit B of this document.

Air Conditioners

The following standards pertain to air conditioners:

- Window air conditioner units are prohibited.
- Additional exterior central air conditioning units which are typically installed on a level pad on the ground or on a metal frame on the side wall, or relocation of existing units may be considered so long as they are placed near existing units and do not have any adverse audible or visual impact on adjoining lots and open spaces.
- Screening for exterior equipment is encouraged. See the Equipment Screening Standards if landscape or architecture screening is planned.

Arbors

An arbor is a decorative bar supported by vertical shafts for the purpose of supporting vines or hanging plants. The following standards pertain to arbors (ARB Application is required):

- If attached to a deck, the material and color must be the same as the deck.
- Arbors as described herein are generally permitted on decks, patios, fences, gates, or can be freestanding decorative elements.
- Vegetation should be plant/flowering in nature.

Attic Ventilators

The following standards pertain to attic fans, ventilators, and turbines (ARB Application is required):

- When mounted on the roof, they shall match the color of the roof.
- When mounted on the gable end, they shall match the siding or the trim.

- Fans, ventilators, and turbines shall be mounted on the rear roof ridge so as to minimize visibility from the street and shall not extend above the roof ridgeline.
- Ridge vents are permitted when covered with an approved roofing material.
- Roof ventilators should not extend more than 12 inches above the roof surface.

Awnings

Awnings should be used to shade a patio or deck and are permitted on the rear of the house only and are subject to the following standards (ARB Application is required):

- The architectural design, character, form, scale, and profile of an awning must be harmonious and consistent with the design and character of the existing house.
- Awnings are permitted on the rear of the house only and should be used to shade a patio or deck.
- The awning hardware must be heavy-duty hardware painted the same color as the house or trim.
- Awnings must be maintained in good condition. The awning must be of a material, which will not fade from the sun, mildew, or mold.
- Awnings must be made of fabric.
- Awnings may have stripes but must be consistent with the existing house color.
- Scalloped awning edges are permitted.
- Awnings must not have decorative features such as fringes. The awning must be fully retractable. Homeowners are encouraged to retract (close) the awning and remove any side screens when not in use.
- Corrugated metal and wood awnings are prohibited.
- Individual window awnings are prohibited.

Benches/Chairs

One bench or one chair is permitted on the driveway or in front of the house (excluding front porches). All benches/chairs are subject to the following design standards (ARB Application is required):

- The bench/chair must be made of metal, wrought iron, wood or concrete and complement the existing design aesthetic of the home.
- No plastic benches or chairs are allowed.
- The homeowner is expected to maintain the bench/chair in good condition.

Chimney/Metal Flues

The following standards pertain to the alteration, reconstruction and new construction of chimneys and flues (ARB Application is required):

- Chimneys shall be constructed of material and colors that match, or are harmonious with, the material and exterior color of the house.
- A masonry chimney shall be constructed to match stone, brick and/or other masonry materials used elsewhere on the house.
- Chimneys shall extend from the ground through the roof line located to the rear of the ridgepole of the home.

- A rooftop metal flue shall be on the side least visible from neighboring properties, be no higher than the minimum required by the Loudoun County building code and be painted flat black or a flat finish paint to match the roof color.
- Generally, through the wall (direct vent) metal flues will not be approved on an elevation that is visible from the street.
- Direct-vent metal flues shall be painted a flat finish of the same color as the wall through which they were installed.

Clotheslines

Clotheslines or similar apparatus designed for the exterior drying of clothes or bedding are not permitted.

Compost Bins

Compost bins are permitted. Visual and olfactory impact on neighbors must be considered. Only tree leaves and grass clippings may be composted. Screening with landscaping is required. In addition:

- The bins shall not be over four (4) feet high and not exceed 16 square feet. It should be screened from the street, open space and adjoining and affected neighbors.
- The bin should be located to the rear center of the lot, at least ten (10) feet from the property line. The bin shall be of unpainted pressure treated naturally weather resistant wood or plastic with tones of black, tan, or green in color.
- Compost must be properly covered and turned periodically to ensure odor control.

Decks and Porches

The following standards pertain to the alteration, reconstruction and new construction of decks and porches (ARB Application is required):

- Decks: shall be located in rear yards and should not extend beyond the side plane of the house on the non-driveway side of the house. Decks can extend beyond the side plane of the house on the side of the house where the driveway is located. Decks shall adhere to the Loudoun County ordinances regarding setbacks from property lines
- Minor extensions of a deck beyond the side plane of the house may be allowed on a case-by-case basis, depending on lot size and topography and the proximity to adjacent houses. Landscaping may be required to soften the effect of any such minor extension to reduce the visual impact on adjacent neighbors or the view from the street.
- A staircase may extend past the side plane of the house on the driveway side.
- Open porches: Location and design must match the house style. The construction materials and colors shall be compatible with the same components of the house, including roof shingles. Size must be compatible with the home, lot, and surrounding homes.

- Screened porches: A screened porch does not have windows. The addition of windows makes such a structure a room addition. Size must be compatible with the home, lot, and surrounding homes. The porch may be of wood left to age naturally or may be painted to match the house or trim. Shingles shall match those of the house.
- Decks must not be closer than 12 feet from the back property line whether attached to the house or free standing.
- Decks must not be closer than 10 feet from a side property line.
- County Standards: Applicants are responsible for compliance with Loudoun County setback and safety requirements (i.e. – handrails, steps, etc.) and for obtaining all Loudoun County approvals and permits. A copy of the permit is required upon passing inspection and a copy should be mailed into the HOA.
- Materials: Decks may be made from artificial wood-like products, such as composite decking (e.g., Trex), or high-quality pressure-treated wood (#2 southern yellow pine or better for structural members and #1 or better for deck railings and stair stringers). White vinyl or vinyl matching the trim color of the house may be used for deck railings and other structural components. Black aluminum may also be used for the pickets of a deck.
- Decks and porches must be maintained so as to present a good appearance.
- Railings: Deck railings must be of vertical pickets. Plain pickets, spindles, sunburst, and Chippendale patterns are permitted. Horizontal rails or solid sides may not be used for deck railing. Horizontal rails may be used for stair railing. Solid sides may not be used for stair railing. Caps, pickets, and railings may be made of wood, aluminum, wrought iron, or plastic. Other styles may be considered on a case-by-case basis.
- Accessory Structural Elements: Decks may be designed to include such features as a gazebo, bench-seating areas, built-in planter boxes, trellises, lanai, plant hangers and privacy screening. Such features shall be appropriate within the context of the overall deck design.
- Privacy Screens: A privacy screen or lanai on a deck shall follow the design standards provided in the section for Privacy Screens and shall not extend beyond the side plane of the house on the non-driveway side of the house.
- Under-Deck Storage: A storage area may be built under a deck and will be constructed of lattice, painted, or stained the same color as the deck, and surrounding the entire under deck area which can be observed by others. If an outside door to this under-deck storage area is desired, it must be made of lattice to match the screening. The under-deck area may be used to store firewood, garden/yard tools and equipment, trash cans, barbecue grills and outdoor furniture only. It may not be used to store trash, appliances, boats, vehicles, etc.
- Water Drainage: No improvement, alteration or modification to a lot may be made which impedes or alters the natural and/or existing drainage patterns on the lot or which causes discharge or diversion of the water onto neighboring lots or common area unless an application has been filed and satisfactory alternatives have been approved in writing by the ARB.

Dogs/Doghouses/Dog Runs

Dog owners are responsible for cleaning up after their pet on common areas and on their own lot and their neighbor's lot. Dogs shall not be allowed to become a nuisance for adjoining lot owners.

The following standards pertain to dog houses and other facilities for housing or managing pets (ARB Application is required):

- Dog runs are prohibited.
- Doghouses are discouraged, as dogs left outside tend to disturb neighbors by their barking.
- Nevertheless, doghouses are permitted, but only if the doghouse is attached to the rear of the house; or, located fully in the rear of the house; or, located under a deck or within a screened porch. Multiple doghouses are typically not allowed but may be permitted on a case-by-case basis.
- Doghouse construction materials and colors shall be harmonious with the house. Pre-manufactured doghouses may be permitted if harmonious with the house.
- Doghouse dimensions shall not exceed 3 feet in width, 3 feet in length and 4 feet in height.
- The area around a doghouse shall be kept free of animal waste and debris.

Doors

The following standards pertain to the installation or alteration of doors (ARB Application is required):

Exterior Doors

- The style of the door shall be compatible with and complementary to the style of the home and the existing colors of the applicant's home.
- Rear doors and side doors shall be of a style that is compatible with and complementary to the style of the home and the existing colors of the applicant's home.
- New hardware shall be compatible with and complement the door. Door hardware includes, but is not limited to, doorknobs, locks, hinges and kick plates.

Storm Doors

- Storm doors shall be full view, without significant decoration, ornamentation or edging. For example, cross buck storm doors with scalloping and storm doors with grilles or ornamentation are not permitted.
- Storm doors shall match the color of the entrance door or the trim around the entrance door.

Driveways

The following standards pertain to driveway extensions, modifications, and additions (ARB Application is required):

- Extensions, modifications, and additions to driveways will be considered only if there is no adverse aesthetic or drainage impact on adjoining lots or common area.
- Existing lot driveways may be widened to provide more space for vehicle parking and entering and exiting driveway. The material to be used for the new driveway areas shall be asphalt. Additions or modifications must be of the same material as the existing driveway (asphalt).
- Under no circumstances shall a driveway be permitted to wrap around side elevations.
- Materials: All driveways and extensions or modifications thereto shall be constructed of asphalt.

