

**Old Dominion Valley  
Homeowners  
Association Handbook**

**October 2008**

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## SECTION I

### Introduction

All residents benefit from the planning and design that have been an important part of the development of our community.

The purpose of design guidelines is to assure residents that the standards of design quality will be maintained. This, in turn, protects property values and enhances the community's overall environment.

This booklet is designed to address exterior alterations made by homeowners to their property.

The authority for maintaining the quality of design in the community is founded in the Declaration of Covenants, Conditions and Restrictions, which are a part of the deed to every property. The Covenants establish both a Homeowners Association and the necessary committees.

These Covenants are binding on all homeowners, current and future. In the event that a conflict between the provisions of this handbook and of these Declaration of Covenants, the Declaration of Covenants control. These covenants need to be fully understood by each homeowner.

## SECTION II

### Objectives

The overall objective of this document is to serve as a guide to both the members of the Architectural Review Board and homeowners in maintaining and enhancing a carefully designed environment. These guidelines and standards address improvements for which homeowners will most often submit applications to the Architectural Review Board. They are not intended to be all-inclusive or exclusive, but rather serve as a guide to what improvements may be made in the community.

**Note: As not all changes will result in a mailing of a new handbook, homeowners should consult the most recent handbook and amendments via the ODV website or contact the Management Company.**

The specific objectives of this booklet are:

- To assist homeowners in preparing an acceptable application to the Architectural Review Board.

- To increase homeowner's awareness and understanding of the Declaration of Covenants, Conditions and Restrictions.
- To describe the organization and procedures involved with the Architectural Review established by the Covenants, Conditions and Restrictions.
- To illustrate basic design principles which will aid homeowners in developing exterior improvements that are in harmony with the immediate neighborhood and community as a whole.
- To provide uniform guidelines to be used by the Architectural Review Board in reviewing applications in light of the goals set forth in the Founding Documents of your community and the actions of the Board of Directors.

### SECTION III

#### **All exterior alterations require the approval of the Architectural Review Board:**

Architectural  
Modifications  
Requiring  
Architectural  
Review Board  
Approval

All improvements, alterations, repairs, change of paint colors, excavations, changes in grade or other work which in any way alters the exterior of any Lot, permanently or temporarily, or the exterior appearance of one's property must be approved by the Architectural Review Board unless otherwise noted in this Handbook. Once a plan is approved it must be followed or a modification must be approved by the Architectural Review Board.

Each application is reviewed on an individual basis. There are not any "automatic" approvals, unless provided for specifically in these guidelines. For example, a homeowner who wishes to construct a deck or fence identical to one already approved by the Architectural Review Board is still required to submit an application.

### SECTION IV

Architectural  
Submissions Format

A sample of the form which must be used in applying for approvals is attached as Addendum A (Architectural Improvement Request Form). The following items should be a part of every application.

A Site Plan

A site plan is most easily prepared by submitting a copy of the

house location plat. Proposed changes should be indicated including dimensions and distances from property lines. If grading or clearing are proposed, detailed topographic plans will be necessary.

#### Material and Color

Specify materials and provide samples of the colors to be used as well as an indication of the existing colors and materials. Where materials and/or colors are compatible but different from those of the existing structures, samples of color chips should be submitted for clarity.

#### Drawings and Photographs

A graphic description should be provided, and may be in the form of manufacturer's literature or photographs as well as freehand or mechanical drawings. The amount of detail should be consistent with the complexity of the proposal. If appropriate, plans or provisions for landscaping or grading, etc., should be shown as they affect the applicant's house and as they relate to adjacent houses. In any case, the sketch or photograph should be accompanied by a written description, detailed with each specific alteration addition requested.

#### Review Procedures

All applications should be submitted to the Architectural Review Board, whether the change is permanent or temporary, by sending it to the management company. The application will be reviewed for completeness. If the application is complete the review process may begin. If not, the application will be returned to the homeowner for additional information. The Architectural Review Board has forty-five (45) days to review a completed application. The decision of the Architectural Review Board will be sent by letter to the applicant's address by the management company. Failure of the Architectural Review Board to act upon any complete request submitted to it within forty-five (45) days from date received by the managing agent shall be deemed to have been approved as submitted. The board will meet as necessary to review applications within the forty-five day time frame.

#### Appeal of an Architectural Review Board Decision

An appeal procedure exists in the event that a homeowner disagrees with the Architectural Review Board's decision. To initiate the appeals procedure, the applicants or other affected residents must submit a written request for an appeal within twenty (20) days of the applicant receiving the Architectural Review Board decision. The appeal will be referred to the Board of Directors for review.

**SECTION V**

Architectural Review Board Review Criteria	<p>The Architectural Review Board evaluates all submissions on the individual merits of each application. The characteristics of the house type and the individual site are taken into account when evaluating the particular design proposal.</p> <p>The following criteria represent in more specific terms the general standards that will be used in reviewing and evaluating such application and design.</p>
Validity of Concept	<p>The basic idea must be sound and appropriate to its surroundings.</p>
Design Compatibility	<p>The proposed improvement must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.</p>
Location & Impact on Neighbors	<p>The proposed alteration should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are access, view, sunlight, ventilation and drainage.</p>
Scale	<p>The size of the proposed alteration should relate well to adjacent structures and its surroundings.</p>
Color	<p>Color may be used to soften or intensify visual impact. The colors used should be the same as those used on the existing exterior.</p>
Materials	<p>Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house.</p>
Workmanship	<p>Workmanship is another standard, which is applied to all exterior alterations. The quality of work should be equal to or better than that of the community. Poor practices, besides causing the owner problems, can be visually objectionable to others. Poor workmanship can also create safety hazards.</p>
Timing	<p>Projects and removal of all excess building materials are to be completed within six months from start date of application; otherwise it could become a nuisance and safety hazard for neighbors and the community.</p>



Damage done to common area and/or neighboring lots shall be repaired as soon as possible and no later than the completion of the project.

Delivery or storage of material should not utilize common area, and if damage is done, the owner is responsible for the repair.

Homeowner  
Modification  
Procedures for  
Guideline Changes

When a homeowner feels there are adequate reasons to request the Architectural Review Board to review current guidelines they should complete the ODV Architectural Guideline Change Application (Addendum D) and obtain the signatures of ten (10) Old Dominion Valley homeowners. NOTE: Only one homeowner per household may sign the petition.

Signatures from renters or other occupants who are not owners will not be accepted.

The homeowner shall then forward the completed application (Part A) and signature form to the Architectural Review Board following the current procedures for submitting an application for change.

The Architectural Review Board shall review the forms within 45 days. The Architectural Review Board shall then complete Part B and forward completed Parts A and B to the Board of Directors.

At its discretion, the Board of Directors may solicit comment from the entire membership by directing the management company or secretary of the Board to distribute to all members Part A and Part B, excluding any personal information or member names. Members will be given no less than 14 days to respond to the suggested change. In addition, the Board of Directors may notify all members of a Special Meeting called in accordance with the community's governing documents to review the suggested change.

After a sufficient period of consideration, not to exceed 60 days from the date in which the Board receives the application from the ARB, the BOD shall make a ruling on the proposed change and complete Part C of the Application (see Addendum D).

All members shall be notified of the modified guidelines as part of the next community mailing. Modifications will also be noted on the website.

