



Virginia Oaks

A PRIVATE NATURAL PRESERVE COMMUNITY

Design and Landscape Architectural Guidelines

Record of Revisions

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Notice to Homeowners

As a homeowner or resident of Virginia Oaks, you must meet specific community standards, aesthetics, and maintenance responsibilities. The Design and Landscape Guidelines contained on the following pages are part of the Covenants that every Virginia Oaks property owner agrees to as part of their home purchase within the HOA. These Covenants establish both the Homeowners Association (HOA) and the Design Review Committee (DRC). Covenants are binding on all owners, whether or not they have been read. This means that periodic updates to these Guidelines are also binding. The latest Guidelines are always available at <http://www.VirginiaOaks.org/DRC> or by request from the Community Manager.

Part of the role of the DRC is to educate homeowners so that problems and misunderstandings can be avoided. To that end, the HOA Board and the DRC encourages you to read these guidelines and take the time to understand them. After reading the Guidelines, please email any questions to DRC@VirginiaOaks.org. Committee members are always willing to offer help or provide additional explanations.

Please understand that the HOA Board of Directors is responsible for helping to protect property values for all homeowners by ensuring that there is adherence to minimum standards of home and yard maintenance. There are penalties for violations of the guidelines relating to homeowner property. These are set forth in the Guidelines and within the Virginia Property Owners' Association Act. The HOA Board of Directors is also responsible for ensuring that HOA-owned property is appropriately cared for. In some cases, this requires extensive landscaping, but on most of the HOA's 170+ acres of common area, this requires that the area is allowed to naturalize.

Overall, what can and can't be done on HOA-owned property is very different than what can be done on a homeowner's private property. HOA Common Area, while available within limits for use by homeowners and residents, belongs to the Virginia Oaks Association on behalf of all 561 homeowners. Assets of the HOA are administered and protected by the HOA's elected Board of Directors, its designated Committees, and its designated Community Management company. Homeowners often mistakenly believe they are part owners of the common area. They are not.

As you read the following Guidelines, you will learn that Virginia Oaks has many unique opportunities due to the extensive trails, grounds, lake and pond access, and developing woodlands and meadows. Much of this area is environmentally protected and is governed by specific laws and regulations.

No individual homeowner in Virginia Oaks has the authority or right to alter or maintain any property other than their own. To give homeowners some flexibility in use and maintenance of HOA-owned property within a limited area behind their homes, individuals can apply to the DRC for permission to perform specific maintenance activities. The [Adopted Area Maintenance Application \(AAMA\) Process](#) is outlined later in these Guidelines. Any homeowner who wants to do ANYTHING on HOA property must first complete and submit an AAMA for written approval.

Fencing or placing yard waste, firepits, play equipment, birdhouses or other furnishings on HOA-owned property is strictly prohibited. Mowing, pruning, or cleanup of trees, shrubs, or other vegetation on HOA-owned without a fully-approved Adopted Area Maintenance Application is also prohibited. Any individual engaged in these prohibited activities on HOA property is guilty of both criminal and civil violations of Virginia Law. In almost every case, where damage is repaired at the homeowner's expense, the HOA will take no further action. However, where damage is not repaired, homeowners could be prosecuted and convicted and asked to pay restorative damages and appropriate attorney's fees. Having a neighbor, contractor, or other individual mow or perform maintenance on their behalf does not reduce the homeowners' responsibility.

Beyond the general rules on HOA-owned property, young trees planted in the Nutrient Bank are also protected by local, State, and Federal restrictions. These carry additional penalties and fines. Damage to Nutrient Bank trees could expose the HOA overall, and the homeowner as an individual, to fines as well as both restorative and potentially significant punitive damages.

The first 25 to 30 feet of the Lake Manassas shoreline belongs to the City of Manassas, not to the HOA. Depending on the specific location, vegetation up to 100 feet from the shoreline is also protected under the Chesapeake Bay Preservation Act. As the adjacent landowner, and via a legal Easement created at the time of the development in 1994, the HOA has some limited maintenance and use rights for City-owned property. Individual homeowners and residents do not.

Cutting of trees, brush, limbs, or removal of ground cover within the Preservation Area is strictly prohibited. No AAMA's can be granted by the HOA for any activity within 100 feet of the shoreline, and damage carries substantial fines as well as other criminal and civil penalties.

The HOA Board can't allow anyone to endanger the financial health of the HOA. Potential financial risk due to encroachment onto HOA property and/or fines from the City of Manassas, Prince William County, the State of Virginia and Federal agencies, may ultimately require the HOA to prosecute homeowners who do not get written permission before using or performing maintenance on property owned by the HOA. This is not what the HOA wishes to do, so please read and become aware of the severity of even the seemingly innocuous actions homeowners can take for granted.

Dumping Trash, Yard Debris, Cigarette Butts, and Dog Waste or Waste Bags

Anyone dumping lawn clippings, leaves, branches, or other yard waste on HOA-owned property, including ponds, or on the private property of another, on City of Manassas property, or within the streets or gutters without the written consent of the property owner may be convicted of, at least, a Class 1 Misdemeanor punishable by fines ranging from \$250 to \$2,500, and up to 12 months in jail, per instance. This also applies to throwing dog waste bags (full or empty) on the ground near dog waste containers, or anywhere else on HOA-owned, private, or public property.

Trespass after having been forbidden to do so

The Covenants and disclosure packets provided to homeowners at the time of home purchase show where private property lines are located. This is also searchable on the Prince William County Mapper (<https://gisweb.pwcgov.org/webapps/countymapper/>) by address. These DRC Guidelines, the HOA Property 101 flyer, and multiple notifications

to homeowners all make it clear that HOA-owned property may not be maintained by homeowners without specific, written authorization by the Design Review Committee on behalf of the HOA. Each unauthorized instance of maintenance performed by homeowners or residents outside of their own private property boundaries may constitute a violation of Section 18.2-119 of the Virginia Criminal Code. This is true also for anyone who builds a fence, deck, patio, gazebo, bench, firepit, or any permanent or semi-permanent structure on HOA-owned property. Unauthorized use and maintenance of HOA-owned property is a Class 1 Misdemeanor punishable by up to 12 months in jail, a fine of up to \$2,500, or both, as well as payment for costs to restore the area to its original condition.

Unintentional Vandalism

Even if damage caused to seedlings within the Nutrient Bank through mowing or maintenance is unintentional, the individual responsible could be charged with unintentional destruction of HOA-property. This is a Class 3 Misdemeanor punishable by a fine of up to \$500 per instance, plus the cost of replacing the trees and vegetation or repairing damaged property.

Intentional Vandalism with damages of less than \$1,000

A homeowner or resident who intentionally damages or destroys property or vegetation worth less than \$1,000 may be guilty of a Class 1 Misdemeanor. Cutting shrubs, pruning trees, weeding, mowing, or using any chemical on HOA-owned property without a fully approved Adopted Area Maintenance Application could be punishable by a fine of up to \$2,500 and up to 12 months in jail per instance, plus the cost of replacing the trees and vegetation or repairing damaged property.

Intentional Vandalism with damages of more \$1,000

A tree comparable to the sycamores planted in the Nutrient Bank in 2019 has a 2021 price tag at local nurseries of up to \$99 plus tax and planting costs. Any homeowner or resident who intentionally damages or destroys ten of such trees may be found guilty of a Class 6 Felony. If they intentionally kill a larger tree, the value of that tree alone could be \$1,000. A Class 6 felony is punishable by a fine of up to \$2,500 and up to 5 years in jail, plus the cost of replacing the trees and vegetation or repairing damaged property.

Additional penalties and fines beyond the above can be imposed by local, State, and Federal agencies due to environmental regulations and protections.

Again, on behalf of the HOA Board, the DRC asks you to please avoid problems by simply asking permission before taking action. You can email DRC@VirginiaOaks.org at any time.

HOA Property Quick Facts

Virginia Oaks has almost 180 acres of open space for residents to use and enjoy for non-destructive recreation. But much of that, possibly even including property right up to your property line, is environmentally protected. In some cases, due to maintenance by prior owners, what may appear to be part of a yard is in reality beyond the boundaries and within HOA-owned property.