Electronic Insect Traps

The following standards pertain to electronic insect traps (ARB Application is required):

- Electronic insect traps will be regulated based on the same criteria as for exterior lighting.
- No device will be installed or maintained if it will or does cause annoyance or nuisance to adjacent homeowners because of noise.

Equipment Screening

The following standards pertain to the screening of equipment installed on a homeowner's property, either attached to the house or free-standing. Equipment collectively refers to objects such as, but not limited to, meters, air conditioner units, satellite dishes, pool equipment, pipes and utility boxes (ARB Application is required).

- Trees and Shrubbery: The use of trees or shrubbery to screen equipment from view is encouraged. This type of screening is generally appropriate for most locations within a property.
- Fencing: The use of fencing to screen equipment may be allowed on a case-by-case basis. Examples include L-shaped fence sections to screen air conditioner units and square enclosed areas attached to the inside of existing fences to screen pool equipment. If used, fencing shall match or be compatible with any existing fence. Chain link fencing is prohibited.
- Design: Screening shall be appropriate in scale, color and materials with the house, existing landscape features and existing structures such as fences. Screening shall be harmonious in the context of the overall setting.

Exterior Decorative Objects

The following standards pertain to exterior decorative objects, which include, but are not limited to, lawn ornaments (of whatever type or description), sculptures, fountains, free-standing poles of any type and items attached to approved structures (ARB Application is required).

- Residents may not install any external decorative objects exceeding 30 inches in height, width, or length, including natural and man-made objects without first receiving the approval of the ARB.
- External decorative objects shall not be excessive in number or visual impact and will be considered based on their size, color, scale, appropriateness with the surrounding area and the visual impact on adjoining lots and common areas.
- External decorative objects in the front and side yard shall be located within eight (8) feet from the foundation of the house. Decorative pots for plants or flowers must be stored out of site during the winter season. Pots that are too heavy to lift must be kept free of debris during the winter season.

Exterior Lighting

The following standards pertain to exterior lighting, including landscape lighting, path lighting, new lighting fixtures for a house and changes to existing lighting fixtures for a house. No exterior lighting shall be directed outside of the applicant's property. Proposed additional lighting shall not be approved if it will result in an adverse impact on adjoining neighbors due to location, wattage or other features. Note: An ARB application is not required for landscape lighting or path lighting if these standards are followed.

Landscape Lighting and Path Lighting

- Exterior lighting includes, but is not limited to, landscape up lighting, path lights, flood lights and motion-activated lights or lighting of decorative objects.
- The color of the light emitted shall be white, except for seasonal holiday lighting.
- Exterior lighting shall not be directed outside the applicant's property.
- Exterior lighting shall not detract from or overwhelm the overall lighting appearance of the home.

House Light Fixtures

Light fixtures attached to the house or installed by the builder shall not be modified without ARB approval (ARB Application is required). This includes, but is not limited to, flood lights attached to the house and light posts.

- Builder installed post lights may not be removed and must remain illuminated from dusk to dawn daily.
- Light fixtures that are proposed to replace existing fixtures shall be compatible in style, color, and scale with the original fixtures.

Electric Vehicle Charging Stations (EVCS)

The following standards pertain to the installation of EVCS within Village of Waxpool:

- EVCS must be installed entirely within the confines of the dwelling's garage. No EVCS-related equipment may be installed on the exterior of a dwelling or visible to view.
- Charging of an electric vehicle must occur only within the garage, or if the vehicle is on the driveway, immediately adjacent to the garage.

- Under no circumstances shall an EVCS be installed on common area or in open view.

Exterior Painting and Surfaces

The following standards pertain to the exterior surfaces of houses, including the colors and materials used (ARB Application is required):

- Color changes apply not only to the house siding, but also to the doors, shutters, trim, roofing, gutters, downspouts, and other appurtenant structures.
- Color selections and color schemes shall be harmonious with the colors and color schemes used on existing residences within the community. Changes to exterior colors shall relate to and complement the colors of the existing house and adjacent houses in the immediate area.
- Gutters and downspouts shall match the siding or trim color.
- Only those areas that are painted may be repainted. Unpainted areas and unstained areas such as brick and fencing (public exposure) shall remain unpainted and unstained. Basement foundations may be painted the same color of the siding.
- The exposed portion of concrete foundations shall be painted to match the color of the siding or trim.
- There normally should be no more than three different colors on one home. A fourth color may be acceptable for a special architectural feature or for the front door.
- Bright or unusual colors should not be used (e.g., purple or orange shutter colors will not be approved, nor would extremely bright colors).
- Siding and trim should be matched or slightly contrasting (e.g., cream/white).
- Siding and trim colors must complement the roof color.
- Adjacent properties must be considered when contemplating a color change, to avoid a “cookie cutter” appearance (e.g., two or three homes side-by-side with white siding, black shutters and black roofing).
- Brick and stone veneers shall not be painted or stained.

Note: If the homeowner uses exactly the same color as the originals used and makes no material change to the appearance of the house, no ARB application is needed

Fences

Standards for the construction and approval of fences are provided below. (ARB Application is required)

Grandfather Clause: All fences built and approved before the adoption of these Standards shall be considered “approved,” However, if any of these existing and approved fences or other structures are replaced, they require a new application and must comply with the standards then in effect.

- Only the following materials are permitted for fences:
 - Black aluminum
 - Black wrought iron

- Chain link fences or fencing materials will not be approved or permitted under any circumstances. No fence may be constructed of a solid appearance and used for screening or privacy purposes.
- Dimensions: Fences must be at least 42 inches and no taller than 54 inches. The height is measured from the ground to the uppermost rail. The vertical posts must be from 48 to 60 inches measured from the ground to the top of the post.
- Additional Materials: Wire mesh may be used in conjunction with the fence stated above. This wire mesh must be made of galvanized steel. The wire meshing may optionally be coated with black covering. The use of chicken wire or chain-link materials is not permitted. If used the wire mesh must be attached to the inside area of the fence and the top of the mesh may not extend beyond the top rail of the fence.
- Gates: Gates must be of the same material as the fence, and of compatible shape and size.
- Location: All fences must be lot-line fences and are intended to fence in the backyard portion of the lot. The posts of lot-line fences must be set as closely as possible to the property line without intruding into the neighboring property. A one-foot setback is not permitted. Posts should touch or be within one inch of the actual property line.
 - *Exception* - Pool Enclosures: Homeowners may optionally enclose a pool with only a perimeter safety fence as long as it is located within the side planes of the house and is located a reasonable distance away from lot line to avoid a potential fence-on-fence appearance.
 - Homeowners who install a perimeter safety fence around the pool may also enclose the rear yard with a lot-line fence as long as the overall effect does not create a fence-on-fence situation and it is harmonious in the overall context of the lot and ARB standards.
- Fences must adhere to any local, county, and state codes and regulations.
- Fences may be approved for the partial enclosure of side yards in situations where; topography, house location, the location of exit doors or where the fence will serve as a rear lot-line fence for an adjoining property.
- Setbacks for fences along pipestems, streets and sidewalks will be determined on a case-by-case basis. Owners are responsible for yard maintenance on both sides of their fence.
- Homes on or bordering pipestems may have additional restrictions based on lot locations, lot sizes and neighbor concerns.
- Adjoining Fencing: There may be only one fence separating adjoining lots. Each lot owner may not erect a separate fence along the common boundary resulting in unsightly double fencing. This prohibition exists even if one lot has a “grandfathered” fence style.
- Fence configurations for corner lots and irregular-shaped lots will be considered on a case-by-case basis.
- Equipment Screening: Fence sections may also be used to screen equipment (see the “Equipment Screening” Section).

- Maintenance: Homeowners are reminded that fences, particularly wood fences, shall be maintained in good repair.
- Arbors, pergolas, and trellises are permitted within the fence line and Arbors and pergolas are permitted above gates.

See fence examples on the next page.

Example of Fences



Firewood

The following standards pertain to the storage of firewood within the Community:

- No firewood may be stacked in a common area.
- Firewood shall be kept neatly stacked and shall be located in the backyard in such a manner as to avoid adverse visual impacts for adjoining properties
- Firewood shall be stacked only in rear yards within the two side planes of the home. If tarps are used, they must be tones of black, tan or green in color.
- The use of brightly colored tarps is not permitted.
- Other than a limited quantity of firewood intended for immediate use, firewood shall not be stacked on patios or decks.

Amount of wood stored on the property should be limited to a cord of wood, which is defined as a well stacked woodpile 4 feet high, 8 feet long, and 4 feet deep; or any other arrangement of linear measurement that yields in the same volume.

Note: An ARB application is not required for storing firewood provided that the homeowner complies with the standards set forth above.

Flues, Vents and Radon Fans

The following standards pertain to flues, vents, and radon fans:

- Appearance: Ventilating equipment shall be selected, located, and installed to minimize its appearance on the house and visibility from neighboring properties and the street.
- Types not allowed: Rotating or wind powered turbine ventilators will generally not be approved.
- Roof Installations: Radon fan vents and other mechanical devices requiring penetration of the roof shall be as small in size as functionally possible and shall be located on the back side of the roof and not extend above the ridge line.
- Colors: All ventilators shall be painted to match the siding or trim color on the house, if mounted on a gable end. If mounted on the roof they shall be painted to match the roof.