**SECTION VI**Enforcement  
Procedures

The following procedures may be taken by the Architectural Review Board to enforce the rules and regulations as set forth in these guidelines:

1. All owners and residents of Old Dominion Valley shall comply with all the provisions of the Articles of Incorporation, Declaration of Covenants, Conditions and Restrictions, the Bylaws and any adapted Rules and Regulations. Failure to comply with the aforementioned documents shall be grounds for an action to recover damages or for injunctive relief, for suspension of voting rights, for foreclosure of liens or any other legal or equitable relief deemed appropriate.

In the event any rule or regulation of the Old Dominion Valley Association is violated, the owner shall be notified of the violation by certified mail, return receipt requested. Notice shall be sent to the address shown on the books of the Management Agent.

2. If the owner is a non-resident, a copy of the violation notice shall also be sent to the tenant, at the unit address, by first class mail.
3. The owner shall have the right to appeal any violation citation. The request for appeal must be submitted in writing, and received in the offices of the Management Agent within twenty (20) days of receipt of the violation notice.
4. In any instance where the violation presents a health or safety hazard, the Management Agent may take immediate action, at the owner's expense, to correct the violation. Notification to the owner of the action taken and the costs incurred will be made by certified mail, return receipt requested.
5. In the event the owner does not bring the violation into compliance within twenty (20) days, or submit a request for appeal within twenty (20) days of the date of receipt of the violation, the Board of Directors may proceed with enforcement procedures as indicated in the Bylaws.

Please note that failure of the Architectural Review Board to

enforce any provision, covenant, restriction, or rule and regulation shall in no event be deemed a waiver of the right to do so thereafter.

## SECTION VII

### Guidelines

It is the unit owner's responsibility to secure proper building permits and to ensure that plans conform to municipal ordinances and building codes.

The guidelines, which follow, address a broad range of exterior alterations for which homeowners frequently submit an application to the Architectural Review Board. It would be impossible to address each specific design condition. As a result, these guidelines present the principle factors, which should be considered when developing a design. More specifically, these guidelines define the limits to size, quality of construction, location, materials and color based on the intended use and relationship to adjoining properties rather than focusing on a particular construction detail or a specific design alternative.

The individual merits of each application will always be considered by the Architectural Review Board. The use of these guidelines should assist the unit-owner in gaining timely Architectural Review Board approval. The applicant who follows the guidelines should expect approval or rationale as to why the application was not approved.

Note that "Miss Utility" should be contacted for location of cables and/or pipe work prior to any digging when constructing decks, fences, etc.

### Amendments to the Architectural Review Board Guidelines

The Architectural Review Board will conduct an annual evaluation to determine if the guidelines need to be amended. The Architectural Review Board will submit any recommended amendments to the HOA Board of Directors.

#### 1. Fences

No front yard fences will be permitted. Side yard fencing will be permitted however, side yard fences may not be installed further forward than six feet from the face of the house. On corner lots, side yard setbacks for fences must be in compliance with Town of Purcellville codes.

The style of fencing shall conform to the adopted styles in Addendum C: Exhibits A - F. All fences shall be constructed from

wood with a natural, clear coat, or pigmented stain of a natural wood tone. All pigmented stains must be approved in advance by the Architectural Review Board and color samples must be submitted with the application. Chain link fencing or wire fencing of any kind is not allowed. Finished side of fence must face out.

All fences must be well maintained. Should fences not be properly maintained and kept upright and straight by the homeowner, the Association may make any necessary repairs and bill the homeowners for all expenses incurred. Residents must allow open access to their yards whenever necessary for repairs or any inspections.

It is the responsibility of homeowners to obtain all required permits for fencing and that all fences be constructed in compliance with county and town codes.

Applications shall include a description of the types of all materials to be used, diagram of fence construction and a site plan showing the relationship of fencing to the house and property lines.

## 2. Storage Sheds

Storage sheds must be integral to the house.=-

Rubbermaid-like or prefab sheds are not acceptable.

The shed must be designed to respect the "visual rights" and aesthetic interests of neighborhood properties. Applicants should review all design criteria with respect to visibility, privacy and materials prior to design.

## 3. Patios and Decks

Patio and Deck Location - Patios and decks should be located in rear yards. Side yard locations will be evaluated on their individual merits. When patio or deck schemes include other exterior changes, such as fencing, lights, plantings, etc., other appropriate sections of these guidelines should be consulted prior to application.

### a. Decks

- All decks are to be of weather resistance materials, such as cedar or pressure treated wood. No solid screening will be allowed. Applications must include a site plan showing size of deck, location as it relates to applicant's house, and a description of the details of railings, trellises, posts, stairs, steps, benches, etc. as required to clearly describe the proposal. Please include the height of deck off the ground.

- Clear preservatives will be allowed. Tinted preservatives must be approved prior to application.

b. Patios

Patios need to have Architectural Review Board approval. Any colored finish must be compatible or match with existing color of home.

4. Arbors, Trellises and Privacy Screens

Lattice privacy screening on decks must be approved by the Architectural Review Board.

- a. Screening may not be installed as a free standing wall or as a fence
- b. Lattice work must be installed with framing
- c. Lattice work must be incorporated as a part of the overall deck design and connected to the unit
- d. Latticework may not be installed in place of deck railing.
- e. No solid screening will be allowed.

Any request for Arbors, trellises or privacy screening will be reviewed on a case-by-case basis and should be incorporated into the overall design of the deck or patio. In general, the Architectural Review Board must approve anything of this nature.

5. Storm And Screen Doors/Windows

a. Doors

Front storm doors must be full view or modified full view, straightforward, uncolored glass.

Storm or screen doors must match the color of the entry door behind them or the same color as the surrounding wood trim.

***If the above guidelines are followed, no approval is needed for storm or screen door.***

b. Windows

Storm and screen window frames must match the trim of the house. White replacement windows will be allowed. Window screens are the responsibility of the residents or the owners. Screens must match the window trim.

6. Sun Control Devices

Awnings, trellises or other sun control devices must be approved by the Architectural Review Board. Exterior roll down (vertical), retractable sun screens are prohibited

## 7. Recreation And Play Equipment

Per the deeded covenants of this HOA, approval is required for all installed recreational and play equipment.

Recreational and play equipment, except basketball equipment, is restricted to rear and side yards. On corner lots, any equipment in the street side yard must be behind the rear of the house. Sidewalk setbacks for recreational and play equipment will be determined by Town of Purcellville code. It is the homeowner's responsibility to ensure that all equipment and its location meet Town of Purcellville code.

Primary play structures must be constructed from either natural wood or other materials with subdued earth tone color finishes. Peripheral equipment (i.e. swings, slides, and ladders) may be in other colors.

Permanently installed basketball equipment will be allowed adjacent to the driveway. Fixed poles for basketball equipment may be installed, provided they are either natural wood, subdued earth tone colors, plain galvanized metal, black or dark blue. Bright colors will not be permitted. Commercially available backboards, hoops and nets are allowed.

All recreational and play equipment (including structures, nets, basketball equipment, etc) shall be well maintained. No peeling, rusting, falling apart, or extremely faded equipment will be permitted. Consideration shall be given to lot size relative to the size of the equipment to be installed.

Applications shall include a description of the types of all materials to be used and a site plan showing the relationship of structures to the house and adjacent dwellings.

## 8. Major Exterior Changes

Major alterations are generally considered to be those which substantially alter the existing structure either by subtraction and/or addition. Major building alterations include, but are not limited to, construction of porches greenhouses, rooms, fireplaces, chimneys and other additions to a home.