The Virginia Oaks Nutrient Bank is under the jurisdiction of the Virginia Department of Environmental Quality (DEQ) and other State and Federal agencies. Some, but not all, of the Nutrient Bank contains young trees that are easily damaged. Knowing the rules imposed by these agencies can help you avoid misunderstandings and potential fines and penalties.

Quick Facts about ALL HOA Property, Natural Areas, and the Nutrient Bank

- ❖ Do not mow, weed, fertilize, treat for pests, remove leaves or vegetation, fence, furnish, landscape, mulch, trim, or cut brush, branches, etc. on any property other than your own without permission, even if you see your neighbors doing so.
- ❖ All maintenance, however small, on HOA-owned property requires submission of an Adopted Area Maintenance Application and approval from the DRC. If additional approval is required from the Nutrient Bank Sponsor, the DRC will request that for you as part of the approval process.
- ❖ If you're in doubt about whether you need to fill out an application, please check with the DRC. Don't do the work and then find out you have to pay to undo it.
- ❖ Use the PWC County Mapper's (<https://gisweb.pwcgov.org/webapps/CountyMapper/>) measurement tool to find your property line by measuring the distance from your house to the blue line that marks the boundary.
- ❖ The permalink at <http://www.VirginiaOaks.org/DRC> will always contain the community's current and latest Design and Landscaping Guidelines.
- ❖ Permission to "Adopt" an area near your house is a [simple application process](#), and the approval may be valid for up to 10 years on a single application.
- ❖ Adopted area maintenance approval is only valid for the current owner. When you purchase your home, you must apply even if the prior owner had permission to maintain a section of HOA-owned property.
- ❖ Rules about maintenance on HOA property apply whether or not young trees have been planted there.
- ❖ Young sycamores and pines are clearly visible in most areas, but young white oaks, and red maple saplings are often shorter than the weeds and wildflowers that form the first stage of reforestation.
- ❖ If you accidentally mow down a tree, you're responsible for replacing it whether or not you realized it was there.
- ❖ If a contractor, neighbor, or anyone else performs unauthorized maintenance on HOA property behind or adjacent to your home, please report it to the management company immediately. Otherwise, it may be assumed to have been done on your behalf and you may be responsible for replacing or restoring the damage.

- ❖ To identify the area for which you should report any damage or maintenance that occurs, please see “Adoptable Area” in the DRC Guidelines.

Quick Facts about the Paved Trail and Recreation

- ❖ All natural areas of Virginia Oaks are for use by residents and their accompanied guests only. The private Paved Trail, ponds, and woodlands are part of the reason new homeowners purchase in Virginia Oaks.
- ❖ All natural areas are use-at-your-own-risk. If you hurt yourself or anyone else out on the Paved Trail, meadows, ponds, woods, etc., the HOA is not responsible.
- ❖ Firearms, fires, camping, sledding, archery, and motorized vehicles are strictly prohibited due to the potential for damage to property, residents, and wildlife.
- ❖ No hunting of any kind is permitted on HOA property, and pets must be leashed at all times. Due to chemical run-off from lawns, fishing is catch and release only.
- ❖ The Paved Trail is over five miles long and offers stunning views and wildlife sightings. It runs through HOA property as well as privately-owned areas and sections that belong to the City of Manassas. Rules of use vary, so pay careful attention to signs.
- ❖ Please respect all private property. Use marked access points for the Paved Trail only, and do not cut through driveways, yards, or pipe-stems. Do not leave the Paved Trail where it crosses private property on the Peninsula along the lakefront.
- ❖ Trail use is allowed only from dawn to dusk for walking, hiking, and other “leave no trace” recreation.
- ❖ Biking is allowed at reasonable speeds on the trail, but be vigilant for walkers and wildlife. Do not leave the trail when biking. No motorized bikes or vehicles are allowed.

Contacts for Easy Reference:

DRC: drc@virginiaoaks.org
Open Space: openspace@virginiaoaks.org
Board: hoa@virginiaoaks.org
Management: management@virginiaoaks.org

DRC Frequently Asked Questions

What is the Design Review Committee (DRC)?

The DRC is a volunteer committee of homeowners that helps protect home values in the community by establishing and monitoring the review process for any visible changes to homes and their surroundings. The goal is to safeguard the community's original harmony of design and aesthetic quality. To that end, the DRC verifies that proposed changes to yards and home exteriors comply with the objectives set forth in the Design and Landscaping Guidelines and Covenants. The DRC also reviews applications for homeowner proposed maintenance on HOA-owned property near a private residence where a homeowner wants to change or maintain the appearance of mature or developing woods or meadows. As appropriate, the DRC also coordinates final approval by the Nutrient Bank Sponsor of applications that relate to the Virginia Oaks Nutrient Bank.

Where can I get a copy of these Guidelines?

The most recent version of the Design and Landscaping Guidelines is always available for download at <http://www.VirginiaOaks.org/DRC>.

What are the DRC Exterior Changes Application and Adopted Area Maintenance Application forms and where can I find them?

Submission of a completed [Exterior Changes Application](#) is required for most changes to a home's landscaping or exterior appearance. Submission of an [Adopted Area Maintenance Application](#) is required for ANY maintenance on HOA-owned property. All DRC forms are contained within the Appendix section of these Design and Landscaping Guidelines.

What if I don't agree with something required in the Guidelines, or if I don't want to submit an application?

One of the main purposes of an HOA is to protect property values and aesthetics for all homeowners. The HOA also ensures that neighbors with different personal tastes and styles can live within the community in harmony. The Design Review Committee and the HOA are both established by the Covenants that are a part of the deed to every home within Virginia Oaks. Those Covenants require all homeowners to comply with the Design and Landscaping Guidelines whether or not they have read or agree with the Guidelines, but it is not the intent of the DRC or the HOA Board to be intrusive.

Most Guidelines are common sense or involve minimal sets of standards. However, violations of any requirements in the Guidelines must be remedied. If the homeowner will not perform the required maintenance or comply with requirements, the HOA Board has the authority to perform the work on the homeowner's behalf. Both the DRC and the Board exhaust all possible means to work through disagreements and find ways to meet the needs of each individual homeowner are met while simultaneously protecting the interests of the other 560 homeowners who also belong to the HOA.

Does the DRC issue or enforce violations of the community Guidelines and encroachment or unauthorized activity on HOA property?

The DRC's main role is the prevention of architectural standards violations and encroachment or

unauthorized activity. The DRC tries to achieve this by informing and educating HOA members about the rules; by periodically reviewing the rules as technology, materials, and conditions change; and by working with homeowners before or if questions come up. If someone fails to follow the guidelines and/or rules and does not give the DRC the opportunity to help them, it is likely that the HOA's management company will issue a violation notice following a routine community inspection. A violation notice is resolved by the homeowner coming back into compliance with the rules.

What is a Violation Notice, and what does it mean? Why did I get one?

If something about your property or your activity on HOA property near your home does not follow the community guidelines and rules, you may receive a notification from the community's management company asking you to correct the problem. This is a [legally enforceable request](#), and if you fail to address the problem, the HOA Board may have to pursue legal measures. But that is *not* the goal of the HOA or the management company. All that anyone wants to see happen is for the situation or problem to be resolved.

If the issue is clearly explained in the violation notice, please perform the actions recommended. If you have questions, please reach out to the management company directly by emailing Management@VirginiaOaks.org. They are the ones who issue violation notices based on the Design and Landscaping Guidelines. If, after speaking with the management company, you are confused or unable to comply with the request, please contact DRC@VirginiaOaks.com and provide all the information you have received to date. Volunteers will do their best to assist you.

What kinds of things require an Application to the DRC prior to starting a project?

In general, anything that [changes the appearance of the exterior or surroundings of your home may require an application](#). If you are repainting trim the same color, replacing the roof the same color, repairing broken shutters or a damaged door in a way that results in the home looking better but still materially the same as before, you don't need to put in an application. If you are adding or changing a deck or fence, changing the style of your windows, or altering the color of your roof, trim, etc., an [Exterior Changes](#) application is necessary.

If you are installing or changing any permanent feature in your yard, an Exterior Changes must also be submitted. This includes changing a walkway or steps from cement to brick, changing the shape of the walkway, installing hardscaped flower beds, removing trees in the front or side yard of your home, or even planting trees where years from now they might impact your neighbor's safety, drainage, views, or landscaping, etc.