Note: An ARB application is not required for the replacement of existing approved ventilators of a similar size and appearance in the currently approved location provided that the homeowner complies with all architectural design standards set forth above. However, an ARB application is required for installation of new ventilation systems.

Fountains

See the “Water Fountains and Water Gardens” Section.

Garage Doors

The following standards pertain to garage doors:

- Design: Garage doors shall remain consistent with the style and color installed by the builder. Exceptions must be approved by ARB on a case-by-case basis

- Living Space: Garages may not be converted to living spaces.
- Usage: Garage doors shall be left in a fully closed position when not in use.
- Carports: Carports are not permitted.
- Garage Additions: For garage additions, see Room Additions, Sun Rooms and Garages section.
- Pet Confinement: Using a garage as an obvious pet confinement area (leaving garage doors partially open or without screening) is not permitted.

Note: An ARB application is not required to repair a garage door with matching materials. However, an application is required if the garage door is to be changed in any way, including, but not limited to, design, color, or materials.

Gazebos and Pavilions

The following standards pertain to gazebos and pavilions, including free-standing gazebos and pavilions, and gazebos and pavilions attached to other features such as decks or patios (ARB Application is required):

- Design: The design of a gazebo or pavilion shall be the same or compatible in design, scale, materials and color with the applicant's house and any features attached to the gazebo.
- Location: A gazebo or pavilion shall be located in the rear yard of a property, not in a front yard. A location directly behind the house is preferred. The gazebo or pavilion can extend beyond the plane of the house on the driveway side of the house. Extensions beyond the plane of the house on the non-driveway side within a rear yard may be considered on a case-by-case basis. For corner lots and irregularly shaped lots, some latitude on location may be allowed on a case-by-case basis. A gazebo or pavilion may be an integral part of a deck or patio, or it may be a free-standing structure. To minimize impact to neighbor's views of a new gazebos or pavilions of 12' or less in height, new landscaping of evergreen bushes and/or trees at a minimum height of 6' (at installation) shall be required for screening and buffering. For gazebos or pavilions over 12' in height, new landscaping of evergreen bushes and/or trees at a minimum height of 8' (at installation) shall be required for screening and buffering.
- Roof Pitches: Roof pitches shall be compatible with the roof slope of the existing house.
- Roof Materials: Roof materials shall match or be compatible with the existing house.
- Trim: The trim of a gazebo shall be compatible with existing house siding or deck in color, material, size, and style.
- No improvement, alteration or modification to a lot may be made which impedes or alters the natural and/or existing drainage patterns on the lot or which cause discharge or diversion of water onto neighboring lots or the common area unless an application has been filed and satisfactory alternatives have been approved in writing by the ARB.

Generators

The following standards pertain to generators for home use:

- Generator Screening: Generator equipment shall be screened to limit the impact of the view on adjacent properties. See the “Equipment screening” Section.
- Location: Generators shall be located close to the house in the backyard or rearmost area of the side yard. The location shall be selected to minimize the noise and visibility to neighbors.

Greenhouses

See the “Room Additions, Garages and Sun Rooms” Section.

Grills and Outdoor Kitchens

The following standards pertain to grills, outdoor kitchens, and barbecue pits (ARB Application is required):

- Non-Permanent Grills: No application is required for non-permanent grills. Grills shall be stored out-of-view from the front of the house when not in use. Grills may be used in driveways but shall not be left there after use.
- Design: The architectural design, character, form, scale and proportion of a permanent grill or outdoor kitchen shall be consistent with the character and design of the existing house. The permanent grill or outdoor kitchen shall be constructed of materials that are compatible with the house, deck, patio, gazebo, or structure to which it is attached or most closely related.
- Location: Permanent grills and outdoor kitchens shall be located behind the house, and shall be ten (10) feet or more from side and rear property lines.

Gutters and Downspouts

See the Exterior Surfaces section.

Holiday Lights/Decorations

- Exterior holiday lights/decorations may be installed no earlier than 30 days prior to the holiday and must be removed within 30 days after the holiday.

Hot Tubs and Spas

For in-ground spas and hot tubs, refer to the Pools section. The following standards pertain to free-standing hot tubs and spas, including hot tubs and spas incorporated into other features such as decks, patios, and gazebos (ARB application is required):

- Design: The architectural design, character, form, scale and proportion of the hot tub or spa shall be consistent with the character and design of the existing house.
- The hot tub or spa shall be compatible with the house, deck, patio, gazebo, or structure to which it is attached or most closely related.
- Location: Hot tubs and spas shall be located behind the house and not in a side or front yard. For corner lots and irregularly shaped lots, some latitude on location may be allowed on a case-by-case basis. Hot tubs & spas may be

freestanding or may be an integral part of a deck, patio, gazebo, or other structure.

- Privacy Screening: See the Privacy Screening section.

House Numbers

The following standards pertain to house numbers:

- Design: Replacement of house numbers shall be similar in style and scale with the house numbers installed by the builder
- Location: House numbers shall be placed on the front of the house in a location where they are easily viewable from the street.

Note: An application is not required for house numbers if the homeowner complies with the standards set forth above.

In-Home Business

Loudoun County regulates in-home businesses and in certain situations County permits must be obtained. However, customer-intensive businesses which frequently attract a large number of vehicles to resident properties, or the neighborhood are not allowed.

The following standards pertain to in-home businesses:

- In-home businesses shall not attract large numbers of vehicles to the resident's property or the neighborhood or become a nuisance to nearby homeowners or the community.
- A copy of the required Commonwealth of Virginia or Loudoun County permits must be filed with the management company.
- No signs or other advertising devices of any nature shall be placed on any lot.
- No exterior storage of business-related materials is permitted.

Note: An application is not required for in-home businesses provided that the resident comply with all standards set forth above.

Irrigation Systems

The following standards pertain to both permanent irrigation systems and sprinklers:

- Drainage Impact: Homeowners are responsible for ensuring that the installation and operation of irrigation systems does not have an adverse impact on their property or neighboring properties, including common areas, by exceeding the "normal" drainage capabilities of all properties, causing standing water or over-watering existing trees and plants.
- Loudoun County Ordinances: Irrigation systems shall adhere to Loudoun County ordinances for setbacks, permits, etc.
- Location: The irrigation system shall be installed entirely within the property lines of the homeowner's lot.
- Spray: The irrigation system shall not direct the spray outside the property lines of the homeowner's lot.

Note: An application is not required for irrigation systems provided that the homeowner complies with all of the standards set forth above.

Landscaping (also see “Trimming & Removal” Section)

The following standards pertain to the installation of new landscaping and the alteration of existing landscaping (ARB application is required):

- Any proposed improvement, which is of such scale or type that alters the existing landscaping of the home. Examples include substantial or total removal of turf or brush and replacement with another material, such as mulch or gravel, installation of paths or ponds; any landscaping plan of professional design; or any substantial redesign of existing landscaping.
- Design: All landscape beds, and the plantings within, shall be harmonious with the applicant’s house and consistent with the overall character of the community.
- Total Area: The total area of non-turf landscaping elements, including landscape beds, shall not occupy more than 30 percent of the front and side yards.
- Plants: Plantings within landscape beds, at maturity, shall not encroach upon adjacent properties. Bamboo plantings, English Ivy and other predatory plants are prohibited because of their tendency to propagate uncontrollably. Creeping vines are not allowed.
- Trees, Bushes & Shrubs: Plantings intended to form a hedge or natural screen shall not be located forward of the front plane of the house.
- Vehicular Sight Lines: Plantings shall not restrict vehicular sight lines along roadways or driveways.
- No improvement, alteration or modification to a Lot may be made which impedes or alters the natural and/or existing drainage patterns on the Lot or which causes discharge or diversion of water onto neighboring Lots or the common area unless an application has been filed and satisfactory alternatives have been approved in writing by the ARB.
- Plantings must be sufficiently located within the property line such that the planting at maturity does not extend beyond the property line and does not interrupt designed drainage patterns and swales.

The following specific minor landscaping work done in the backyard does not require an ARB application:

- Planting of annuals and perennials in existing beds
- Planting of up to two trees in the back of the house

Mailboxes

The following standards pertain to mailboxes:

- Mailbox Type: A builder-installed Mailbox was installed on each lot. Any replacement mailbox must match all other conforming mailboxes on the street to be harmonious in style.
- Color: Mailboxes and posts shall be black.

- House Addresses: Mailboxes shall have house addresses on both sides of the mailbox. House addresses shall be consistent in size and color with house addresses on other mailboxes in the Community. The replacement of address or house numbers shall be the same as or similar in style and scale as the existing numbers installed by the builder.
- Please visit the Village of Waxpool website for more information on how to order a new mailbox: <https://www.waxpoolhoa.com>.

Note: An application is not required for mailboxes provided that the homeowner complies with the standards set forth above.