More specifically, the design of major alterations should be compatible in scale, materials and color with the applicant's house and adjacent houses. The location of major alterations should not impair the view, or amount of sunlight and natural ventilation on adjacent properties. Pitched roofs must match the slope of the roof on the applicant's house. New windows and doors should match

the type used on the applicant's house and should be located in a manner which will relate well to the location of exterior openings in the existing house.

If changes in grade or other conditions which will affect drainage are anticipated, they must be indicated. Approval will be denied if adjoining properties are adversely affected by changes in drainage.

Construction material must be stored so that the impact on neighboring properties is minimized. Excess materials should be immediately removed after completion of construction.

9. Antennas

Exterior antennas and large satellite dishes are prohibited. Satellite dishes should be placed in the least conspicuous place and not over 39 inches in diameter. See Addendum B: Satellite Dish Addendum.

10. Dog Houses And  
Runs

Dog houses must be compatible with the applicant's house in color and material or match a natural wood fence and must be located where they will be visually unobtrusive. In addition, they must be in rear yards. Doghouses will be reviewed on an individual basis.

11. Exterior  
Decorative  
Objects

Exterior decorative objects including, but not limited to bird baths, wagon wheels, sculptures, fountains, ponds, stumps, driftwood piles, and free-standing poles of all types are permitted only in rear yards and under cover of a fence line. Window boxes are limited to rear of houses.

12. Outside Lighting  
Electronic Insect  
Traps

Exterior lighting should be chosen so as not to light up any area beyond that of the applicant's property. Cases of darkened common areas should be brought before the grounds committee. Electronic insect traps shall not be installed or maintained in such a way as to cause discomfort to adjacent owners from noise and may only be operated during those times when the immediate area protected by the trap is occupied by the owner or his guests.

13. Exterior Painting

All exterior color changes must be approved by the Architectural Review Board. Repainting or staining any portion of a building exterior to match its original color need not be submitted.

Color changes apply not only to the house siding, but also to the doors, shutters, trim, roofing, and other appurtenant structures.

14. Flagpoles Homeowners wishing temporary flagpole staffs, which do not exceed six feet (6') in length and are attached at an incline to the front wall or pillar of the house or dwelling unit need not have an application.
15. Barbecue Grills Barbecue grills should be placed in the rear of the house and as far as practical from the adjacent property lines.
16. Compost Piles Compost piles are prohibited.
17. Hot Tubs/ Pools Plans for hot tubs and pools must be submitted to the Architectural Review Board. Copy of County approval should be submitted with detailed plans. Privacy screening is required.
- Permanent above ground pools are prohibited. Kiddie pools are allowed in rear yards only.
18. Exterior Unit Air Conditioners Air conditioning units protruding from windows are prohibited.
- Exterior ground units may be added to or relocated only when they do not interfere visually with neighbors. Exterior ground units shall be oriented so as not to discharge hot air onto neighbors' property.
19. Clotheslines Clotheslines are prohibited.
20. Gutters, Downspouts & Rain Barrels Gutters and downspouts must match those existing in color and design and must not adversely affect drainage on adjacent properties. Gutters and downspouts must be maintained by the owners.
- Rain barrels will be permitted in rear yards only and there is a limit of two (2) rain barrels per household. The rain barrels must be commercially produced, 55 gallons or smaller and must be either a neutral color or match the color-scheme of the house.
- An application is required for rain barrels and must show any and all modifications that will be made to the original home, including, but not limited to, changes in downspouts. In addition, any optional screening materials should be included with the



application and follow pertinent and existing guidelines.

All rain barrels must be well maintained.

#### 21. Attic Ventilators

Attic ventilators or other mechanical devices requiring penetration of the roof will be allowed with prior approval.

#### 22. Trash

Trash shall be collected and stored in covered trash receptacles and not solely in plastic bags. The storage of trash cans and/or recycling bins in the front of any unit is prohibited.

Containers shall not be placed on the curb for pickup earlier than the evening prior to the day of pickup. Trash receptacles shall not remain in public view except on days of trash collection.

No accumulation or storage of litter or trash of any kind shall be permitted on any Lot.

Each resident is responsible for picking up litter on his property and preventing windblown debris from originating from his Unit.

#### 23. Trash & Utility Enclosures

An application is required for exterior enclosures to screen trashcans and various utilities. Such enclosures must be adjacent to side or rear walls and may not exceed the following measurements: 4' (projection from the home) x 8' (in length) x 5' (in height). Trash/utility enclosures, when located in the side yards, must be setback from the front face of the house by 6 feet. Homeowners with unique topographical issues that are not able to follow the specific guidelines as stated will be reviewed on an individual basis. The enclosure must be constructed of privacy grade lattice and must be framed securely. It must be either natural wood finish or painted to match the house color or trim color.

All enclosures must be well maintained.

#### 24. Firewood

Firewood shall be kept neatly stacked on a rack, located at least 4 feet from the house in the rear yard of the residence. It must be kept within the lot and under no circumstances is firewood to be stacked in the common area.

Piles larger than two cords require approval. Piles longer than 6 feet should be 2 rows deep minimum. Piles must not exceed 4 feet in height for safety. Firewood piles must contain firewood only, no storage of debris.

Location should be in such a manner as to minimize visual or physical impact. In certain cases, screening may be required.

2245. Real Estate  
Sales/Rent And  
Misc. Signs

Except for those signs related to real estate sales and construction, no sign, advertisement, or message other than for identification purposes shall be displayed which offers or implies commercial or professional services.

Real estate signs must meet County regulations with respect to size and content. Signs may only be placed in the yard of the property advertised or the common area curb grass in front of the property.

Homeowners will be limited to one sign per property.

All signs must be removed at time of closing.

Real estate open house signs will be permitted on common property only between Saturday 9:00 AM and Sunday 5:00 PM. Any sign standing beyond approved hours will be removed.

All miscellaneous signs, including but not limited to yard sales, etc. must be put up no sooner than forty-eight (48) hours prior to and taken down no later than twenty-four (24) hours after the event.

26. Solar Panels

Solar panels are permitted on case by case basis and must maintain a low profile in appearance.

27. Landscaping &  
Vegetable  
Gardens

No landscaping shall be maintained in such a manner as to obstruct sight lines for vehicular traffic.

***Beds within 6 feet of the home's foundation require no approval.***

Applications are required for all other front yard landscaping. Corner lots are considered to have two front yards and therefore approval will be required for landscaping in both front yards on corner lots. Vegetable gardens will be limited to the rear yard only. Invasive plantings (bamboo, fast growing ivy, etc) require approval regardless of location.

Retaining walls may be constructed without approval if they are 18 inches or less in height and constructed from either brick or stone to match the home or materials with finishes in natural wood or subdued earth tone colors. All other retaining walls will require approval.

All landscaping must be neatly maintained at all times.

Applications, when required, should include a description of the types of all materials to be used and a site plan showing the relationship of plantings to the house and adjacent dwellings.

28. Noises and  
Disturbances

Noises and disturbances will not be tolerated when they are outside of the Town of Purcellville Ordinances. When disturbances occur they should be reported to the Town of Purcellville Police Department. Considerations for your neighbors and common courtesy should be the rule at all times. This includes: Loud gatherings in the community at any time, playing of TV's, radios, stereos, video games or other activities when they become audible outside the confines of any home.