If you don't like the appearance of HOA-owned property directly behind or beside your home, you may be given permission to mow around existing trees beyond your property line to limit weeds. You may also wish to remove dead leaves or trim bushes, brush, or branches, or even plant some additional native grasses, trees, or bushes to soften the transition between your property and the developing meadows or woodlands. This may be possible, as long as you do not damage any trees, plant any nonnative plants, use any fertilizers or chemicals, or place any furnishings or structures on property you do not own. You will need to complete and submit an [Adopted Area Maintenance Application](#) first.

Why do I need my neighbors' signatures on DRC applications?

Just as you have a right to appeal to the DRC and HOA Board if you do not like something a

neighbor is proposing to do on their property, there is a ten-day waiting period after the DRC approves your application before you are allowed to start your project. This provides your neighbors with the time to appeal and make their opinions heard. Obtaining a neighbor's signature on your application does not mean that they agree with the changes you are proposing to make, only that they are aware that you plan to make them. This gives them the time they need to reach out to the DRC and the Board and see if we can all work something out.

Do I still need to get signatures if I don't have anyone next door to me or living across the street?

Four signatures are required on the DRC Exterior Modifications form and two are required on Adopted Area Maintenance Applications. The signatures should be those of adjacent property owners who are the most impacted by the changes you propose to make. In the case of Exterior Modifications, this means the property owners on both sides of your property, and two property owners behind or across from your property who have views of your requested change. If your property is not adjacent to the required number of neighbors, this must be noted on the application with an explanation. In that case, the missing signature(s) may be obtained from nearby property owners who have a view of the change.

If I want to redo my landscaping or plant a tree on my own property, is an application still required?

In most cases, [general landscaping and gardening](#) does not require a DRC application provided that DRC guidelines associated with landscaping such as tree planting/removal and the building of walls and flowerbeds, fences, decks, etc., are not violated. Landscaping and gardens on private property must not obstruct sight lines required for vehicular traffic. All gardens must be neatly maintained. This includes removal of all unused stakes, trellises, and dead growth.

Applications [ARE required](#) for:

- ❖ Any permanent structures;
- ❖ Any change to the overhead view of the footprint of your home—the size of your deck or patio, shape of structures, etc.;
- ❖ Installation or removal of hedges or other features that may act as structures, fences, or screens;
- ❖ Installation or removal of trees in the front yard or any location where they could obstruct or grow to obstruct a neighbor's safety, privacy, landscaping, drainage, view, television reception, or solar system operation;
- ❖ Landscaping walls more than twelve inches (12") high visible from the street, landscaping walls more than twenty-four inches (24") *not* visible from the street unless these could impact a neighboring property's drainage;
- ❖ Rock gardens, collections of rocks, and single rocks exceeding twenty-four inches (24"). All rocks must be left their natural color;
- ❖ Vegetable gardens, approval for which will be contingent on the following conditions:
 - ◆ Authorized locations are limited to areas between the rear of the house and the rear property line,
 - ◆ Beds must not exceed one quarter of the area described in (a) above,

- ◆ Water flow or disruption thereof for the vegetable gardens must not damage other homes or properties.

Applications are NOT required for:

- ❖ Planting of trees, bushes, or single plantings **unless** these could obstruct or grow to obstruct a neighbor's privacy, safety, landscaping, drainage, view, television reception, or solar system operation;
- ❖ Landscaping walls that do not exceed a height of twenty-four inches (24") for more than eight feet (8') or interfere with adjacent property;

What can I do on HOA property and alongside the paved trail near my house if I don't like how the HOA property looks?

Any and all mowing or other maintenance on property that doesn't belong to you requires permission from the property owner.

HOA natural areas, ponds, and paved trails are available for resident enjoyment at the user's own risk in accordance with posted rules. They are also subject to restrictions imposed by the Virginia Department of Environmental Quality (DEQ) and other state and federal agencies as a protected environmental area. Much (but not all) of this land is planted with young trees, and anyone who damages a growing or mature tree may be required to replace and replant it. For this and safety reasons, please take care anytime you do anything on HOA-owned property.

In compliance with local laws and ordinances, keep pets on a leash at all times when they are outside your own yard, clean up after them, and follow "leave no trace" practices. Do not leave or dump dog waste bags anywhere except your own trash cans or *inside* designated community dog waste receptacles. Do not leave or dump trash, fishing line, fish hooks, lawn clippings, or yard waste anywhere except your own trash cans or yard waste containers.

Please walk carefully, try to walk where others have walked, and do not disturb wildlife. If you want to fish, please do so on a catch and release basis and be sure not to disturb nearby residents. Under no circumstances may you cut through private property to access HOA property.

Until the protected trees are established, weeds will grow between them. Some homeowners don't like the way this looks and miss the way it looked back when it was a golf course. If your home is adjacent to any HOA natural area (any area that isn't regularly mowed by the HOA), and if you want to limit weeds or extend the appearance of your yard, you can investigate the [Adopted Area Maintenance process](#) the HOA has designed to provide homeowners with options.

Please note that not every area within Virginia Oaks belongs to the HOA. In some areas, the trail passes directly behind homes, in which case, the property on one side belongs to a private homeowner. In several areas, including the Peninsula near the lake, the paved trail passes through or alongside property that is not part of the HOA.

If you see a sign along the trail, take the time to read it, and please follow the rules. Again, do not cut through private yards, lawns, pipestems, or wooded areas while going to or from the trail except in designated areas accessible directly from the road

Why do I need to submit an Adopted Area Maintenance Application for mowing or maintaining HOA property near my house?

You may be frustrated by the need to fill out an [application](#) when it seems like you would actually be doing the HOA a favor by taking care of property that belongs to the HOA. Newly naturalized areas may not look their best, and they certainly look very different than they did when the golf course was in operation. In some cases, residents have been mowing or taking care of areas near their homes for over twenty years—with or without permission from the various golf course owners.

This is no longer a golf course, and much of what was allowed back in golf course operation days is not possible now. The property doesn't belong to someone else. It belongs to all of us—all 561 homeowners in the HOA equally—and no one homeowner has the right to make any decisions about its use or appearance. If, because of the decisions or actions of one homeowner, another homeowner was adversely impacted, or the HOA had to resolve a situation, answer a lawsuit, or pay fines for violating environmental protections, that could negatively impact the well-being or financial health of the whole community. For that reason, all use and maintenance of HOA-owned common areas is administered by the Board and its committees, and it is the fiduciary duty of the HOA to put standardized procedures in place.

Before [performing any maintenance on property you do not own](#), please complete an [Adopted Area Maintenance Application](#) and submit it for approval. The DRC can help you navigate the sometimes complicated boundaries and regulations of environmentally protected areas and assess the risks you and the HOA may be taking on.

Once received, approval for Adopted Area Maintenance can be good for a single cleanup or for up to ten (10) years on a single application, depending on which box you check in the application. This does not mean you have to continue taking care of the property for the whole approval period— you can terminate Adopted Area Maintenance at any time by completing the [Appendix A3: Termination of Adopted Area Maintenance form](#). If you do not submit an AAMA, and you perform maintenance or encroach onto HOA property without authorization, you could be subject to civil or perhaps even criminal penalties.

If you sell your home, the new owners will need to submit a fresh application. If you recently purchased a home, you must submit a new application before you continue any maintenance that was being done by the previous owner.

Can I paint my front door or trim any color I want or make any change I want to the character of my house?

The neighborhood was founded on a traditional architectural style, and the DRC is chartered to protect the integrity of the original design. For that reason, [changes to home exteriors](#) are limited to changes that are in keeping with traditional homes. In addition, the builders imposed limits on window and door types and home trim, siding, and brick colors to make sure that homes close to each other didn't look too similar. If you want to change the style of window, the [color of your front door or shutters](#), or make other changes, check to make sure the choices are in keeping with the traditional character of the neighborhood, and also check that the result wouldn't make your home look too much like that of a nearby neighbor. That's what the DRC will be evaluating in addition to checking the precise wording of the DRC guidelines.

The DRC reviews each individual application according to the procedures detailed in [Part I](#) of the

DRC Guidelines. For extensive changes, applicants may email the Management Company at Management@VirginiaOaks.org or a member of the DRC at DRC@VirginiaOaks.org help.