Outside Fireplaces and Fire Pits

The following standards outdoor fireplaces or “fire pits” (ARB application is required):

- Location: A fireplace or fire pit shall be located only in the rear yard of the property, not in the front yard. A fireplace or fire pit can extend beyond the side plane of the house on the driveway side of the house. A fireplace or fire pit shall adhere to the Loudoun County ordinances regarding setbacks from property lines and dwellings.
- For corner lots and irregularly shaped lots, some latitude on the location may be allowed on a case-by-case basis. A fireplace or fire pit may be an integral part of a deck or patio, or it may be a free-standing structure. To minimize impact to neighbor’s views of new fireplaces or fire pits of 12’ or less in height, new landscaping of evergreen bushes and/or trees at a minimum height of 6’ (at installation) shall be required for screening and buffering. For fireplaces or fire pits over 12’ in height, new landscaping of evergreen bushes and/or trees at a minimum height of 8’ (at installation) shall be required for screening and buffering.
- Size and Scale: The size of any outside fireplace shall be compatible with the size of the lot and its location within the lot.
- Level: Outside fireplaces may be elevated if the overall design is compatible with the house and the lot topography.

Painting

See the External Surfaces section.

Parking

See the Vehicle Storage section.

Patios/Pool Decks

The following standards pertain to patios/pool decks (ARB application is required and County permits may be required):

- Location: Patios shall be located in rear yards, and they shall be within the side plane of the house on the non-driveway side. A location directly behind the house is preferred but other locations within a rear yard may be considered on a case-by-case basis. Patios/pool decks can extend beyond the plane of the house on the driveway side of the house. Patios/pool Decks shall adhere to the Loudoun County ordinances regarding setbacks from property lines

- **Size and Scale:** The size of any patio shall be compatible with the size of the lot and its location within the lot.
- **Level:** Patios may be elevated if the overall design is compatible with the size of the lot and its location within the lot.
- **Patio Railings:** Railings (where required by Loudoun County) must be between 36 and 42 inches in height. Railings may completely enclose a patio if the patio is attached to the home. Acceptable materials include wood, stone, brick, and wrought iron. Plastic covered white or trim matching railings may also be used. Materials can be mixed, e.g., railings may be part brick and part wrought iron. Freestanding patios can only have decorative walls, not railings. Wood or wrought iron railings must be compatible with existing house colors.
- **Patio Walls:** Refer to Retaining Walls Section.
- **Materials:** Concrete is allowed for patios, but more decorative construction materials are preferred, including, but not limited to, concrete aggregate (concrete with embedded stones), brick, flagstone, slate, or decorative pavers. Patios may not be constructed of asphalt.
- **No improvement, alteration or modification to a Lot may be made which impedes or alters the natural and/or existing drainage patterns of the Lot or which causes discharge or diversion of water onto neighboring Lots or the common area unless an application has been filed and satisfactory alternatives have been approved in writing by the ARB.**

Pools, Pool Houses and Perimeter Safety Fencing

The following standards pertain to permanent pools (including in-ground hot tubs and spas), pool houses, and perimeter safety fencing (ARB application is required and County permit(s) may be required):

- **Temporary Pools:** Temporary pools, such as children’s pools, are permitted and do not require an application. Temporary pools shall be placed behind the house when used and shall be drained and put away when not in use.
- **Pool Types:** Only in-ground pools are permitted. Permanent hot tubs and spas are also permitted, either alone or integrated with a pool. For free-standing hot tubs and spas, see the “Hot Tubs and Spas” Section.
- **Pool Houses:** Pool houses may be an integral part of a deck or patio, or they may be free-standing structures. Pool houses of appropriate scale may be approved on a case-by-case basis. Visual and noise impact on neighbors must be considered. Pool houses must also be designed to match the applicant’s existing housing materials and adhere to other applicable County building codes and guidelines. Pool houses may have a second level but shall adhere to all Loudoun County regulations and setback requirements.
- **Pool House Location:** Pools (including in-ground hot tubs and spas) and pool houses shall be located in the rear yard. A location directly behind a house is preferred but other locations within a rear yard may be considered on a case-by-case basis. Pools may extend beyond the plane of the house on the driveway side of the house.

- **Pool House Screening:** Pool houses shall be screened to limit the impact of view on the adjacent properties. Evergreen bushes and/or trees at a minimum height of 6' (at installation) shall be required for screening/buffering.
- **Setbacks:** Pools (including in-ground hot tubs and spas) and pool houses shall adhere to Loudoun County ordinances regarding setbacks from property lines. It is the responsibility of the homeowner to comply with current Loudoun County ordinances regarding setbacks.
- **Pool Equipment Location:** Pool equipment shall be located at least 5 feet inside the property line to allow for sufficient screening. Pool equipment shall be placed towards the rear of the property.
- **Decking Materials:** The area surrounding a pool is referred to by pool builders as the “decking” of the pool. Decking shall be concrete, concrete aggregate, stone, brick, or a similar material. Wood decking around an in-ground pool is prohibited.
- **Pool Covers:** Pool (including in-ground hot tubs and spas) covers are permitted and shall be muted colors such as black, brown, dark green, tan, gray or other muted shades to minimize their visibility.
- **Accessory Structural Elements:** Pools may be designed to include such features as retaining walls, bench seating areas, waterfalls, slides, diving boards, lighting, privacy screening and other features. Such features shall be appropriate within the context of the overall pool design and shall adhere to other applicable standards.
- **Equipment Screening:** Pool equipment shall be screened to limit the impact of the view on adjacent properties. See the “Equipment Screening” Section.
- **Perimeter Safety Fencing:** Pools may also be enclosed by perimeter safety fencing in lieu of or in addition to being enclosed with a lot line rear fence. However, perimeter safety fencing must be located within the side planes of the house and located a reasonable distance away from the lot line to avoid a potential fence-on-fence appearance. In addition, only the following perimeter safety fencing materials are permitted: Black aluminum or Black wrought iron. See “Fences” section above.
- **No improvement, alteration or modification to a Lot may be made which impedes or alters the natural and/or existing drainage patterns of the Lot or which causes discharge or diversion of water onto neighboring Lots or the common area unless an application has been filed and satisfactory alternatives have been approved in writing by the ARB.**

Privacy Screening

The following standards pertain to privacy screening, which includes, but is not limited to, deck privacy screening, patio privacy screening, deck lanai and free-standing lanai.

- All privacy screening shall be made of wood or an artificial wooden product that is compatible with the design of the house. The lattice shall be compatible with the color of the deck or the trim of the house.

- Patio privacy screening will be considered on a case-by-case basis.
- Deck privacy screening shall not exceed a height of three feet above the railing of the deck, or a total height of six feet above the level of the deck floor. In addition, privacy screening on a deck shall not exceed a total length which exceeds fifty percent of the total perimeter of the deck, excluding the length of the side which is bordered by the exterior wall of the house.
- Privacy screens shall be lattice or other open design – solid privacy screens are prohibited.
- Privacy screening on any deck or patio shall not adversely affect light or natural ventilation of adjacent properties.
- Undercroft Screening: If the area beneath an elevated deck is used for storage of any personal property items of any type, the area must have vertical lattice work as a screening material to shield the stored items from view. Lattice work may be made of vinyl, an artificial wood product, or pressure treated wood. The lattice shall be compatible with the color of the deck or the trim of the house.

Note: An application is not required for trellises or privacy screening provided that the homeowner complies with all of the standards set forth above.

Recreation and Play Equipment

The following standards pertain to recreation and play equipment, including permanent and semi-permanent equipment (ARB application is required). For clarity purposes, the standards have been divided into several sub-sections.

Portable Play Equipment and Goal Nets

The following standards pertain to portable play equipment and goal nets (such as hockey, soccer, lacrosse):

- Portable play equipment and goal nets do not require approval but shall be stored out of view from the street when not in use.

Children’s Recreation and Play Equipment

The following standards pertain to semi-permanent play equipment, including, but not limited to, sandboxes, swing-sets, and playsets.

- **Location:** Play equipment shall be located behind the house and be placed at least 9 feet from adjoining property lines. Persons selecting locations for such equipment should consider their neighbors’ view and their right to the quiet enjoyment of their lot. Equipment shall not be located in such a manner as to minimize the lot owner’s view of the equipment but create a visually intrusive presence of the equipment to neighboring lots.
- **Size:** Structures and equipment shall be compatible with the lot in terms of size.
- **Materials:** Equipment constructed of wood and left to weather naturally is encouraged. Metal “A-frame” style swing-sets are not permitted. Tarps and canopies shall be a solid neutral color or can be three (3) primary colors, striped (such as red, yellow, and blue). Pre-formed plastic is allowed.
- Only one swing-set/play-set is permitted per property.

Playhouses

The following standards pertain to semi-permanent playhouses. A playhouse is defined as any recreational equipment that features an enclosed area.

- Location: Stand-alone playhouses shall be located behind the house and within the side planes of the house so as not to be visible from the front of the lot.
- Materials: Playhouses shall be of a natural wood color, painted earth tone colors or match the color scheme of the house.
- Size: Playhouses shall not exceed an area of 30 square feet and a height of 6 feet.
- Playhouses shall not be used as or converted into storage sheds.

Recreational Courts

Courts (such as basketball, tennis, or other sports courts) may be approved on a case-by-case basis. Special consideration will be given to the scale and location of the court in relation to the lot and to the concerns of adjacent neighbors.

- Under no circumstances shall courts be placed in front or side yards.
- Permissible Use Hours for Recreational Courts: 9:00 a.m. until 8:30 p.m.
- Courts shall not be used in a manner that deprives any homeowner of the peaceful enjoyment of their property by creating a nuisance or an unreasonable disturbance.
- Water Drainage: All natural water drainage patterns and swales on a lot shall be properly maintained and preserved so as to not impede or alter the natural drainage patterns and/or swales of a lot or causes the discharge or diversion of water onto neighboring lots or the common area, unless satisfactory alternatives approved in writing by the ARB have been provided. If a drainage issue arises at a later time that affects a neighbor's lot or the common area, the homeowner will be responsible to correct the problem at their own expense.