29. In-Home  
Business

Municipality ordinances and the Declaration of Covenants, Conditions, and Restrictions, regulates in-home businesses. In addition to Municipality control, the Association is concerned about the impact of in-home business on the residential character of the neighborhood and on adjacent neighbors. Therefore, for home businesses, the following special requirements must be met:

- a. Permit obtained from municipality.
- b. Copy of Permit on file with the Association's office.
- c. No sign or other advertising device of any nature shall be placed upon any lot.
- d. No exterior storage of business-related materials will be allowed.
- e. No commercial vehicles will be allowed, except those following Association parking regulations.
- f. No outward appearance of business use.

Although the Association does not expressly prohibit in-home day care services, the above requirements must be met. Care should be taken so that this service does not cause an annoyance to neighbors or interfere with the rights of other homeowners relating to the "quiet enjoyment" of their property.

## SECTION VIII

General Maintenance  
Guidelines

Property ownership includes the responsibility for maintenance of all structures and grounds, which are a part of the property. This includes, but is not limited to items such as mowing grass, removal of trash, and minor structural maintenance. Maintenance affects

the visual character and economic values of the property and neighborhood, and in some cases, safety.

#### Exterior Appearance

Residents are responsible for maintaining the exterior of their dwellings and any other structures on their lots, such as decks, fences, sheds and playground type of equipment.

The exterior of all structures, including walls, doors, window, and roofs, shall be kept in good maintenance and repair.

#### Mowing

Turf areas need to be mowed at regular intervals, maintaining a maximum height of 6 inches and a minimum height of 2 inches. Changes to this requirement may be made according to specified plans.

Planted beds must be kept in a neat and orderly manner.

#### Lawn and Garden Fertilization

All soil should be treated before fertilizer is added especially in areas where drainage will flow into streams or ponds. Special care should be taken not to over-fertilize and to fertilize lawns and gardens where there is the least chance of runoff.

Each resident is responsible for picking up litter on his property and preventing windblown debris from accumulating on his land.

At no time is the Association Open space (common ground) considered a dumping ground for any debris. Organic debris may not be dumped in Common ground.

Removal of trash and debris from all open space accumulating from resident usage will be completed as necessary. Remember that removal of trash cost the Association dollars, and voluntary resident and neighborhood cleanup, in addition to controlling litter at the source, saves everyone money.

#### Erosion Control

Each resident is responsible for seeing that their lot area is protected from erosion and that storm drain structures are not blocked so as to cause additional erosion problems.

#### Pesticides and Herbicides

Pesticides and herbicides may be applied according to label instructions for the specified problem. Emphasis should be placed on organic/biodegradable materials in order to ensure the least harm to the natural environment. Care in application is extremely important. Avoid use of pesticides and herbicides if at all possible, but when necessary use with caution and follow instructions.

**SECTION IX**

## Pet Control

As stated in the Bylaws, "No horse, pony, cow, chicken, pig, hog, sheep, goat or other domestic or wild animal shall be kept or maintained on any Lot or in any Unit; however, common household pets such as dogs and cats may be kept or maintained, provided that they are not kept, bred or maintained for commercial purposes and do not create a nuisance or annoyance to surrounding Units or the neighborhood and are in compliance with applicable municipality ordinances."

The Board of Directors has adopted specific rules and regulations governing pets. They are as follows:

1. The Board of Directors has extended permission to the County Animal Warden to enforce all applicable portions of the County Ordinance in regard to all animals and pets within the common areas.
2. Owners and all other persons who are owners and/or custodians of pets shall not allow such pet to run at large in Old Dominion Valley. A dog or cat shall be deemed to run at large while roaming, running or self-hunting or when not restrained by a dependable leash and controlled by a responsible person as defined by municipality Ordinance.
3. All pets must have appropriate shots, licenses and tags, as required by municipality Ordinance.
4. Pet owners shall be responsible for immediate clean-up and proper disposal of pet wastes deposited. Kitty litter shall be disposed of in a tightly sealed plastic bag and placed at curbside on normal trash collection days.
5. Residents or guests who own pets shall ensure that their pets do not become a nuisance to other residents in the Community. Actions, which may constitute a nuisance, include, but are not limited to: barking, crying, scratching or being hygienically offensive.
6. Pets shall not be chained or leashed on any common area.
7. Pet owners shall incur any and all costs for repairing damage to common areas caused by their pet(s).
8. Pet owners must respect the private property of others. Pets are not allowed to trespass on private lawns and should be walked in common areas only.

9. Residents should report any violations of the above items to the municipality Animal Control.
10. Any other violations should be reported, in writing, to the Management Company with specific information as to name and address of violator, time and date, and description of pet.

## **SECTION X**

The Board of Directors has adopted specific rules and regulations regarding vehicles. They are as follows:

### Vehicle Control

#### General

- a. No unlicensed vehicles, including but not limited to motorized bicycles, motorcycles, mini-bikes, go-karts, etc. shall be operated on or parked upon any common area of Old Dominion Valley.
- b. Minor repairs begun on vehicles by an owner or his assigned agent, must be completed within 48 hours from the starting time of the repair. Major repairs (including, but not limited to, engine, transmission, and rear end overhaul) are prohibited.
- c. Dumping, disposal of leaks of oil, grease, or any other chemical, residual substances, or any substance or particles from containers of any type (as a result of the repair, maintenance, or carelessness) are not permitted on any areas. Disposal must also conform to environmental regulations.
- d. The dumping of motor oil and other petroleum products into the storm sewers is a direct violation of the State Water Control Law and may lead to civil penalties and clean-up costs for the responsible person(s).
- e. All motor vehicles shall not be operated in common areas without permission from the Board or management company.
- f. Owners of vehicles will be held liable for all costs to repair damages to common areas caused by negligence, repair operations on the vehicle or storage of any combustible, dangerous or otherwise hazardous material on common areas (regardless of the type of container).
- g. Parking of motor vehicles with commercial lettering, including but not limited to vans, trucks, taxicabs, buses, or

cars are prohibited in Old Dominion Valley. Trucks greater than three quarters (3/4) of a ton in size are prohibited in Old Dominion Valley. Any vehicle longer than 19 feet in length will not be allowed to park in any common area parking space.

- h. Non-resident owners may not use the parking lots for the storage of any vehicle, including but not limited to motorcycles, boats, trailers, campers, etc.
- i. Operation of any motor vehicle in violation of Code of municipality, as amended, is prohibited. Consent is hereby given by the Board of Directors to all appropriate law enforcement officer who are hereby empowered to enforce all motor vehicle laws in the streets and common areas of the Community.
- j. Vehicles parked on property must be in compliance with the governing municipalities' laws. Violations of this rule shall result in the posting of Notice on the vehicle directing removal of the vehicle or correction of the violation within five (5) days. All actions shall be coordinated with the municipality Police Department in accordance with the applicable requirements of the Code of municipality as amended.
- k. The Board of Directors shall be empowered to have vehicles which are in violation and any vehicles as defined in the Code of Municipality as amended, removed from the common areas, at the owner's risk and expense, provided proper notification has been given to the owner.

#### Recreational Vehicles

Recreational vehicles to include, but not limited to, motor homes, boats, travel or camping trailers shall not be kept on any lot or in the common areas or parking areas unless assigned space is provided by the Board or management company.

### **SECTION XI**

#### Estoppels Certificate

An Estoppels Certificate is required by the Architectural Review Board and Virginia law to be completed and issued to your settlement attorney prior to the closing of the sale of your home. This certificate provides information on the current status of assessment payments and on the existence of any architectural violations. The Estoppels Certificate helps to protect the future buyer against unknown problems with past owners' architectural changes or past-due assessments. If everything is in order, it also protects the seller from potential lawsuits involving

violations of the Covenants by subsequent owners.