What is the right paint color for mailboxes?

All mailboxes, including the metal box and all components, must be painted the same shade of Rust-Oleum “Hunter Green.” For full details, please review the [mailbox section](#) of the Guidelines.

What paint colors are permitted for front doors and shutters?

If you are re-painting your door and/or shutters in their original or approved existing color, you do not need to submit an application. For color changes, you will need to submit an application with a change request. Please refer to the [paint color chart](#) in the Appendix section of the Design and Landscaping Guidelines when choosing proposed colors and keep the color as close as possible to the Colonial/Traditional style colors in the chart. Your application must include the color name, sample paint swatch, and a photograph of the current front of your home. Generally, the color chosen should be harmonious with your home exterior and nearby houses. Wherever possible, do not change colors so that the brick/siding/trim color combinations are the same as your nearby neighbors.

What types of fences are permitted in VA Oaks?

Currently, the only [fence styles](#) approved for single family homes are a four-foot (4’) fence with three (3) rails in the rustic split rail or paddock/ranch style or a maintenance-free black metal fence. There are some exceptions allowing privacy fences for properties that border commercial property and the Lakeview Estates subdivision, and for homes with swimming pools. Please read the [Fences section](#) of the Guidelines for all the requirements and specifications. All fencing requires approval of a completed [Exterior Changes Application](#) before work begins. Fences, including invisible or vegetative fences, may only be constructed on your own property.

Can I install solar technology on my home?

Solar roofs are permitted. Roof-mounted solar panels are permitted in specific areas of your own home. All [solar systems](#) require an [Exterior Changes Application](#). Approval is contingent on meeting all of the following requirements:

- ❖ Solar systems, arrays, and panels must not be visible from the street and all components must be integrated into the design and style of the home;
- ❖ Approved locations are limited to roof-mounted solar system arrays and panels that are flush or lightly raised with components conforming to the color of the roof shingles. At the highest point, the solar panel array may be no higher than the ridge of the roof where it is attached;
- ❖ All electrical connections and piping must be as inconspicuous as possible and located either underneath or within the perimeter of the solar system and/or panels;
- ❖ All installation and maintenance must be completed by a licensed installer or journeyman plumber.

Do I need an application for a new roof?

Major exterior renovations like the replacement of a roof require an [Exterior Changes Application](#). No application is needed if you are replacing the shingles with the same color and style that were

there before. You only need an application if the new roof will look different than the roof you are replacing.

Do I need an application for new windows, and if so, what additional information is required?

An application for new [windows](#) is not necessary provided that the new windows are the same style/size/shape/color as your previous windows and contain grids between two panes of glass. Grids must be white in color, and frames must match the trim color of the house or be white in color. Anything else will need a detailed application and approval prior to installation.

Why does the HOA care about a firepit on HOA property, an unmowed lawn, piles of mulch, unwashed siding, and the vehicles and equipment stored in my driveway?

Home buyers are less likely to want to buy a house next to a home that has an overgrown yard, peeling paint, moss growing on the siding, or piles of mulch covered with a tarp sitting in the driveway for months on end. The same goes for broken fences, lawn ornaments, or vehicles with flat tires up on blocks in front of someone's house.

The HOA has no desire to overstep or create problems for individual homeowners. On the other hand, where individual homeowners are creating problems or unsightly conditions for their neighbors, it is the job of the HOA, via enforcement of the Design and Landscaping Guidelines, to help protect the neighborhood. This is also true of protecting HOA property. That firepit or extra bit of lawn or landscaping that juts a few feet beyond your property line may not seem like a big deal, but where does the HOA draw the line? Five feet? Ten feet? A hundred feet? The only way to be fair to everyone is to put uniform rules in place and ask homeowners to send us requests for anything that doesn't fall within those rules. The HOA can then treat things fairly within the bounds of safety and the HOA's financial and legal responsibilities to all the homeowners within the HOA.

Who enforces violations, and how do I report a suspected violation?

The DRC is responsible for maintaining the overall rules and reviewing applications to help homeowners make decisions about property maintenance in keeping with community covenants and standards. This does not mean that DRC members go around looking for violations from their neighbors. The management company performs several routine inspections of all homes in the community per year on behalf of the HOA. These violations are processed by an independent, third-party contractor to avoid any bias or favoritism. Outside of routine inspections, homeowners should report suspected violations to the management company directly via email or TownSq.io so that the management company can verify whether a violation has indeed occurred. If a violation is issued, it will not include the name of the person who reported the violation.

When do routine community inspections take place?

Inspections are conducted by the management company of all homes within in the HOA several times per year between April and October, which is the time of year when repairs can most conveniently be made. "Curbside" inspections check homes for compliance with [mandatory landscaping maintenance](#) and the [homeowner property maintenance and changes](#) portion of the guidelines. "Encroachment" inspections check homes for compliance with [Homeowner Use and Maintenance of HOA Property](#) near their homes.

How quickly do I need to respond to a violation notice?

[If a homeowner needs to repair or change something](#) to comply with DRC Guidelines, they will be given time to resolve the problem. That time will be stated in the notice they receive. If they are unable to comply within that time, they can reach out to the management company, the DRC, or the Board for assistance, and the HOA will try to work with them to find a solution.

If a solution can't be found, or a homeowner is not willing to comply, any further action is at the discretion of the HOA Board. The Board and management company may hire a contractor to remedy the problem and bill the homeowner. They may also levy fines. The homeowner may also be responsible for any attorney and legal costs associated with collecting payment. Ultimately, it's much easier and cheaper for homeowners to come to the DRC and ask for help finding solutions. We are all neighbors, and it's in the best interests of the community for everyone to work together.

Email Management@VirginiaOaks.org or contact DRC@VirginiaOaks.org if you have a concern about a property or a potential violation.

Part I. Objectives and General Information

A. DEFINITIONS

These definitions apply universally to the enjoyment, use, and maintenance of various areas within Virginia Oaks. While they do not exclusively relate to maintenance guidelines, they provide an overview of the interconnections and shared goals that can help make Virginia Oaks a unique, vibrant, and sought-after place to live. They are included here for the convenience of homeowners and residents. Please read the [Objectives](#) to find out more about why the HOA has rules that homeowners need to follow.

1. HOA or Community

The Virginia Oaks Association, Inc. commonly referred to as VAOaks, the Homeowner's Association, or the HOA. Property owned by the HOA is for the collective use and benefit of all the members of the HOA, so homeowners have access to many amenities and recreation options beyond the limits of their own home and yard. Consistent rules for landscaping and maintenance, assure new buyers moving in that properties near theirs will continue to be maintained in coming years, which stabilizes property values for everyone.

2. Virginia Oaks RPC or VO RPC

The Virginia Oaks Residential Planned Community (RPC) encompassing all properties within the Prince William County zoned area commonly described as "Virginia Oaks" to include:

❖ Residential Lots (Private Property)

For purposes of these Guidelines, property within the Covenants that contains a homeowner's or tenant's private residence and land, the boundaries of which have been professionally-surveyed, legally-titled, and recorded on behalf of a specific owner among the land records of Prince William County. The RPC contains 561 residences and two (2) unbuilt residential lots.

❖ Pool and Recreation Facilities

Structures, pool, athletic courts, play areas, and recreation facilities located on the approximately 8-acre complex at 7580 Virginia Oaks Dr., GPIN 7397-33-8201

❖ Clubhouse Facilities

Structures, amenities, and facilities located on the approximately 19-acre complex at 7950 Virginia Oaks Dr., GPIN 7396-58-4972. These include rental spaces and space free for resident use.

❖ Open Space

For purposes of these Guidelines, this term encompasses all land owned by the HOA that is not part of Pool and Recreation Facilities or Clubhouse Facilities, including but not limited to ponds, turf areas, flower beds, meadows, woods, and

planted conversion woodlands, townhome parking lots, private streets and sidewalks, the approximately 5-mile former golf cart path (the Paved Trail), and all Buffer Zones as defined below.

❖ **Natural Areas**

For purposes of these Guidelines, Natural Areas encompasses all Open Space that isn't paved, mowed, mulched, or landscaped at the expense of the HOA. It also includes the Paved Trail and the three (3) feet on either side of the trail that may be mowed at the expense of the HOA.