Basketball Equipment

- Attached Backboards: Backboards attached to the house are prohibited.
- Poles: A backboard may be affixed to permanent, semi-permanent, or temporary free-standing pole (i.e., portable type setup), which pole shall be gray, black, or silver
- Backboards on Permanent Poles: A backboard affixed to a permanent pole shall be of a transparent material (i.e. acrylic), not wood, wood composite, or metal.
- Location: Basketball setups shall be always located on the homeowner's property. Basketball setups should be placed so that missed basketballs do not tend to go into a neighbor's yard.
- Court Markings: No court markings may be painted on the playing surface unless it is located behind the rear plane of the house and screened from view.
- Maintenance: The backboard, rim, pole, and net shall be always maintained in good condition, with no evidence of peeling paint or rust.
- Permissible Hours: 9:00 a.m. until 8:30 p.m.
- Basketball equipment shall not be used in a manner that deprives homeowners of the peaceful enjoyment of their property by creating a nuisance or an unreasonable disturbance.

- Yard guard/ball return nets are allowed but must be properly stored out of view when not in use.
- Each home is permitted only one basketball setup unless installed as part of an approved sports court.

Trampolines

- Location: Trampolines shall be located behind the rear plane of the house and at least 9 feet from neighboring property lines.
- Maintenance: Trampolines and any attached safety netting or padding shall be maintained in good condition.
- Off-Season: Homeowners are encouraged to remove or disassemble trampolines during the winter months.
- Size: Trampolines do not require an application if the trampoline has no dimension that exceeds 12 feet. Otherwise, an application is required for a trampoline.
- Safety-Netting: Numerous accidents occur each year in which children are severely injured or killed in trampoline-related accidents. The addition of safety netting to trampolines is recommended and highly encouraged.

All Other Sporting Equipment and Facilities

This section includes all other types of sports equipment:

- Location: All sporting equipment and facilities shall be located behind the rear plane of the house and at least 9 feet from neighboring property lines. - Design: The scale, location and design shall be compatible with the lot, house, and surroundings.
- Wooden Materials: Sporting equipment and facilities constructed of wood shall not be painted, but left to weather naturally; except, however, wooden play structures that are purchased pre-stained may be re-stained to match the original approved stain color.
- Metal Materials: Metal sports equipment shall be painted in white, gray, black, or silver. Exceptions may be granted on a case-by-case basis based on the architectural design and character of the existing structure.
- No improvement, alteration or modification to a Lot may be made which impedes or alters the natural and/or existing drainage patterns of the Lot or which causes discharge or diversion of water onto neighboring Lots or the common area unless an application has been filed and satisfactory alternatives have been approved in writing by the ARB.

Retaining Walls

The following standards pertain to the installation or alteration of retaining walls, including, but not limited to, walls used to retain soil in raised landscape beds, decorative landscape walls and walls around patios (ARB application is required):

- Design: The scale, location and design of retaining/landscaping walls shall be harmonious with the applicant's house and consistent with the overall character of the community.

- Materials: Retaining/landscaping walls installed in the front or side yard shall be constructed of brick or stone masonry or dry-stacked natural or man-made landscaping stones/blocks.
- Property Lines: Retaining walls installed along property lines will be considered on a case-by-case basis.
- No improvement, alteration or modification to a Lot may be made which impedes or alters the natural and/or existing drainage patterns of the Lot or which causes discharge or diversion of water onto neighboring Lots or the common area unless an application has been filed and satisfactory alternatives have been approved in writing by the ARB.

Roofs

The following standards pertain to replacement of existing roofs or installation of roofs, alterations, reconstruction and new construction (ARB application is required):

- Materials: Standard asphalt/fiberglass shingles, including three-tab and laminated (“architectural”) shingles. Shingle colors shall be black, and be consistent with shingles on other houses in the Community.
- Bay Windows and Porticos: For bay windows and porticos, other roofing materials, including standing seam (tin/aluminum/steel) and copper, will be considered on a case-by-case basis based on their consistency and compatibility with the general architectural design and character of the house and other houses within the community.
- Porches: Roofing materials used on porches and screened porches shall match the roofing materials used on the main part of the house.
- Style: The architectural character and style of the proposed roofing material shall be consistent and compatible with roofing products used on other houses within the Community. In addition, the architectural character and style of the proposed roofing material shall be harmonious with any existing roofing materials on other areas of the house.
- Pitch: Roofs shall be architecturally compatible with the roof of the applicant’s house. Exceptions may be granted on a case-by-case basis to maintain the architectural design and character of the existing structure.

Room Additions, Garages and Sunrooms

The following standards pertain to any sort of room addition for a home that changes the existing square footage of the home, whether finished or unfinished space (ARB application is required). This includes, but is not limited to, sunrooms, garage expansions or any other room additions. For screened porches, see the “Screened Porches” Section.

- Detached garages are generally not permitted but may be approved on a case-by-case basis.
- Design: Room additions shall be compatible in design, scale, materials and color with the applicant’s house and adjacent houses.

- Roof Pitches: Roof pitches shall match or be compatible with the roof slope of the existing home. Roof materials shall match or be compatible with that of the existing house.
- Windows/Doors: Windows and doors shall match those of the applicant's house and shall be located in a manner which relates well to the location of exterior openings in the existing house.
- Setback: In considering an application for a garage or other extension to the front of a house, the Architectural Review Board shall consider the effect of the proposed extension on the streetscape and the view of adjoining and other affected property owners. The extension shall not result in a setback from the street that is less than the minimum setback from the street of other houses on that side of that street.
- No improvement, alteration or modification to a Lot may be made which impedes or alters the natural and/or existing drainage patterns of the Lot or which causes discharge or diversion of water onto neighboring Lots or the common area unless an application has been filed and satisfactory alternatives have been approved in writing by the ARB.

Satellite Dishes and Antennas

- Antennas: No antenna shall be installed on any common area of the Community.
- Satellite Dishes: Homeowners and tenants may install on their lot a dish antenna that is one meter (39.39 inches) or less in diameter. Satellite dishes that are larger than one meter in diameter are prohibited.
- Note: Approval for Satellite Dishes and Antennas does not convey to new owners or from tenant back to owner.
- Homeowners and tenants may install a multipoint distribution service antenna (MMDS) antenna that is one meter or less in diameter or diagonal measurement. MMDS antennas that are larger than one meter in diameter or diagonal measurement are prohibited.
- In accordance with the FCC OTARD Rule (47 C.F.R. 1.4000) ("the FCC Rule"), homeowners and tenants may install a regular TV antenna designed to receive local broadcast television stations. Homeowners are prohibited from installing any type of antenna that transmits a signal of any sort or disrupts the reception of the radios and television sets of neighbors. Such antennas are prohibited.
- Local station television receiver antennas should be mounted inside the house attic if adequate signal reception is possible. If not, the preferred type antenna for outdoor installation is one designed to be mounted unobtrusively on the back of the satellite antenna. The single flat bar type can also be mounted unobtrusively on the roof.
- Any type of antenna not specifically protected by the FCC Rule is prohibited. (Masts, cables, supports, conduits, wires, fasteners, or other accessories necessary for the proper installation, maintenance, and use of a reception antenna shall be considered part of the antenna.)

- Sale of House: Antenna approval does not convey upon sale of the house. When any antenna is no longer in continuous use as such, the Village of Waxpool HOA reserves the right to require the homeowner to remove the antenna, along with all exterior wiring, prior to issuance of the disclosure packet.
- Placement: Properly screened ground installation is preferred. The homeowner should select the best possible location for the equipment while complying with the requirement for the least visible and unobtrusive location. Elevated antennas may be used if ground installation cannot provide adequate signal reception, or the elevated location is the least obtrusive visually. Every attempt must be made to preclude either the satellite antenna or the broadcast receiver type antenna from extending above the ridgeline of the roof, unless there is no other reasonable location, which will provide the required signal.

Note: Per the Federal Telecommunications Act of 1996, prior approval by the ARB is not required for the installation of a satellite dish antenna if homeowners comply with all architectural standards set forth above.

Screened Porches

The following standards pertain to screened porches (ARB application is required):

- Design: The design of screened porches which are attached to the home shall be the same or compatible in design, scale, materials and color with the applicant's house and adjacent houses.
- Location: Screened porches shall be located to the rear of the applicant's house.
- Roof Pitches: Roof pitches shall match or be compatible with the roof slope of the existing house.
- Roof Materials: Roof materials shall match or be compatible with the existing house.
- Siding/Trim: Siding and trim shall match or be compatible with existing siding and trim in color, material, size and style.
- Doors: Doors shall match or be compatible with those of the applicant's house.
- No improvement, alteration or modification to a Lot may be made which impedes or alters the natural and/or existing drainage patterns of the Lot or which causes discharge or diversion of water onto neighboring Lots or the common area unless an application has been filed and satisfactory alternatives have been approved in writing by the ARB.

Security Bars

The following standards pertain to security bars:

- The use of security bars or grates on windows and doors is prohibited.
- Homeowners concerned about the security of their house are advised to consider alternatives, including alarms and lock systems.
- Exceptions may be made if the security apparatus will not be visible from the street and from adjoining properties.