## SECTION XII

### ADDENDUM FORMS AND EXHIBITS TO GUIDELINES

- Addendum A: Architectural Improvement Request Form
- Addendum B: Satellite Dish Addendum
- Addendum C: Fence Guidelines Exhibits
  - Exhibit A
  - Exhibit B
  - Exhibit C
  - Exhibit D
  - Exhibit E
  - Exhibit F
- Addendum D: Application Forms for Changing Architectural Review Board Guidelines
  - Part A (To be completed by homeowner)
  - Part B (To be completed by the Architectural Review Board)
  - Part C (To be completed by the Board of Directors)

**Note: As not all changes will result in a mailing of a new handbook, homeowners should consult the most recent handbook and amendments via the ODV website or contact the Management Company.**



# Addendum C:

## *Fence Guidelines Exhibits*

*Exhibit A*

*Exhibit B*

*Exhibit C*

*Exhibit D*

*Exhibit E*

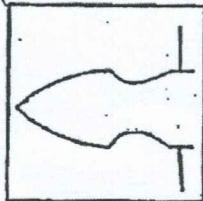
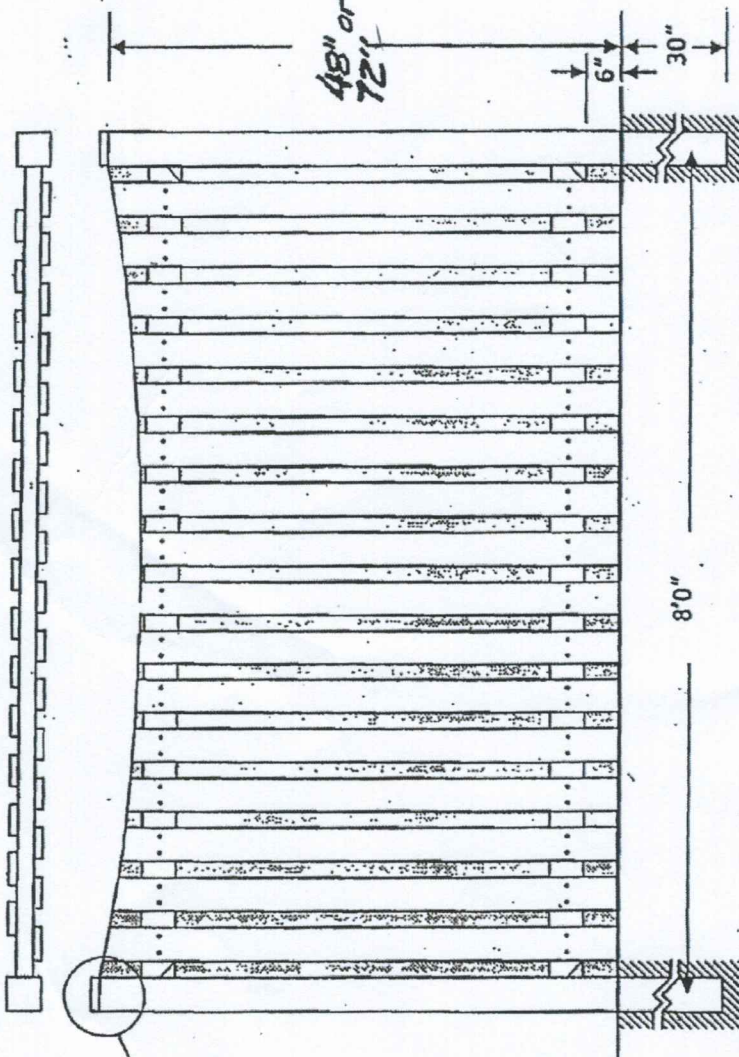
*Exhibit F*

# Exhibit A

**LONG° FENCE**

**BOARD ON BOARD -- Mount Vernon Dip**

Top View -- Panels in-line with posts.



Colonial Gothic

**PROJECT DESCRIPTION**

Job Name OLD DOMINION VALLEY  
 Location REAR AND SIDES  
(6 X 6 POSTS OPT.)  
(GOTHIC TOP OPT.)

- NTS -

**SPECIFICATIONS: NATURAL FINISH**

Posts 4x4 P/LT WOOD  
 Horizontal Supports 2x4  
 Vertical Boards 1x4  
 Spacing 1 1/2"

6ft or 4ft Board on Board



# Single Board

~~EXHIBIT B~~  
**Exhibit B**

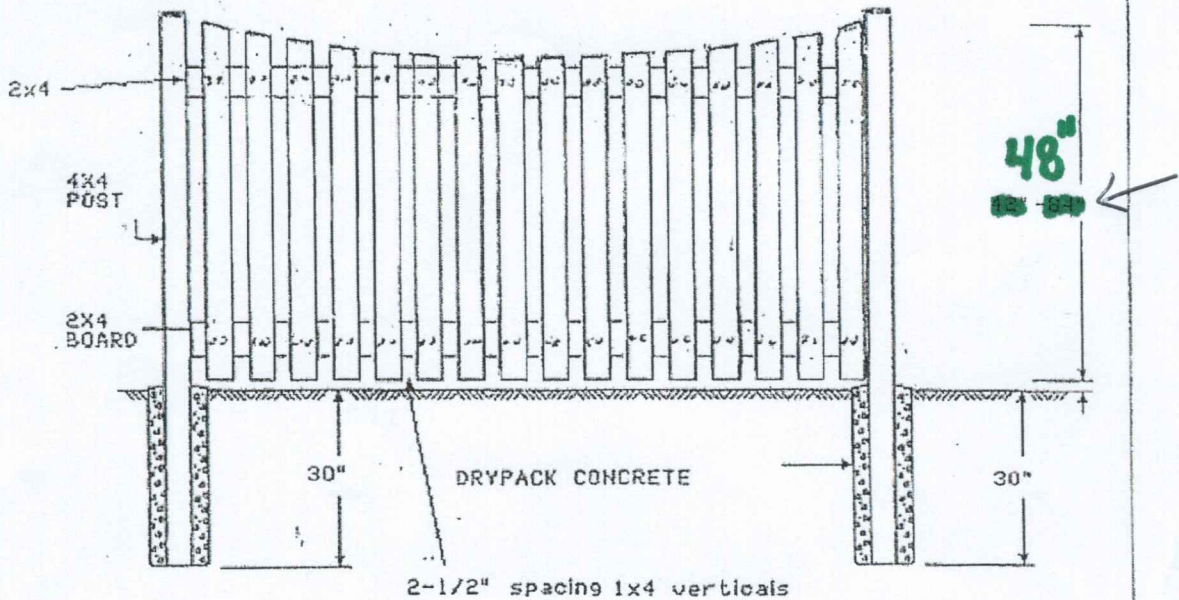
## 1X4 BOARD FENCE SPACED W/MT. VERNON DIP

### PROJECT DESCRIPTION

Job Name OLD DOMINION VALLEY  
Location REAR AND SIDES  
(6x6 POSTS OPT.)  
(GOTHIC TOP OPT.)