❖ **Paved Trail**

The approximately 5-mile former golf cart path that passes through HOA-owned areas behind homes and through several sections of privately owned property that is not part of the HOA. The trail is open for resident use only (not the general public), and is only open from sunrise to sunset to protect the privacy and security of the adjacent homes. Residents are asked to read all signs, obey all posted rules, and to stay only on the trail when passing through sections not owned by the HOA.

❖ **Property Not Part of the HOA**

Several areas within the VO RPC are privately owned and are not part of the HOA. Except as noted, all private property laws, including no trespassing laws, apply.

- ◆ A 10-acre lot (**the Peninsula**) at 8187 Tillinghast Lane, GPIN 7396017-9561 along the Lake Manassas peninsula and behind a number of homes along Tillinghast Lane and Crown Hollow Court. This is a private yard, and the owners of this property live beside it. They welcome Virginia Oaks residents to use the Paved Trail that crosses the property from sunrise to sunset only and ask visitors to comply with posted signs. The area is focused on the encouragement of wildlife, and no trespassing is permitted anywhere off the Paved Trail.
- ◆ An approximately 2-acre lot site and structure, formerly the Maintenance Shed, currently GPIN 7397033-4801, at **14397 Lee Hwy**
- ◆ An Office Complex at **7521 Virginia Oaks Dr**, GPIN 7397-43-2433
- ◆ A Daycare Complex at **7541 Virginia Oaks Dr**, GPIN 7397-42

❖ **Buffer Zones**

Specially designated areas owned by the HOA and located between one or more HOA residences and any area zoned for a specific non-residential, non-open space use, including but not limited to:

- ◆ a non-residential area within the Virginia Oaks RPC
- ◆ a residence or residential community outside the RPC
- ◆ an office, business/commercial, or industrial area outside the RPC, etc.

Buffer Zones are specifically mandated by Prince William County at specific depths, typically fifty (50) feet to protect from noise, pollution, and other issues that arise when properties of different types share boundaries. Buffers must legally remain clear of non-approved structures and encroachments. Because of the zoning regulations, alteration of, structural encroachment into, and damage or

removal of trees or existing vegetation within Buffer Zones by individual homeowners or residents is strictly prohibited and could result in additional damages and penalties from the County or other local authorities.

3. HOA Property or HOA-Owned Property

Any property owned by the HOA, regardless of what type of property or its function, is administered by the Board of the Virginia Oaks Association on behalf of all homeowners. No individual homeowner has the right to make decisions about HOA-owned property. Damage to the vegetation, and decisions or actions taken by individual homeowners or residents, can impact every other resident financially or limit enjoyment or use of the commonly owned property. Such individual actions could cost the HOA money or incur liability. For this reason, individual homeowners and residents may not do anything to change or maintain any HOA property without permission from the DRC. This includes any alteration, encroachment, maintenance, use of chemicals, or activity resulting in any change to existing or developing woodland, trees, and other vegetation.

Before 2020, the HOA owned approximately twenty-eight (28) acres of Common Area. In 2020, as part of the acquisition of the former golf course, the HOA added an additional 157.5 acres of property, including roughly five (5) miles of Paved Trail that comprised the former golf cart path. Approximately 107 acres of the newly acquired property is planted with saplings and young trees as part of the Virginia Oaks Nutrient Bank. These trees and other fallow, unplanted, areas of the Nutrient Bank are intended to help improve the environment and are protected by covenants and restrictions that limit what can and cannot be done on them.

Homeowners and/or residents may enjoy HOA Natural Areas through walking, hiking, fishing, or other recreational uses that do not damage these areas, violate the restrictions and covenants of the Nutrient Bank, and/or place any wildlife, trees or other vegetation, homes, and any other homeowners or residents at risk of damage or injury. This includes reducing privacy for other homeowners. The HOA BOD and its Committees reserves the right to establish and post rules about use as necessary and appropriate for the protection of homeowners and residents, property, and/or wildlife and vegetation.

To maximize the environmental benefits of the Nutrient Bank, there would normally be no maintenance allowed. To enhance the natural environment or limit the expansion of weeds or woodland onto their own property as the forest is re-established, homeowners and/or residents may apply for permission to "[Adopt](#)" a specific section of HOA property near their home. Adoption is an easy process and begins by submitting an [Adopted Area Maintenance Application](#) to the DRC. Approval can be for one-time maintenance, or it can be granted for up to ten (10) years. Adoption is limited to property immediately behind a single home. Where a proposed area of adoption is adjacent to multiple properties, the area would extend no farther from the Applicant's residence than the midpoint between that residence and any other residence. On a case-by-case basis, the DRC may approve adoption of a larger area, but in such cases, if an adoption request or objection is received by an owner whose property is

adjacent to the impacted or proposed Adoption area, the adoption approval may be restricted. If this occurs after the DRC has provided approval for a larger area, the homeowner will be notified by the management company, and any disputes between homeowners will be heard by the BOD in executive session.

Any maintenance, alteration, or recreational activity that individual homeowners choose to do on any HOA Natural Area is at their own risk without any recourse against the HOA in the event of injury to themselves or others. Homeowners and residents assume all liability for any entry into, use of, and actions within Natural Areas by themselves, members of their households, guests, invitees, contractors, or anyone acting by, through or under their authority. Where the property is also environmentally protected by State and Federal regulations and/or the covenants and restrictions that create the Virginia Oaks Nutrient Bank, damage may result in increased penalties.

Where homeowners or residents were already taking care of a piece of property before the 2020 purchase of the property by the HOA, they had to submit an application for Adopted Area Maintenance. Grandfathering has closed.

Prior maintenance approval does not transfer to new homeowners/occupants.

Because HOA property belongs to the HOA and not the individual homeowners, and because much of it is environmentally protected, there are some things that homeowners and residents are not allowed to do, even with an application. Examples of these are listed in the "[Alterations Never Allowed](#)" section of these Guidelines.

To avoid potential damages or penalties, check with the DRC before making engaging in any alteration, encroachment, maintenance, or activity that would result in any change to existing or developing woodland, trees, and other vegetation. In many cases, the DRC may need to also obtain approval from Conservation Plus, the Nutrient Bank Sponsor, but the DRC will coordinate that as appropriate. [No maintenance is permitted without a fully approved application.](#)

In no circumstances may any individual homeowner or resident cut, remove, or in any way tamper with, trample, break, or damage the recently planted pine, sycamore, white oak, and red maple saplings or young trees. If damaged, these trees will need to be replaced at the expense of the person who damaged them.

No fires are allowed on any HOA Property except in specifically designated places. Hunting (including bow hunting), shooting, and use of any firearm, including but not limited to BB-guns or airguns, is strictly prohibited.

Camping, sledding, archery, and allowing dogs off leash are all specifically prohibited by the BOD at this time without specific prior approval, but may be allowed in specifically designated areas by the BOD in the future pending an appropriate and comprehensive legal, safety, and logistical review, estimated completion in summer of 2020, to establish locations and rules for safe use.

Bald Eagle nests are additionally protected by Federal law, and no maintenance or disturbance is allowed within 330 feet of a Bald Eagle nest. Residents are encouraged not to disturb ANY wildlife.

4. Adoptable Area

Any homeowner whose property backs to natural areas of HOA-owned property has a designated “adoptable area” assigned to their residence by virtue of their location. This adoptable area can be determined by using the following steps:

- ❖ Navigate an Internet browser to Prince William County Mapper (<https://gisweb.pwcgov.org/webapps/CountyMapper/>).
- ❖ Use the binoculars icon on the tool bar to search for the home address.
- ❖ Use the (I)dentifier icon on the toolbar and click Parcel then the I icon on the bottom left of the pull down option menu to identify the home’s property boundaries.
- ❖ Enlarge the image to its largest size and print it.
- ❖ Take a ruler to follow the home’s side property boundaries (sidelines) and extend the sidelines into the HOA-owned area behind the home until you reach the first of any of the following features:
 - ◆ Any landscaped area owned by the HOA. This includes area that is mowed or maintained by HOA landscapers, mulched beds, etc.
 - ◆ Any boundary for property not owned by the HOA.
 - ◆ The halfway point between the back boundary line of the home and the back boundary line of the nearest home or property behind it.