Sheds / Storage

The following standards pertain to sheds/storage units (ARB application is required):

- Free standing sheds are prohibited.
- Location: Sheds shall be located in the rear plane of the house and must not extend beyond the side plane of the house. Storage sheds must be attached to the house or be placed under a deck.
- Landscaping shall be required to screen any shed that is visible from the street.
- Materials: The finished materials shall be the same as those used in the surface to which the shed is integrated. If integrated with a deck, the materials shall match that of the deck; if attached to the house, the materials shall match the house (including siding and roofing).
- Size: A shed shall not exceed seven (7) feet in total height, and shall not exceed seventy (70) square feet.
- Roof: The roof slope, type and color shall match the roof slope, type and color of the house.
- Under-Deck Storage: A storage area may be built under a deck and will be constructed of lattice, painted or stained the same color as the deck, and surrounding the entire under deck area which can be observed by others. If an outside door to this under-deck storage is desired, it must be made of lattice to match the screening. The underdeck area may be used to store firewood, garden/yard tools and equipment, trash cans, barbeque grills and outdoor furniture only. It may not be used to store trash, appliances, boats, vehicles, etc. Plastic storage units under decks are allowed if they are neutral in color, placed next to the house and are otherwise visually inconspicuous.

Shutters

The following standards pertain to shutters:

- Style: Shutters shall be applied to windows only as per the builder's original design. Shutters that have been lost or damaged shall be replaced with shutters that conform to the shutters installed by the builder in size, style, and color.
- Homeowners are not permitted to remove shutters from windows that have them, add shutters to windows that do not have shutters or change the size, style or color of shutters.

Note: An ARB application is not required for the replacement of shutters as long as the homeowner complies with all standards set forth above. However, an application is required for changes relating to size, style or color.

Sidewalks, Walkways and Pathways

These standards pertain to sidewalks, walkways and pathways (ARB application is required):

- Setback: Sidewalks and pathways shall be set back a minimum of 4 feet from side property lines.
- Easements and Right-of-Ways: Sidewalks and pathways shall be set back from any VDOT right of way or easement.

- Style: The scale, location and design of sidewalks and pathways shall be harmonious with the applicant's house and adjacent houses and consistent with the overall character of the community.
- Level: Sidewalks and pathways shall be installed flush with the adjacent ground, turf or landscape beds.
- Materials: Sidewalks and pathways shall be constructed of flagstone, brick, brick pavers, stepping-stones, concrete, pea gravel set firmly in stone dust, or similar durable construction material. No asphalt sidewalks and pathways are permitted. Stone dust may be used as sidewalks and pathways in the rear of the house only. If the proposed sidewalk or pathway is to be constructed of brick or brick pavers, the color of the brick or brick pavers shall complement the existing brick of the house.
- Width: Sidewalks shall generally be a minimum of 3 feet and a maximum of 5 feet in width, with exceptions for wider portions at each end.
- No improvement, alteration or modification to a Lot may be made which impedes or alters the natural and/or existing drainage patterns of the Lot or which causes discharge or diversion of water onto neighboring Lots or the common area unless an application has been filed and satisfactory alternatives have been approved in writing by the ARB.
- Snow must be removed from sidewalks within 24 hours after snowfall for safety reasons; this is a requirement and responsibility of the homeowner.

Signs

The following standards pertain to any signs displayed on a homeowner's lot. The only signs permitted on the property shall be customary home (i.e., security signs), address signs, or real estate sale or lease signs. No more than one permitted sign shall be displayed for public view on any lot.

Security System Signs

- Two security signs are permitted per lot on a permanent basis
- Security signs shall be located within 5 feet of the house or within 5 feet of the driveway entrance.
- Security signs shall not exceed 64 square inches in size.

Warning Signs

- Two "Beware of the Dog" signs, each not exceeding 64 square inches may be posted on the property. If dogs are restricted to the fenced yard, one sign should be posted at each gate. If an invisible fence is used, signs should be posted at the most logical approaches to the invisible fenced portion of the yard. Only one sign may be posted forward of the front plane of the home.

Real Estate Signs

- Signs must only be placed in the front yard of available properties (only one sign shall be displayed to public view on any lot)
- Signs must be less than or equal to 2 square feet in total surface area, and shall not be illuminated.

- All permitted signs advertising the property for sale or rent shall be removed within 3 days from the date of the conveyance of a lot or the execution of the lease agreement as applicable. All signage must be in conformance with current zoning requirements.

Other Signs

- Only one temporary sign per lot is approved for display at any given time.
- Signs may be displayed in the front yard only.
- Political signs shall not exceed 8 square feet.
- Political signs can only represent a declared candidate or referendum and shall be removed within 48 hours after the applicable voting day. Political signs shall not be displayed earlier than 60 days before an election.
- Yard Sale Signs: Signs must be removed within 24 hours after the sale.
- Commercial signs: One sign may be posted by a contractor working on a home, such as building a deck or painting. The sign may be posted only during the period of the actual contract and may only be placed in the front yard of the home. Such signs must meet applicable County regulations with respect to size and content.

Note: An ARB application is not required for signs provided that the homeowner complies with all architectural standards set forth above.

Skylights

The following standards apply to skylights (ARB application is required):

- Skylights shall be located such that they are not visible from the front of the house.
- Skylights are not permitted on the front side of the roof ridge line.
- Skylights shall be constructed flush with the roof line.
- The skylight frame and trim shall match the color of the roof. - Bubble or elevated skylights are prohibited.

Note: New technologies related to skylights are becoming available in the marketplace. Accordingly, applications for new types of products will be considered on a case-by-case basis.

Solar Panels

Solar panels or collectors shall be selected, located, and installed to minimize their appearance on the house and visibility from neighboring properties and the street. The design, color, configuration, and location of the proposed solar collectors must be compatible with the architecture of the house. If replacement panels are installed in a previously approved location, no application is required for replacements of similar size and appearance. The standards below pertain to Solar Panels and Solar Collectors:

- These installations shall be reviewed on a case-by-case basis.
- Solar collectors shall have a low profile and be parallel with the roof ridge and edges.

- All framing, piping, control devices and wiring must be painted a dark color or the color of the roof.
- Ground mounted solar collectors should be as small as possible, located in rear yard and screened from neighboring properties by landscaping.
- Submitted application shall include panel dimensions, total installation dimensions, and a copy of the site plat that indicates the location of solar panels, any auxiliary equipment, any accessory structures, and landscaping for the ground-installed panels.
- Solar panel or collector systems must comply with all Loudoun County requirements and standards for the solar or photovoltaic system.

Sprinklers

See Irrigation Systems.

Sun Control Devices

For awnings, see the “Awnings” section. For privacy screening or a lanai, see the “Privacy Screening” section.

Temporary Moving Storage Containers

The following standards pertain to the use of storage containers:

- Temporary moving storage containers shall only be placed within the boundaries of the homeowner’s driveway and may remain in place for a period not to exceed thirty (30) days. They must be removed from the lot upon the expiration of 30 days.

Note: An exception may be requested from the HOA Board if storage containers need to remain on a homeowner’s driveway for more than thirty (30) days.

Trash/Recycling Containers

The following standards pertain to trash containers, recycling containers and yard debris:

- Trash containers, recycling containers and yard debris shall be always stored out of sight, except for the approved interval during which such items are placed adjacent to the street for pick-up.
- Trash containers, recycling containers and yard debris for pick-up shall be placed adjacent to the street on the side of the driveway opposite the mailbox.
- Items for pick-up shall not be placed at the street for pick-up prior to 5:00 PM on the evening prior to pick up.
- All containers left at the street for pick-up shall be collected by 8:00 PM. on the day of pick-up and stored out of view.
- Trash shall be secured in such a way to prevent it from being blown or drifting onto neighboring properties or common areas. Cleanup of any trash that is inadvertently spread is the responsibility of the homeowner whose trash was distributed.
- No accumulation of trash or debris may be stored on a lot at any time.

Tree Installation & Removal

The following standards pertain to the installation & removal of trees from homeowner's property (ARB application is required):

- The removal of live trees, regardless of size/species, is generally discouraged.
- Unapproved removal of trees larger than 4 inches in diameter may result in homeowners being required to plant replacement trees. The size and number of trees will be determined by the ARB based on the number and size of the trees that were removed without approval
- Trees intended to form a hedge or natural screen shall not be located forward the front plane of the house. Plantings must be sufficiently located within the property line as to provide for mature growth to not exceed the property line.
- Trees intended to for a "green fence" shall be planted in a staggered row.
- Vehicular Sight Lines: Plantings shall not restrict vehicular sight lines along roadways or driveways.
- Removal of trees less than 4 inches in diameter that are either dead or present a safety hazard do not require ARB approval. If the tree has a diameter of greater than 4 inches in diameter, the existing tree should be documented with pictures and sent to the HOA Management Company before it is removed.
- Any removal of a tree must include the removal of the stump and any exposed roots.
- Trees that meet the criteria below shall not be removed. Exceptions are at the discretion of the Architectural Review Board and will be evaluated on a case-by-case basis.
 - No live trees shall be removed with a diameter (caliper) greater than 4 inches as measured 2 feet from the ground.
 - No live vegetation on slopes of more than 20% gradient or marked as no-cut areas or "tree-save" areas on approved plans shall be removed.
 - No developer-planted street trees shall be removed; however, dead or dying developer-planted trees must be replaced with a Maple, Zelkova, Oak or Sycamore tree (minimum of 2 inches in diameter, measured 2 feet up from the soil level).
 - Homeowners are not permitted to disturb or make any changes in the common area. For questions concerning the common area, please contact the management company.
 - No improvement, alteration or modification to a Lot may be made which impedes or alters the natural and/or existing drainage patterns of the Lot or which causes discharge or diversion of water onto neighboring Lots or the common area unless an application has been filed and satisfactory alternatives have been approved in writing by the ARB.
- In certain situations where removal of a live tree that meets the above criteria is necessary (such as areas that will be disturbed by building a fence, pool patio, etc.), a tree replacement plan will be required. The formula for the diameter of the replacement trees is to divide the existing diameter by 1.5. In other words, if a tree or trees with a total of 12" in diameter is removed, two trees with a combined diameter of four (4) inches is required.