### SPECIFICATIONS: NATURAL FINISH

Posts 4x4 P/T WOOD  
Horizontal Supports 2x4"  
Vertical Boards 1x4"  
Spacing 2 1/2"



# LONG® FENCE

LONG FENCE COMPANY  
2520 URBANA PIKE  
CHANTILLY, VA 21754  
(301) 428-9040

Old Dominion Valley HOA  
(4' HIGH)

DRAWN BY: JMO 07/06/94	SCALE: NONE	PAGE:
REVISED: FJO 08/02/94	FILE: L202330	1 of 1

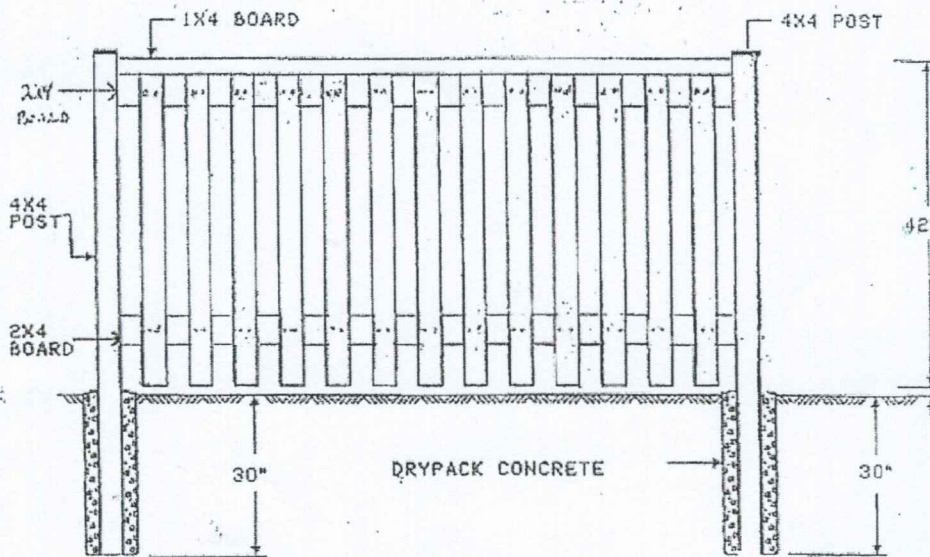
# 1X4 PICKET FENCE WITH 1X4 CAPBOARD

**PROJECT DESCRIPTION**

Job Name OLD DOMINION VALLEY  
 Location REAR AND SIDES  
(6X6 POSTS OPT.)  
(GOTHIC TOP OPT.)

**SPECIFICATIONS: NATURAL FINISH**

Posts 4X4 PIT WOOD  
 Horizontal Supports 2X4"  
 Vertical Boards 1X4"  
 Spacing 2 1/2"



(ELEVATION VIEW)

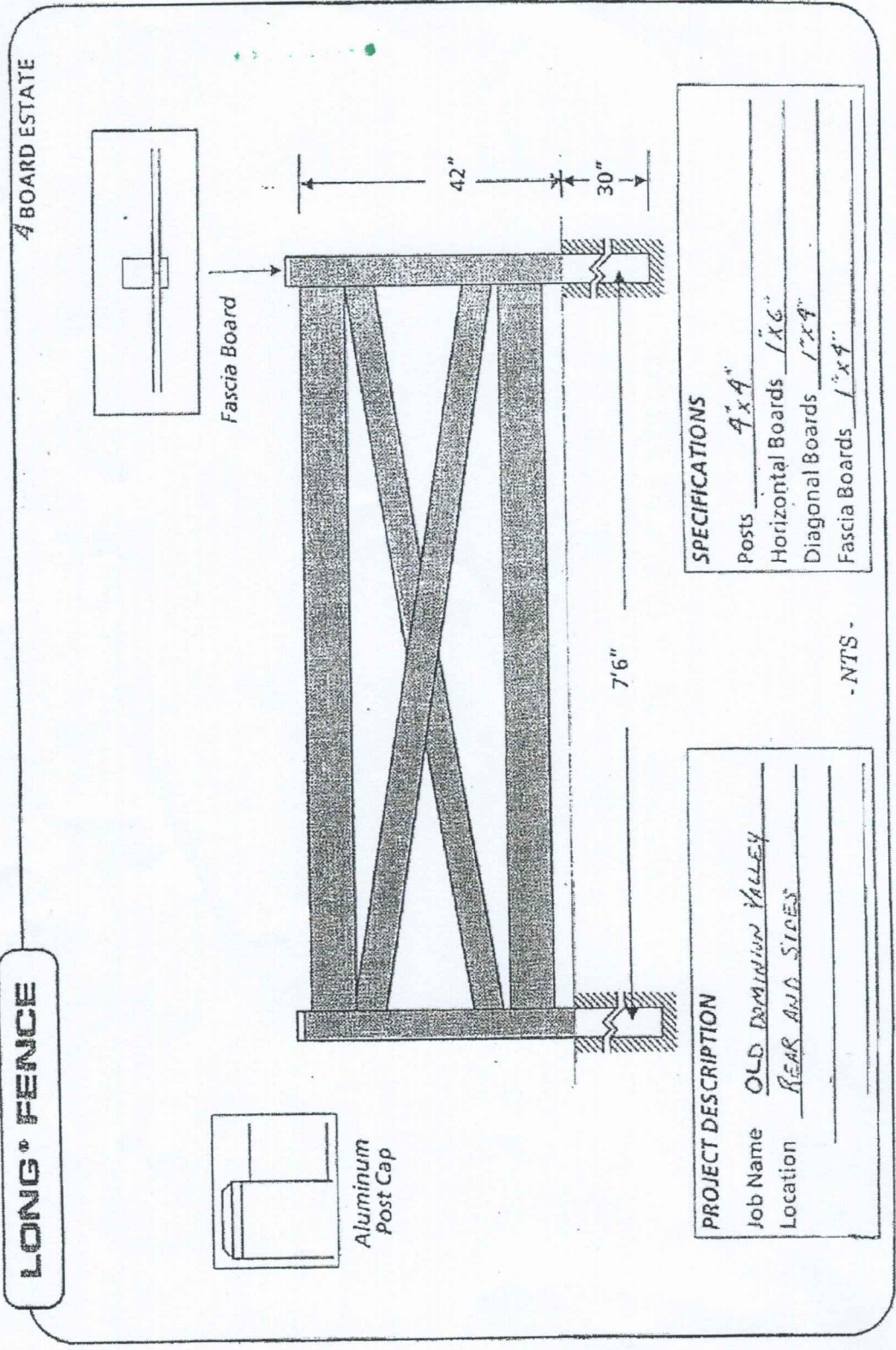
**LONG® FENCE**

LONG FENCE COMPANY  
 2520 URBANA PIKE  
 CHANTILLY, VA 21754  
 (301) 428-9040

1X4 PICKET FENCE  
 (4' HIGH)