Homeowners may perform or grant permission for someone else—a contractor, neighbor, friend, etc.—to perform maintenance within that adoptable area on their behalf only **after** they have properly gone through and been approved for the process of Adoption (see [Adopted Area](#) below).

To safeguard HOA property on behalf of all homeowners and protect the integrity of the developing Nutrient Bank, the community performs a number of routine encroachment inspections each year. Homeowners may be held accountable for any unauthorized maintenance or activity within the adoptable area defined for their residence.

Unauthorized maintenance or encroachment can result in HOA fines and other remedies as allowed under Virginia law. Reimbursement would also be sought for reasonable attorney’s fees, and in some cases, also for fines and penalties from State and Federal agencies. For this reason, it is critical that all homeowners familiarize themselves with the area that is “Adoptable” by them.

To avoid confusion, if a neighbor wishes to perform maintenance within a neighbors Adoptable Area, they may do so only with permission of the homeowner for whom that Adoptable Area is defined, and only after that original homeowner has submitted and been granted approval to maintain that Adoptable Area.

If someone else, another homeowner, or anyone, performs maintenance within a homeowner’s Adoptable Area without their permission, they are asked to immediately report the activity to the Management Company (Management@VirginiaOaks.org) to avoid potential penalties or fines.

5. Adopted Area

A homeowner's adoptable area of HOA Property for which the homeowner has obtained permission from the DRC, and if applicable also from the Nutrient Bank Sponsor, to perform specific maintenance. Approvals for Adopted Area Maintenance are kept on file by the Management Company and can be authorized for one-time clean up or for up to a ten (10) year period. Adopted Area Maintenance Approval does not transfer when a home is sold.

6. Lake Manassas Areas

Property owned by the City of Manassas along the shore of the 770-acre Lake Manassas drinking water reservoir. In addition, in HOA-owned areas, up to 100 feet from the Lake may fall within the Chesapeake Bay Preservation Area. Areas near the Lake are subject to additional local, State, and Federal environmental, conservation, and other protections. In addition to replacement costs and attorneys' fees resulting from damage, there may be substantial fines and penalties imposed by local, state, and Federal agencies for violations.

Maintenance activity by homeowners within 100 feet of the lake is strictly prohibited, and areas near Lake Manassas Areas cannot be "Adopted" for maintenance. Lake Manassas is not a community amenity. It is a drinking water reservoir and must be treated with care.

No camping or fires are allowed within Lake Manassas Areas and no fishing is allowed without full compliance with City, County, and State regulations and licensing requirements. No maintenance or disturbance is allowed within 330 feet of Bald Eagle nests.

B. GUIDELINES OBJECTIVES AND APPLICATIONS

This document's objective is to guide homeowners, residents, and members of the DRC and BOD in maintaining, enhancing, and protecting the Virginia Oaks environment. It is not intended to be all-inclusive or exclusive, but rather to serve as a guide to what is and is not permissible.

Where not otherwise stated, please note that these Guidelines apply to "Major Alterations" and "Minor Exterior Changes" and improvements for residential Private Property. All applicable Private Property alterations and changes require an application signed by the homeowner to be submitted to the DRC for approval. The "Major Alterations" and "Minor Exterior Changes" sections of these Guidelines do not apply to any HOA Property or Lake Manassas Areas.

Efforts by HOA homeowners and residents to improve maintenance and/or the natural environment can add to the value of life for all Community residents. These efforts are welcomed and appreciated. To protect homeowners and residents, as well as the HOA and the environment, any alteration, encroachment, maintenance, use of mulch, fertilizers, or chemicals (see [Chemicals Approved/Unapproved for Use in the Appendix](#)), or any activity resulting in changes to existing or developing woodland, trees, and other

vegetation by a homeowner or resident on HOA Property requires permission from the DRC and possibly also from the Nutrient Bank Sponsor. Any HOA homeowner or resident who wishes to do so must submit an application for Adopted Area Maintenance for the [adoptable area](#) near their home. This specifically includes, but is not limited to, activities like weeding and mowing, especially for areas where such maintenance could harm or damage any planted saplings or young trees. Unauthorized maintenance or damage to HOA-owned property may result in HOA fines and other remedies as allowed under Virginia law. You would also be for reasonable attorney's fees, and in some cases, also for fines and penalties from State and Federal agencies.

Where homeowners or residents were already taking care of a piece of property before the 2020 purchase of the property by the HOA, certain continued maintenance was grandfathered as part of the Adopted Area Maintenance process. Grandfathering has now closed.

These Guidelines set forth both the possibilities for appropriate action and the things homeowners should avoid doing on HOA Property.

Overall, these Guidelines are established to:

- ❖ Help homeowners and residents understand the interconnected types of property within the Virginia Oaks Residential Planned Community and their roles and options in interacting with, using, and maintaining property within the HOA.
- ❖ Protect and enhance the value of the community by preserving and enforcing the HOA Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements, as well as the Declaration of Restrictive Covenants for the Nutrient Bank that is part of the property owned by the HOA.
- ❖ Enhance awareness and understanding of the Covenants.
- ❖ Enhance awareness and understanding of the Nutrient Bank and homeowner and/or resident responsibility for averting damage to the Nutrient Bank and liability (including but not limited to potential costs, attorneys' fees, and/or potential State and Federal fines and penalties) resulting from such damage.
- ❖ Describe the organization, procedures, and limitations involved with the Guidelines established by the Covenants and Nutrient Bank.
- ❖ Illustrate exterior and landscaping design principles that will aid residents in developing exterior improvements that are in harmony with the immediate neighborhood and the overall community.
- ❖ Assist residents in preparing an acceptable and comprehensible application for submission to the DRC.
- ❖ Provide uniform Guidelines to be used by the DRC in reviewing applications.

While the initial period after the purchase saw the largest number of changes in DRC Guidelines while rules for the new property were put in place, adding 157.5 acres is a big effort. The BOD and its Committees continue to ask for the patience and understanding of homeowners and residents as it works to coordinate and continuously improve policies between all parties and facilitate integration, awareness, education, understanding, use, and maintenance of the additional area.

C. PROTECTIVE COVENANTS

The authority for maintaining the quality of exterior design and the environment in the HOA is found in the HOA's Covenants. These Covenants are part of the deed to every homeowner's property in the HOA. Since these Guidelines are specifically referred to in the Covenants, everything within these Guidelines is legally binding and ensures that the exterior design quality will be maintained throughout the community. This, in turn, protects property values and enhances the community's overall environment.

Every Virginia Oaks property owner receives a copy of the Covenants at settlement. These Covenants establish both the HOA and the DRC. They are binding on all owners, whether or not they have been read.

In addition, parts of the HOA Property are protected by the Declaration of Restrictive Covenants Virginia Oaks Nutrient Bank and the Virginia Oaks Nutrient Bank Nutrient Reduction Implementation Plan and are enforced by the Virginia Department of Environmental Quality (DEQ) and other State and Federal agencies. Homeowners and residents assume all risk and liability for any entry into, use of, and actions within these areas and any HOA Natural Areas by themselves, members of their households, guests, invitees, agents, contractors, or anyone acting by, through, or under their authority. In addition to replacement costs and attorneys' fees for damage, damage within the environmentally protected Nutrient Bank may result in additional fines and penalties.

Because the Nutrient Bank and other HOA Property is an interconnected and adjacent system, for the protection of the HOA, homeowners and residents, and the environment, in no situation may individual homeowners/residents or anyone under their responsibility or acting on their behalf cause any alteration, encroachment, maintenance, use of any fertilizers, or chemicals (see [Chemicals Approved/Unapproved for Use in the Appendix](#)), or any maintenance activity resulting in changes to existing or developing woodland, trees, and other vegetation on HOA Property unless they have first obtained "[Adopted Area Maintenance](#)" approval.

In no instance, whether or not it was a pre-existing area of maintenance, may any new alterations, recreational activities or other uses by individual homeowners or residents damage any saplings or young trees, remove trees or branches larger than three (3) inches at the ground line, remove more than 10% of the overall vegetation in an area, or more than 10% of the limbs from a single tree. (If the removal of noxious or invasive weeds, or other special circumstances requires more extensive cutting, please contact DRC@VirginiaOaks.org for guidance. Homeowners may not encroach on HOA Property in a way that restricts its use or enjoyment for other homeowners and residents. This includes adding any permanent or semi-permanent structures such as those listed in the "[Changes Never Allowed](#)" section of these Guidelines.