Vegetable Gardens

The following standards pertain to all vegetable gardens (ARB application is required):

- Vegetable gardens shall be located in the backyard within the back plane of the house.
- Vegetable gardens must be at least 9 feet from adjoining properties.
- Vegetable gardens shall not exceed a total of 200 square feet in size.
- Vegetable gardens shall be maintained neatly even during the non-growing season.
- Vegetable gardens shall not encroach on neighboring properties or common areas.
- Landscaping shall be required to screen any portion of the garden that is visible from the street.
- Deer fencing may be acceptable in conjunction with a vegetable garden (wire mesh fencing is not permitted).
- Materials: Vegetable gardens can be constructed from railroad ties, garden timbers, or similar material (at the base of the garden); or be placed in retaining walls made from brick or stone masonry, or dry-stacked natural or man-made landscaping stones/blocks.
- No improvement, alteration or modification to a Lot may be made which impedes or alters the natural and/or existing drainage patterns of the Lot or which causes discharge or diversion of water onto neighboring Lots or the common area unless an application has been filed and satisfactory alternatives have been approved in writing by the ARB.

Vehicle Storage

The following standards pertain to all vehicles:

- No vehicle may be parked, even temporarily, on the grass or on common areas.
- Inoperable, unregistered, unlicensed or uninspected vehicles may not be parked or stored in open view on homeowner's property or on public and private streets.

Recreational Vehicles

The following standards pertain to all recreational vehicles:

- No recreational vehicle may be parked in open view of residential property, residential streets, open spaces or other common areas except on a temporary and occasional basis. Temporary and occasional is defined as not more than one week in a thirty (30) consecutive day period.
- A recreational vehicle is defined as:
 - Any boat or boat trailer, including any jet ski, paddle boat, canoe, rowboat, inflatable boat, motorboat or sailboat.
 - Any trailer or motor home or self-contained camper
 - Any other vehicle that could not normally or regularly be used for daily transportation, including a dune buggy, non-operative collectible automobile or other automotive equipment not licensed for use on the highways of Virginia.

Commercial Vehicles

The following standards pertain to all commercial vehicles:

- No commercial vehicle may be parked in open view of a residential property, residential street, open space or other common area.
- A commercial vehicle is defined as:
 - Any private or public school or church bus.
 - Any vehicle that is defined as a commercial vehicle under State or local law
 - A normal passenger vehicle used for commercial purposes which has been permanently modified or marked for commercial purposes.
 - Normal passenger vehicles used for commercial purposes but not modified or marked for commercial purposes may be parked in the community.
 - Magnetic signs on such vehicles shall be removed or the vehicle shall be parked in a garage.

Note: An ARB application is not required for vehicle storage provided that the homeowner complies with all the standards set forth above.

Walking Paths

The homeowner is responsible for keeping the asphalt walking paths at the front and side of homes throughout the Community clear at all times. The repair/replacement of the walking paths is the responsibility of the HOA. The following standards pertain to the Community walking paths:

- No one is permitted to block the Community walking paths with anything or any object (e.g., vehicles, personal property, soil, construction materials, debris, plants, trees) that impedes pedestrian foot traffic.
- Trees or branches that hang over walking paths shall be pruned or trimmed a minimum of seven feet (7') above the paths to permit unobstructed movement by pedestrians.
- Overhanging bushes or bushes that encroach on the walking paths shall be pruned or trimmed to be even with the edge of the paths.
- Homeowners are not permitted to remove or replace any portion of the walking paths.

Water Fountains & Water Gardens

The following standards pertain to the installation or alteration of water fountains, water gardens, or other landscape water features (ARB application is required):

- Water fountains, water gardens or other landscape water features are permitted only in the rear yard within the side planes of the house.
- Water fountains, water gardens or other landscape features shall not exceed four (4) feet in height.
- Fencing of yards which include large water fountains, water gardens or other landscape water features is strongly encouraged.

- The scale, location and design of water fountains, water gardens, or other landscape water features shall be harmonious with the applicant's house and adjacent houses and consistent with the overall character of the community.
- No improvement, alteration or modification to a Lot may be made which impedes or alters the natural and/or existing drainage patterns of the Lot or which causes discharge or diversion of water onto neighboring Lots or the common area unless an application has been filed and satisfactory alternatives have been approved in writing by the ARB.

Windows, Window Coverings & Screens

The following standards pertain to window coverings & screens:

New Windows

- Approval is required for installing windows in new wall/siding locations.
- Windows shall match the existing house windows.
- With HOA Board and ARB approval, a homeowner may install windows on the side or rear of the house only if the window style is an exact match of the home's other windows.
- The size of the window trim and frame shall match the trim and frame of the home's existing windows.
- The color of the window, window frame, and trim shall match the home's existing windows.

Replacement Windows

- Approval is not required for replacing windows that match the windows being replaced.
- An application is required for windows that are not identical to the windows intended to be replaced.
- Cracked or broken windows shall be replaced within forty-five (45) days of the damage.
- The replacement window's grid pattern shall match the grid pattern of the window being replaced.

Egress Windows

- Egress windows are permissible if the window style and location are approved by the HOA Board and the ARB.
- Egress window access (e.g., tunnels, ladders) shall not be visible from the front of the house, and the access must be kept clear of debris (e.g., leaves, trash).
- Egress windows shall adhere to all Loudoun County codes and regulations.
- Egress windows shall not be used as a storage location.

Window Coverings

No covering shall be permitted on the exterior of any window. The following standards pertain to interior window coverings:

- Windows shall have appropriate interior treatments when visible to the general public.

- Curtains, blinds, and interior mounted shutters are examples of acceptable window treatments. In order to maintain aesthetic attractiveness of the Community, homeowners are encouraged to ensure that all window coverings that are visible from the street are neutral in color or lined with a neutral-colored backing.
- No aluminum foil, reflective tint, paint, cardboard, newspaper or similar covering shall be applied to windows or doors.
- Neutral colored sheets or blind material made from paper may be used as temporary window coverings for a reasonable amount of time after the closing date of the sale of the home, pending the installation of permanent window coverings.
- All window screens must be in OR all window screens must be out.

Note: An ARB application is not required for the placement of permanent or temporary window coverings provided that the homeowner complies with all the standards set forth above.

ARB Application Form (Exhibit A)

SUBMIT ONLY ONE IMPROVEMENT PER APPLICATION

Mail To: Village of Waxpool Homeowners Association, Inc.
C/o Cardinal Management Group, Inc.
4330 Prince William Parkway, Suite 201
Woodbridge, VA 22192
E-Mail: g.coleman@cardinalmanagementgroup.com

Name: _____

Address: _____

Section: _____ Lot: _____

Telephone: _____

Email: _____

Type of Improvement (i.e., deck, fence, landscaping, etc.)

Detailed Description (Refer to Required Exhibits Checklist on next page)

Distance of improvement to property line at:
Back _____ Left of house _____ Right of house _____ Front or street _____

Does improvement extend beyond the side plane of house? _____

Does improvement meet ARB Architectural Design Standards as specified in the Community Handbook? _____ (If not, please justify variance as a separate attachment).

(This section to be completed by the ARB)

____ Approved as Submitted

____ Approved Subject to: _____

____ Disapproved Due to: _____

____ Suspended Due to: _____

ARB Chairperson _____ Date _____

Final Inspection – ARB Representative _____ Date _____

REQUIRED EXHIBITS CHECKLIST

Applications without required exhibits will be considered to be incomplete and be denied.

Site Plan: A professionally prepared site plan (plat) of the property showing the location and dimensions of the proposed improvement drawn to scale, including orientation and exact distance to property lines. Contour lines may be required where drainage is a consideration.

Architectural Drawings (if applicable): Detailed drawings must be provided to include front and side elevations, dimensions, and a complete view of the proposed improvement.

Paint or Stain Colors (if applicable): Photos of proposed colors must be submitted.

Finish Materials (if applicable): A photo or detailed description of material to be used for the exterior surface must be provided (siding, shingles, doors, hardscaping, etc.)

Landscaping (if applicable): Provide summary of the size of the planting material at maturity

Other Exhibits: Submit any other exhibits, photographs, or drawings which will help the committee evaluate your request.

*All exhibits should be in 8½x 11 letter size including site plans and architectural drawings.

NOTIFICATION OF SURROUNDING LOT OWNERS

A homeowner submitting a design review application must provide notice of the application to lot owners to the left and right. A neighbor's signature indicates an awareness of your proposed project and DOES NOT constitute approval on their part.