DRAWN BY: JMO 07/06/94	SCALE: NONE	PAGE:
REVISED: PJO 08/03/94	FILE: L202430	1 of 1

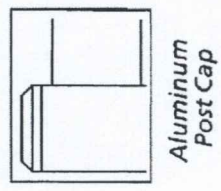
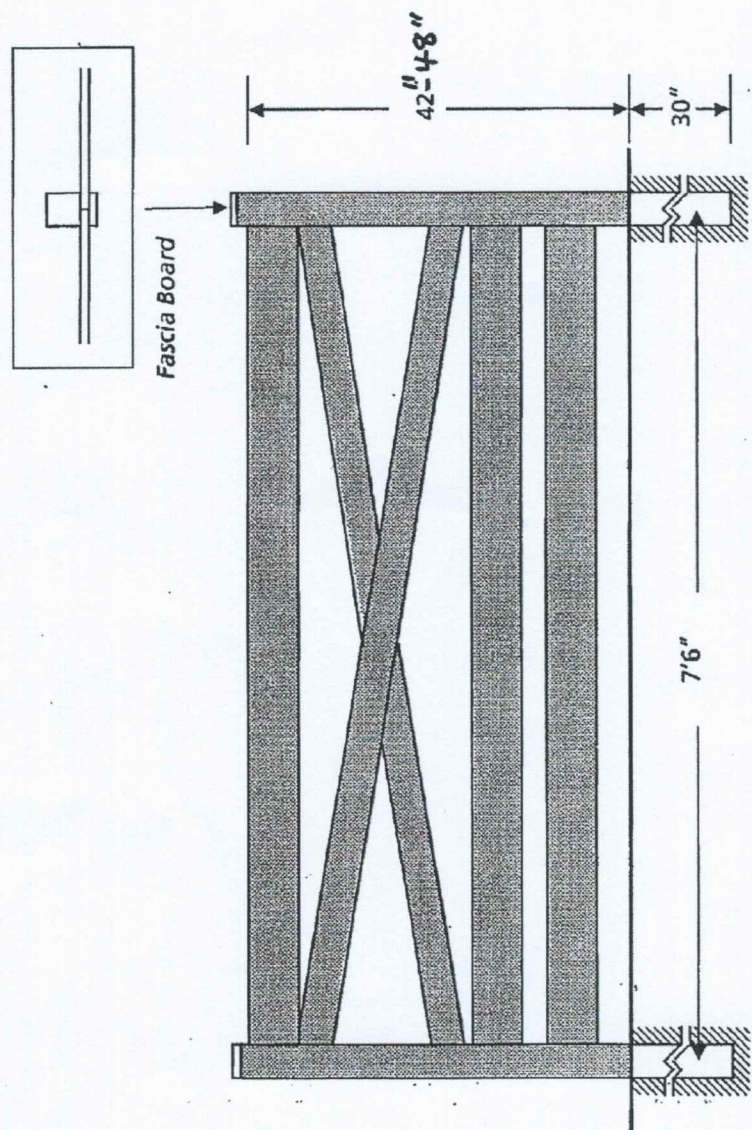




4 BOARD ESTATE

**LONG® FENCE**

5 BOARD ESTATE



**SPECIFICATIONS: Natural Finish**

Posts	4x4" P/T wood w/cap
Horizontal Boards	1x6"
Diagonal Boards	1x4"
Fascia Boards	1x4"

**PROJECT DESCRIPTION**

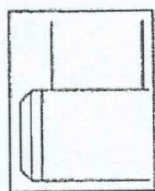
Job Name	Old Dominion Valley
Location	Rear and Sides
	Optional Wire

- NTS -

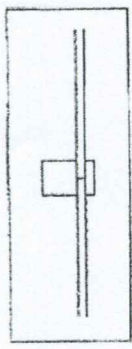


**LONG® FENCE**

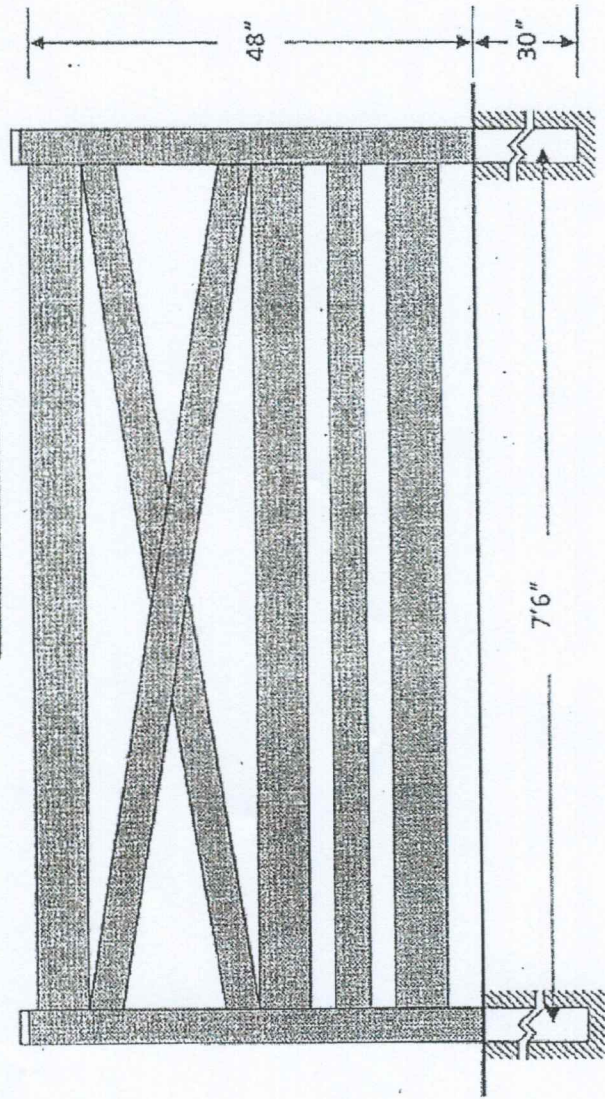
6 BOARD ESTATE



Aluminum Post Cap



Fascia Board



**PROJECT DESCRIPTION**

Job Name Old Dominion Valley

Location REAR AND SIDES

**SPECIFICATIONS**

Posts 4x4"

Horizontal Boards (3) 1"x6" (1) 1"x4"

Diagonal Boards 1"x4"

Fascia Boards 1"x4"

-NTS-

**OLD DOMINION VALLEY ADMINISTRATIVE RESOLUTION**  
**Policy Resolution No. 2018-**

**GUIDELINES FOR SOLAR ENERGY COLLECTION DEVICES**

WHEREAS, Article VII, Section 5 of the Declaration of Covenants, Conditions and Restrictions of Old Dominion Valley (“Declaration”) gives the Architectural Review Board, with the confirmation of the Board of Directors, the power to adopt and publish rules and regulations with respect to Architectural Standards and other matters for which the Architectural Review Board is authorized to act upon;

WHEREAS, Article VII, Section 5 of the Declaration authorizes the Committees of the Architectural Review Board to regulate the external design, appearance and location of the improvements on the Property;

WHEREAS, Article XI, Section 1(n) of the Declaration gives the Board of Directors the authority to enforce the rules and regulations duly adopted thereto, and

WHEREAS, the Virginia Energy Plan, at Virginia Code Section 67-701, *et seq.*, provides that existing governing documents may regulate the installation or use of solar energy collection devices on their property, and that the Association may establish reasonable restrictions concerning the size, place, and manner of placement of such solar energy collection devices; and

WHEREAS, the Board believes it is in the best interest of the Association for the benefit and protection of the Association and Members;

WHEREAS the Board deems it necessary and desirable for the Board and Architectural Review Board to adopt reasonable restrictions concerning the size, place, and manner of placement of such solar energy collection devices with this policy as an amendment to the Association’s Design and Maintenance Standards;

THEREFORE, THE BOARD AND ARCHITECTURAL REVIEW BOARD HEREBY RESOLVE that the following regulations for the Association, which shall be binding upon all Owners and their family members, tenants, occupants, successors, heirs, and assigns who currently or in the future may possess any sort of property interest in any Lot in the Association, and which shall supersede any current or previously adopted rules on the same subject matter are adopted, as follows:

Definition

Solar Energy Collection Device: Any device manufactured and sold for the sole purpose of facilitating the collection and beneficial use of solar energy, including passive heating panels or building components and solar photovoltaic apparatus. (Section 67-700 of the Virginia Code).