D. ROLES OF THE HOA, THE DRC, THE NUTRIENT BANK, AND THE VA DEQ

The role of the HOA, of which every homeowner is a member, is not only to own and maintain open space, but also to conserve and enhance the resources of the total community. The HOA accomplishes these functions in a variety of ways, one of which is by protecting, via the DRC, the community's original harmony of design. Surveys of

planned communities show that such protection also preserves and enhances real estate value within the community and is of prime importance to residents.

The DRC protects the aesthetic quality of the homes and their environment by establishing and monitoring the architectural review process. It is the responsibility of the DRC to verify that proposed Exterior Changes comply with the objectives set forth in the Covenants through regular review of all applications for Exterior Changes.

The DRC also facilitates the preliminary review of applications for Adopted Area Maintenance for HOA [Adoptable Area](#) near residents' or homeowners' private property and, wherever appropriate, coordinates final approval by the Nutrient Bank Sponsor of applications that relate to the Virginia Oaks Nutrient Bank.

The goal of the Nutrient Bank is to protect the environmental benefits that result from the planting of additional trees and the maintenance of ground in fallow condition to reduce environmental impacts on the overall water quality of the Potomac River basin. While there are many ways in which homeowners and residents may, with written permission via the [Adopted Area Maintenance program](#), help support this environment while improving the appearance of HOA Property near their homes, the restrictions and covenants of the Nutrient Bank may specifically prohibit:

- ❖ Any changes or maintenance—whether permanent or non-permanent—made to any HOA property by an individual homeowner or resident [without the express permission of the HOA](#);
- ❖ Alterations and encroachment, including but not limited to those listed in the [“Alterations Never Allowed”](#) section of these guidelines;
- ❖ Use of any fertilizers, mulch, or chemicals (see [Chemicals Approved/Unapproved for Use in the Appendix](#)), including but not limited to pesticides, herbicides, and fungicides;
- ❖ Planting of vegetation not native to the Piedmont region of Northern Virginia;
- ❖ Any activity that results in death, damage, or harm to existing or developing woodland, trees, and other vegetation, including but not limited to the cutting of any tree planted to help establish the Nutrient Bank, or the cutting or removal of any tree larger than three (3) inches in diameter at the ground line or any limb larger than three (3) inches in diameter where it meets the trunk.

The protected land in the Nutrient Bank is monitored by Conservation Plus (the “Nutrient Bank Sponsor”), the Virginia Department of Environmental Quality (DEQ) and other applicable State and Federal agencies. Homeowners and residents assume all risk and liability for any entry into, use of, and actions within these areas by themselves, members of their households, guests, invitees, agents, contractors, or anyone acting by, through, or under their authority. In addition to replacement costs, damage or unauthorized maintenance on HOA-owned property and damage within the environmentally protected Nutrient Bank may result in HOA fines and other remedies as allowed under Virginia law. You would also be for reasonable attorney’s fees, and in some cases, also for fines and penalties from State and Federal agencies.

The DRC, on behalf of the HOA as the owner of the land, works with the BOD and its Committees, the Management Company, the Nutrient Bank Sponsor, various State and

Federal agencies and others to help serve as a liaison in matters related to the Virginia Oaks Nutrient Bank. In the period immediately following the purchase of the former golf course property and through 2020, the BOD and its Committees ask for the patience and understanding of homeowners and residents as it works to coordinate policies between all parties and facilitates integration, awareness, education, understanding, use, and maintenance of the newly acquired property and the Nutrient Bank.

E. COMPOSITION OF THE DRC AND APPOINTMENT

The Board of Directors (BOD) of the HOA appoints the DRC. The DRC must consist of at least three (3) members and may not consist of more than seven (7) members. Members of the DRC shall serve for a term of two (2) years, or until their successors are elected and qualified. Any DRC member may be removed with or without cause by the BOD. The DRC chairperson is elected by the members.

Vacancies in the membership of the DRC shall be filled by a member of the BOD to serve for the remaining portion of the term of the originally appointed member or until a replacement from the community can be identified and qualified. If the BOD cannot immediately fill a DRC vacancy, the remaining members of the DRC may continue to act until a new member is appointed. In the event the BOD is unable to appoint a DRC, the BOD shall serve as the DRC.

F. WHAT REQUIRES DRC APPROVAL

Article V (5.2) of the HOA Declaration of Covenants Conditions & Restrictions states that all exterior changes require the approval of the DRC. Approval is required not only for major alterations such as adding a room or deck to a house, but also for any change to the original appearance of buildings, improvements, and appurtenances. This includes but is not limited to the choice of paint colors, construction materials, window or door styles, exterior lighting, decks, patios, fences, sheds, pools, landscaping structures, and the addition or removal of trees.

Any alteration, encroachment, maintenance, use of any fertilizers or chemicals (see [Chemicals Approved/Unapproved for Use](#)), or any activity resulting in changes to existing or developing woodland, trees, and other vegetation performed or authorized by homeowners or residents on HOA Property, requires permission from the DRC, either as part of a specific community-wide volunteer effort or via the [Adopted Area Maintenance process](#). This includes HOA property that homeowners or residents may have taken care of before the 2020 property purchase by the HOA.

All [Exterior Changes Applications](#) and [Adopted Area Maintenance Applications](#) received by the DRC are reviewed on an individual basis. There are no "automatic" approvals, unless provided for specifically in these Guidelines. Approvals are homeowner and house-specific, e.g., a homeowner wishing to construct a deck identical to one already approved by the DRC elsewhere in the neighborhood is still required to submit an application. This is especially true for Adopted Area Maintenance Applications where homeowners have made alterations or encroachments onto what is now HOA Property in the past (prior to HOA ownership), where every situation will be different.

It is important to note that as technology advances or regulations change, alteration or maintenance requests may emerge that are not addressed in these Guidelines. These improvements will be considered on a "case-by-case" basis by the DRC in accordance with the objectives and general information section contained herein. The BOD will then review the DRC's recommendation in accordance with the Covenants and/or Nutrient Bank, and the objectives and general information section contained herein. In this case, approval or denial of the application will be the responsibility of the BOD. Should any such cases arise, consideration must be given to amending these Guidelines in accordance with the "Amendments to the Guidelines" paragraph contained herein.

G. REVIEW CRITERIA

The DRC evaluates all submissions based on the individual merits of each application. Besides evaluation of the particular design proposal and whether it meets legal restrictions and covenants, this includes consideration of the characteristics of the housing type and the individual site. What may be an acceptable design of an exterior or maintenance of a section of HOA Property in one instance may not be in another location. Judgments of acceptable design or maintenance are based exclusively on the criteria below.

Where the Design and Landscaping Guidelines provide guidance regarding an Application, DRC decisions must follow the guidelines. If no guidelines are available for a homeowner request, or where exceptional circumstances may apply, the DRC must provide a recommendation with detailed information to the Board of Directors, and the decision must be deferred to the Board. In this situation, the homeowner will be notified that additional time will be required before a decision can be provided. Decisions made by the Board regarding an application are final.

- ❖ **Validity of Concept:** The basic idea must be sound and appropriate to the house and its surroundings.
- ❖ **Design Compatibility:** The proposed improvement must be compatible with the overall traditional/colonial architectural aesthetic of the community and the characteristics of the applicant's house, adjoining properties, and the neighborhood setting. Compatibility is described as similarity in architectural style, quality of workmanship, similar use of materials, color, and construction details.
- ❖ **Location and Impact on Neighbors:** The proposed alteration must be compatible with the landscape, the existing structure or nearby structures, and the neighborhood. The primary concerns are access, view, privacy, drainage, sunlight/shade, ventilation, television/satellite reception, and solar technology operation. For example, fences may obstruct views, breezes, or access to adjacent property. Decks, new trees, or large additions may cause unwanted shadows on an adjacent patio property, block sunlight to solar roofing, or infringe on a neighbor's privacy.
- ❖ **Scale:** The size (in three dimensions) of the proposed alteration must be compatible with adjacent properties and surroundings. For example, a large addition to a small house may be inappropriate.
- ❖ **Color:** Color may be used to soften or intensify visual impact. Parts of the addition that are similar to the existing house, such as roof and trim, must match in color.