Lot to the right of proposed project:

Printed Name	Section LOT #	Address	Signature	Date
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Lot to the left of proposed project:

Printed Name	Section LOT #	Address	Signature	Date
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APPLICANT ACKNOWLEDGEMENT

Applicant must be in good standing with the HOA (homeowner association dues must be current and there must not be any current violations of either the Declaration or the rules/regulations).

Applicant understands and agrees that no construction or exterior alteration shall commence until written approval of the ARB has been received. Any alterations undertaken prior to receiving written approval, and subsequently disapproved, will require restoration of the property to its former condition, and any restoration and legal expenses associated therewith are the responsibility of the homeowner.

Applicant understands that all required permits must be obtained prior to start of the project. ARB approval in no way indicates a waiver of county, state and federal building codes or laws.

Applicant understands that ARB members, members of the Board of Directors, and the Management Company are permitted to enter the property to inspect the proposed project, project in progress, and completed project.

Applicant shall assume full responsibility for all landscaping, grading and or drainage issues relating to the improvements.

Applicant shall assume full responsibility for any property damage (including common area) or injury to third persons associated with the proposed application.

Applicant hereby acknowledges that they have read the ARB Design Standards and agrees that all work performed will be in compliance with ARB Design Standards.

Approved projects must commence within three (3) months and be completed within six (6) months of the approval date or approval shall be automatically revoked.

Applicant must notify the Management Company upon project completion.

Homeowner's Signature: _____

Date: _____

Due Process Procedure (Exhibit C)

VILLAGE OF WAXPOOL HOMEOWNERS ASSOCIATION, INC.
ADMINISTRATIVE RESOLUTION

(DUE
PROCESS)

WHEREAS, Section 55-513(A) of the Code of Virginia provides that the Board of Directors shall have the power to establish, adopt and enforce rules and regulations with respect to the use of the common areas and with respect to such areas of responsibility assigned to the Association by the Declaration, except where expressly reserved by the Declaration to the members; and

WHEREAS, Article VI, Section 1 of the Declaration of Covenants, Conditions and Restrictions states that the Board of Directors shall have all powers for the conduct of the affairs of the Association which are enable by law, including the power to enforce any covenants or restrictions which are imposed by the terms the Declaration of Covenants, Conditions and Restrictions; and

WHEREAS, it is the intent of the Board of Directors to provide due process procedures pursuant to the requirements of the Code of Virginia for the resolution of complaints and rule violations in order to protect and benefit the members of the Association and ensure consistent and just enforcement.

NOW THEREFORE, IT IS HEREBY RESOLVED THAT the Board of Directors adopts the following procedures relative to due process:

- I. Complaint.
 - A. Any lot owner, including members of the Board of Directors or the Architectural Review Committee, may request that the Board of Directors take action to enforce the governing documents of the Association and shall:
 1. Complete a "Complaint Form" containing:
 - a. Name of the person(s) alleged to be in violation.
 - b. Street address of the person(s) alleged to be in violation.
 - c. Date(s) the alleged violation occurred.
 - d. Where the alleged violation was observed.

- e. Detailed description of nature of the alleged violation.
 - f. All action(s) taken to attempt to resolve the alleged violation and the date(s) taken.
 - g. Printed name and address of person(s) making complaint.
 - h. Signature(s) of person(s) making complaint.
 - i. Date complaint is made.
2. Submit the complaint directly to the Association's managing agent, who will, as appropriate, promptly bring the complaint to the attention of the entire Board of Directors for a determination as to whether it appears that a provision of the governing documents has been violated.

II. Investigation and Good-Will Effort.

- A. The Board of Directors, or the Architectural Review Committee at the request of and on behalf of the Board of Directors, will investigate the alleged violation.
- B. If an alleged violation is deemed to exist, the Board of Directors shall:
 - 1. Make an effort to resolve the alleged violation without resorting to further procedures by:
 - a. Attempting to contact all parties involved in the dispute to determine their concerns.
 - b. Allowing the party(ies) alleged to be in violation to remedy the cause of the dispute

III. Demand.

- A. If the Board of Directors' good-will effort does not result in abatement of the violation, the Board of Directors shall:
 - 1. Send to the person(s) alleged to be in violation a written demand letter to cease and desist from the alleged violation. Such demand letter shall be hand delivered or sent by first-class mail to the address of record with the Association.
 - 2. The demand letter shall contain:
 - a. Name of the person(s) alleged to be in violation.
 - b. Street address of person(s) alleged to be in violation.

- c. Date(s) the alleged violation occurred.
 - d. Where the alleged violation was observed.
 - e. Detailed description of nature of the alleged violation.
 - f. The action required to abate the alleged violation and the date by which the alleged violation may be remedied without sanction.
3. The person(s) alleged to be in violation shall be given at least ten (10) days from delivery of the demand letter to remedy the violation; provided, however, that matters determined by the Board of Directors to be of a serious safety, health or detrimental nature must be abated within twenty-four (24) hours upon written notice.

IV. Notice of Hearing.

- A. If the alleged violation continues past the abatement period specified in the demand letter, the Board of Directors shall hold a hearing to render a final determination on the existence of a violation and the possible imposition of charges and other sanctions against the person(s) alleged to be in violation.
- B. The notice of hearing shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the person(s) alleged to be in violation at the address of record with the Association at least fourteen (14) days prior to the hearing. Notice shall be deemed effective three (3) days after mailing.
- C. The notice of hearing shall specify:
 1. Time, date and place of the hearing.
 2. That the person(s) alleged to be in violation is invited to attend the hearing and shall be given an opportunity to present any evidence, statements or witnesses.
 3. That the person(s) alleged to be in violation may be represented by counsel.
 4. The alleged violated including reference to the applicable provision(s) of the governing documents.
 5. Charges or other sanctions that may be imposed.

V. Hearing.

- A. The hearing shall be scheduled at a reasonable and convenient time and place.

- B. The Board of Directors, within its discretion, may grant a continuance if requested at least forty-eight (48) hours before the scheduled hearing. No further notice of hearing shall be required in the case where a continuance is granted.
- C. The hearing shall be conducted in executive session unless the respondent(s) specifically request that it be conducted in open session.:
- D. The hearing will continue as scheduled even if any of the parties to the complaint are absent, provided proper notice of the hearing was given.
- E. The hearing shall be informal and shall present the respondent with an opportunity be heard by the Board of Directors. regarding legal formalities.
The Board may exclude irrelevant, immaterial or unduly repetitious material.
- F. Based upon the material presented at the hearing, the Board of Directors will make a determination as to whether a violation has occurred.
- I. The Board of Directors may expel any party, attorney, witness or spectator from any hearing for improper, disorderly or contemptuous conduct.

VI. Notice of Decision.

- A. The Board of Directors shall notify the person(s) alleged to be in violation of its decision within seven (7) days after the hearing by hand delivery or registered or certified mail, return receipt requested, to the person(s)' address of record with the Association.
 - 1. The notification of decision shall contain:
 - a. Whether the person(s) has been found to be in violation.
 - b. If the person(s) has been found to be in violation, the provision(s) of the governing documents which. has been violated.
 - c. If the person(s) has been found to be in violation, the charges or other sanctions imposed.
 - d. If the person(s) has been found to be in violation, the date on which those charges or other sanctions begin.

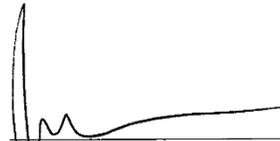
VII. Assessment and Other Remedies.

- A. The Board of Directors, pursuant to Section 55-513 of the Code of Virginia, may assess charges against a lot owner for a violation.
- B. The Board of Directors may, upon determining that a violation exists, prescribe or seek any remedies, including imposition of sanctions available to it under the governing documents, as well as any remedies described in the Code of Virginia.
- C. The Board of Directors may, at its discretion, give a party found to be in violation of the governing documents a period not to exceed thirty (30) days to remedy the violation, prior to initiating enforcement actions.
- D. This resolution is intended to expressly provide that the Board of Directors is empowered to seek any and all remedies including, without limitation, those described in the governing documents and the Code of Virginia.

This Resolution is effective as of the date of its adoption.

The foregoing Resolution is hereby adopted on this 12th day of June 2011, by the Board of Directors of Village of Waxpool Homeowners Association, Inc.

ATTEST:



Secretary

President

Changes to Standards

July 2020

- Updated standards for Solar Panels and Collectors

January 2022

- Updated typos and grammar issues throughout document
- Added “Date” to the Required Exhibits Checklist
- Updated HOA Management Company Contact information - Application Process
 - Added in language about new states of applications
- Application Status
 - Added table with descriptions. Changed terminology to
 - Submitted
 - Incomplete
 - Disapproved
 - Approved
 - Approved with Conditions
 - Architectural Standards
 - Added language for disapproved projects
- Arbors
 - Added in vegetation language
- Amended Benches/Chairs to say that they need to complement the existing design aesthetic of the home
- Decks
 - Changes to side plane language and setbacks
- **Added section regarding Electric Vehicle Charging Stations (EVCS)**
- Gazebos and Pavilions
 - Changes to side plane language
- Grills
 - Added language for outdoor kitchens
- Patios/Pool Decks
 - Changes to side plane language
- Trees –
 - Added in documentation requirement for 4+ removal of dead trees
 - Added calculations tree replacement for trees greater than 4” diameter
- Recreation and Play Equipment –
 - Removed language about play equipment not conveying to new owners

March 2022

- Updated Management Company Contact information on ARB Form
- Typo in tree removal section