

May 8, 2021

Hello Cabin Branch Forest Neighbors,

A proposal has been submitted to the board to amend the current protective covenant regarding the use of pools in the community that are not permanent in ground pools. The article up for amendment is protective covenant #10 and it reads as follows:

“Patios, In-ground Pools & Major Landscaping –While there are no hard and fast rules for these types of modifications; they will almost always be allowed in the rear quadrant of the lot. Architectural Change Requests will be reviewed for suitability with the surrounding architecture, compliance with existing Covenants & Rules and interference with or hardships caused to the surrounding neighbors. Above ground pools are specifically prohibited, however small toddler wading pools are permitted.”

The proposed change would allow for "storable pools" that are placed in an owner's back quadrant for the summer months, but stored from the beginning of fall through the end of spring, and are kept in sanitary condition (no stagnant water). **STORABLE POOLS ARE THOSE THAT ARE CONSTRUCTED ON OR ABOVE THE GROUND, AND ARE CAPABLE OF HOLDING WATER TO A MAXIMUM DEPTH OF 42 INCHES (1.0 M), OR A POOL WITH NON-METALLIC, MOLDED POLYMERIC WALLS, OR INFLATABLE FABRIC WALLS REGARDLESS OF DIMENSION.**

The proposal would change the scope an allowable non inground pool in the back quadrant of the home in the following ways:

- Allowable Depth
  - Currently - 18 inches as is defined by Loudoun county as a toddler wading pool
  - Proposed - new allowable depth – up to 42 inches
- Typical volume: 26 gallons (typical kiddie pool) to 3380 gallons (free standing storable pool)
- Allowable deployment timeframe
  - - Currently – daily use assumed
    - Proposed – Seasonal use allowed potentially 99 contiguous days between Memorial Day and Labor Day (not sure if it is greater than that based on some hot months before and after but up to discussion)
    - Note that seasonal use only applies to storable pools and the proposal only looks to limit the date range for storable pools not toddler wading pools which could be used year round
- The Virginia Code, Section 305.5 of the 2015 Virginia Swimming Pool and Spa Code **STORABLE SWIMMING, WADING OR IMMERSION POOLS; OR STORABLE/PORTABLE SPAS AND HOT TUBS** - Those that are constructed on or above the ground and are capable of holding water with a maximum depth of 42 inches (1067 mm), or a pool with nonmetallic, molded polymeric walls or inflatable fabric walls regardless of dimension.

- These are **not** exempt from barrier or fencing requirements created by the law. This requires a 48" fence with latches @54" high and any doors opening into the area barrier area have alarms. This is intended to keep small children from wandering into the pool unsupervised.
- Any and all storable swimming pools **must adhere to the safety and regulatory requirements of the 2015 International Swimming Pool and Spa Code, Chapter 3** (<https://codes.iccsafe.org/content/ISPSC2015/chapter-3-general-compliance>) and **Chapter 7** (<https://codes.iccsafe.org/content/ISPSC2015/chapter-7-onground-storable-residential-swimming-pools>) \*\*
  - \*\* The 2018 International Swimming Pool and Spa Code goes into effect 1 July 2021 (<https://codes.iccsafe.org/content/ISPSC2018/effective-use-of-the-international-swimming-pool-and-spa-code>)

The Board would like as much community feedback as possible on this issue. Please note that your feedback will be kept strictly confidential, and only shared with the Board and the Covenants Committee.

Please email the HOA at [board@cabinbranchforest.com](mailto:board@cabinbranchforest.com) with your thoughts, questions, and/or concerns about this whether you favor the change or not. You may also reach out to individual board members (Dan Hibbard, Jim Clute, Jason Yard, Thomas Vestal, Cliff Miller, and Sarah Young). We have also attached a form that you may fill out and drop off at Dan Hibbard's house.

We welcome conversation about this issue. The Board will hold a special Zoom meeting on Thursday May 20, 2021 at 7:00 p.m. to discuss this change. We invite any and all community members to participate in this meeting to have your voice heard. Zoom meeting invite will be provided by the HOA and posted to the neighborhood website [www.cabinbranchforest.com](http://www.cabinbranchforest.com) and the neighborhood Facebook page.

Join Zoom Meeting

<https://us02web.zoom.us/j/87353038265?pwd=SWRxWFF4NIE3cmw3bTlxYjZlZn09EUT09>

Meeting ID: 873 5303 8265

Passcode: CBFA

One tap mobile

+13126266799,,87353038265#,,,,\*864338# US (Chicago)

+16468769923,,87353038265#,,,,\*864338# US (New York)

Thank you,  
The CBF HOA Board of Directors

Name (OPTIONAL): \_\_\_\_\_

Agree with changing the covenant to include storable pools: Yes \_\_\_\_\_

Do not agree, leave covenant as is: No \_\_\_\_\_

Do you want to be invited to the meeting on 5/20/21?

Yes \_\_\_\_\_ (Provide Email) \_\_\_\_\_

No \_\_\_\_\_

Comments:

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