General Restrictions

I. Application for Installation.

a. The Architectural Review Board or Board of Directors must approve the installation of all solar panel devices (“Solar Device”) prior to the placements of such Solar Devices upon any Lot in accordance with Article VI, Section 2 of the Declaration.

b. Applications must be submitted in writing utilizing the Architectural Improvement Request Form and must: (1) comply with Article VI, Section 2 of the Declaration, (2) comply with Article VII of the Declaration, (3) comply with the guidelines and provisions outlined in Sections III and IV of the Old Dominion Valley Homeowners Association Handbook, and (4) include:

- i. A color visualization of the installation;
- ii. Professional construction drawings;
- iii. A depiction of the exact location and number of proposed Solar Devices, the means of attachment to the roof structure, and the location of all exterior components intended to be placed on the Lot;
- iv. A site map showing the orientation of the home in relation to other properties;
- v. A sample showing the proposed panel color and panel frame color;
- vi. Maintenance statement from the Owner stating that the Owner will comply with the terms of this policy and that Solar Devices shall be installed, secured, and maintained in a manner that complies with all applicable Virginia building codes and manufacturer’s instructions.

c. At the discretion of the Board, either the Board, its designated committee (Architectural Review Board), or the Association’s managing agent may act for the Association for all matters pertaining to this Policy Resolution. Decisions related to approval or disapproval of applications are in the sole discretion of the Association, and there is no requirement that any application is to be considered approved even if it complies with the guidelines set forth in this Policy Resolution.

II. Installation

a. Location:

i. No Owner may install a Solar Device in the Common Area or on any property owned by the Association.

ii. Solar Devices will only be approved on Lots if the Solar Devices are roof-mounted. Solar Devices must be selected, designed and located to minimize the visual impact on neighboring houses. The panels must be integrated visually and structurally with the roof surface

without significantly changing the look of the house. Solar Devices shall be installed in a such a manner that they blend into the surroundings as much as possible.

b. Manner of Installation:

- i. Solar Devices must have a non-reflective surface;
- ii. Solar Devices must lay flat, have a low profile and be parallel to the roof surface with a maximum protrusion of 8” above the roof;
- iii. Solar Devices must allow for a minimum of 18” of setback from the roof ridge and edges;
- iv. The roof planes should be of matching size and configuration and must be installed contiguously. Panel frames must be the same color as the roof surface;
- v. All pipes, wires and control devices must be concealed;
- vi. Tracking platforms or mechanisms that allow devices to tilt seasonally, permanently or by time of day are not permitted;
- vii. The Association reserves the right to require Owners to reasonably camouflage the Solar Device, including, but not limited to painting any portion of the Solar Device or installing or providing screening around the Solar Device.

c. Maintenance:

- i. Owners who install or maintain Solar Devices are responsible for all associated costs, including, but not limited to, the costs to:
  - (A) Place (or replace), repair, maintain, insure, and move or remove Solar Devices;
  - (B) Repair damage to any property caused by a Owner’s failure to properly install, maintain, or use the Solar Device.
  - (C) Pay medical expenses incurred by persons injured by Solar Device installation, maintenance, or use;
  - (D) Reimburse residents or the Association for costs incurred to correct damage caused by the Owner’s failure to properly install, maintain or use the Solar Device;
- ii. Owners shall have a continuing duty to prevent their Solar Devices from falling into a state of disrepair. Owners shall be responsible for Solar Device maintenance, repair and replacement, and the correction of any safety hazard.

iii. If Solar Devices become detached, the Owners shall take immediate action to remove or repair such detachment within seventy-two (72) hours of the detachment and make permanent repairs within seven (7) business days to remove or repair the destabilized panels.

iv. When an Owner removes a Solar Device, he/she is required to restore the location of the installation to its original condition. Owners shall be responsible for all costs relating to restoration of this location.

Resolution Enforcement and Severability

If these rules are violated, the Association reserves all of its legal remedies, including, but not limited to, the enactment of rules violation assessments, subject to the due process procedures set forth in Virginia Code Section 55-513.

If a Court of law rules any provision herein to be invalid, the remainder of these rules shall remain in full force and effect.

Effective Date

This resolution shall become effective on JUN 23, 2019.

A handwritten signature in cursive script, appearing to be the initials 'Jm' or similar, located below the effective date line.

**OLD DOMINION VALLEY ADMINISTRATIVE RESOLUTION**

**RESOLUTIONS ACTION RECORD**

This Administrative Resolution No. 2018-1, pertaining to: Solar Device Installation and Maintenance was adopted at a regular meeting of the Board held on Jun 23, 2019, with the directors voting as indicated below:

Motion by: J.S. Seconded by: K.D.

President	<u><i>[Signature]</i></u>	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Vice President	_____	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Treasurer	_____	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Secretary	<u><i>Valeria Tenajas</i></u>	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Director	<u><i>[Signature]</i></u>	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

ATTEST:

\_\_\_\_\_  
 Secretary Date

FILE DATA:

Book of Minutes 20\_\_  
 Book Resolutions:

	Book No.	Page No.
Policy	_____	_____
Administrative	_____	_____
Special	_____	_____
General	_____	_____

Resolution effective: \_\_\_\_\_, 20\_\_.

# ARCHITECTURAL IMPROVEMENT REQUEST FORM OLD DOMINION VALLEY

To: Architectural Review Board  
Sentry Management  
50 Catoctin Circle., Ste.301 NE  
Leesburg, VA 20176

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_ Lot Number: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: (H) \_\_\_\_\_ (W) \_\_\_\_\_

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

START DATE: \_\_\_\_\_ COMPLETION DATE: \_\_\_\_\_

## Detailed Description of Proposed Improvement(s):

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## APPLICATION REQUIREMENTS:

**You must submit this information as it applies to complete your application. Your application will be returned to you if you do not submit the required material. See Homeowner Checklist for specific details based on type of improvement. Minimum requirements are listed here.**

1. Plat / survey of your property / lot. Indicate the location of the proposed change(s) on the plat. If you are planning to install a fence, include the fence type, height and style of lots directly connected to yours.
2. Manufacturer's brochure, sketch (overhead and side view), and/or photograph showing the design / style of the proposed change(s).
3. Indicate the color / finish. Include color samples.
4. Architectural plans/drawings (for major additions/improvements).
5. Grading plan, if applicable.
6. Detailed written description of improvement. (If not provided application will be returned pending additional information).

**NEIGHBOR’S ACKNOWLEDGEMENT:**

You are required to obtain the signature of the two (2) property owners who will be most affected by the proposed change. Signature by your neighbors indicates an awareness of your proposed change and **does not** constitute approval or disapproval on their part.

Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_ Lot/  
Block: \_\_\_\_\_ Lot/Block: \_\_\_\_\_ Signature:  
\_\_\_\_\_ Signature: \_\_\_\_\_

**Applicant hereby warrants that Applicant shall assume full responsibility for:**

- (i) All landscaping, grading and/or drainage issues relating to the improvements (including replacing bonds or escrows posted by Developer currently in place affecting the lot)
- (ii) Obtaining all required City, Town or County approvals relating to said improvements.
- (iii) Complying with all applicable City, Town or County ordinances.
- (iv) Any damage to adjoining property (including common area) or injury to third persons associated with improvement.
- (v) Applicant hereby states that they have read the ARB guidelines and agree that all work performed will be in compliance with those guidelines.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date