- ❖ **Materials:** Continuity must be maintained wherever possible by the use of the same or compatible materials as the original house. For instance, the style, color, and type of siding on the original house must remain consistent in siding used in an addition. On the other hand, an addition may be constructed of different materials, siding to brick, for example, provided that the whole remains harmonious in style.
- ❖ **Workmanship:** The quality of work must be equal to or better than that of the surrounding area. Poor workmanship, besides causing the owner problems, can be visually objectionable to others.
- ❖ **Timing:** The alteration authority granted by the approval of a completed [Exterior Changes Application](#) will be revoked automatically if the alteration requested has not been completed within six (6) months or by the dates specified by the Prince William County Building Permit. If a Permit extension is requested and granted, the DRC must be notified of this and the DRC approval extension is automatic.
- ❖ **Code Compliance:** All proposed alterations must comply with all Federal, State, and County codes.
- ❖ **Encroachment and Respect of HOA-Owned Property:** Any alteration, encroachment, maintenance, use of any fertilizers or chemicals (see [Chemicals Approved/Unapproved for Use in the Appendix](#)), or any activity resulting in changes to existing or developing woodland, trees, and other vegetation must comply with all applicable City of Manassas, Prince William County, State of Virginia, and Federal restrictions, covenants, laws and protections and must be approved by the DRC prior to commencement of any work or maintenance effort. In some cases, they must also be in full compliance with the covenants and restrictions of the Nutrient Bank and most recent Nutrient Bank Nutrient Reduction Implementation Plan as approved by the Virginia Department of Environmental Quality, be approved by the Nutrient Bank Sponsor. All alterations must also be reversible, maintainable, and sustainable. Permission previously given for Adopted Area Maintenance may be rescinded for violations of any policies and guidelines, or due to changes required as the DRC and BOD react to situations that have arisen due to homeowner actions or suggestions. Local, State, and Federal regulations and laws may also require changes.

H. AMENDMENTS TO THE GUIDELINES

The DRC will conduct a periodic evaluation of these Guidelines to determine if amendments are required. Owners may also submit written requests to the DRC for changes to the Guidelines. Please note:

- ❖ Changes approved by the DRC must be submitted to the BOD for approval and final adoption;
- ❖ Changes approved by the BOD are binding on all homeowners whether or not they have been read. These changes may impact previously approved Applications.

I. EXTERIOR ALTERATION APPLICATIONS

The Exterior Changes Application form (see [Appendix A1](#)) provides information that is used, along with other information that may be required by these Guidelines, in

determining the scope and detail of the proposed changes desired by the Applicant. Each alteration requested must be described in detail and submitted on a separate application form, together with a [House Location Survey Plat](#), supplements, specifications, and photographs attached as [specified in these Guidelines](#) or as necessary for clarity.

All applications must be signed by the appropriate number of neighbors most impacted by the proposed alteration or maintenance (see specific requirements in Appendix A1).

Signatures obtained from these homeowners indicate awareness of the proposed changes only and do not constitute approval. If any homeowner affected by the proposed alteration objects thereto, that objection must be communicated in writing to the DRC via the Management Company prior to the DRC's review of the application. If a neighbor refuses to sign the application form, the applicant must attest to that fact on the application form. The DRC must consider such objections by other neighbors as the DRC processes the application.

J. ADOPTED AREA MAINTENANCE APPLICATIONS

The DRC asks everyone to check their official [House Location Survey Plat](#) and familiarize themselves with their property boundaries. These may be different than expected. Prior maintenance by previous owners can make a yard appear visually larger than its legal boundaries. If the official Plat is unavailable, please visit the [Prince William County Mapper](#) and use the search to find the parcel information. This will contain the boundaries as well as satellite imagery of the property and historical images to help determine where the house lot ends and HOA property and neighboring property begins.

No individual homeowner in Virginia Oaks has the authority or right to alter or maintain any property other than their own. To give homeowners some flexibility in use and maintenance of HOA-owned property within a limited area behind their homes, individuals can apply to the DRC for permission to perform specific maintenance activities. The [Adopted Area Maintenance Application \(AAMA\) Process](#) is outlined later in these Guidelines. Any homeowner who wants to do ANYTHING on HOA property must first complete and submit an AAMA for written approval.

Adopted Area Maintenance approval does not transfer from one homeowner to another. Continuing to mow or maintain an area previously maintained by former property owners will require a new Adopted Area Maintenance Application and approval from the DRC.

Please reach out to DRC@VirginiaOaks.org or the management company if you have questions about prior or existing Adopted Area Maintenance approval.

See [Part III. Homeowner Use and Maintenance of HOA Property](#).

K. HOUSE LOCATION SURVEY PLATS AND DRAWINGS

An official House Location Survey Plat (official survey) is required as part of any application that removes trees on Private Property or changes the shape or location of

buildings, improvements, and appurtenances. The House Location Survey Plat is a scaled drawing of the homeowner's lot (homesite) which shows exact dimensions of the property, adjacent properties if applicable, and all improvements, including those covered by the application. Contour lines are required where drainage is a consideration. In most cases, the House Location Survey Plat is the plan/survey that was provided with the purchase of the home, and this drawing is also required for all permits and zoning approvals from the County. If it is not included with purchase documents, a copy should be available through the realtor or title company. For landscaping applications involving no permanent structures, changes in existing grade, or manmade materials, where the House Location Survey Plat is unavailable, a Site Plan may be created from a screen shot of the lot from County Mapper may be submitted, provided that the screenshot is blown up to 8.5" X 11" scale, and that all dimensions and measurements are marked, including the distance from the home to all property lines. Please note that more complex applications may require larger-scale blowups of the House Location Survey Plat or Site Plan.

A House Location Survey Plat is also required as part of any proposed application for an Adopted Area Maintenance Limited License for HOA Property. Together with the House Location Survey Plat showing boundaries of the homeowner's lot, the application package must also include:

- ❖ Drawing, including measurements, of the area to be adopted, clearly showing any areas planted with saplings or young trees and the number and location of each such tree. The drawing must also show any natural boundaries, including but not limited to the Paved Trail, established brush or woods, applicable tree line(s), neighboring properties, etc. Wherever applicable, this drawing should also show the back and side boundaries of any neighboring lots and the homeowner's or resident's lot;
- ❖ Photographs of the area in its current condition showing that all saplings and young trees have been flagged or marked with temporary flagging tape;
- ❖ Drawing showing any proposed changes involving vegetation removal other than mowing;
- ❖ Drawing showing the location and specific type (name(s)) of any vegetation native to the Piedmont region of Northern Virginia that the applicant proposes to plant. (See the [Native Plant List Sources section of the Appendix.](#)) This can be the same or a different drawing as number 3 above.

L. SETBACK REQUIREMENTS AND SIGHTLINES

No backyard structures such as playsets or sheds may be visible from the street.

All structures included on a homeowner's lot must adhere to the community setback requirements from the homeowner's property boundaries. This includes but is not limited to patios, decks, playsets, sheds, gazebos, room additions, driveways, walkways, etc.

Provided that a copy of the official [House Location Survey Plat](#) is available to the DRC and the fence installer, fences may be placed on the property line.

Any structure that is placed over the property line or fails to meet the appropriate setback

requirements will need to be removed by the homeowner or may be removed by the HOA with all costs billed to the homeowner.

Please review the following chart according to the size of your lot. Lot sizes may be found on the House Location Survey Plat or in Prince William County Mapper. (To convert acres to feet, multiply by 43560.)

Lot Size	Ground-level non-mortared, non-permanent flagstone/gravel less than 33% of total area	Permanent construction under 8 inches max height above existing grade or flagstones/gravel equal to or more than 33% of total area	Over 8 inches max height (PWC Zoning Regulations)
Under 10K sq ft	Front: No setback Side: No setback Back: No setback	Front: 15 feet Side: 2 foot Back: 2 feet	Front: 15 feet Side: 5 feet Back: 8 feet
10K sq ft and over	Front: No setback Side: No setback Back: No setback	Front: 25 feet Side: 3 feet Back: 5 feet	Front: 25 feet Side: 10 feet Back: 10 feet

Due to potential light, sound, and heat impact on neighboring properties, patios, driveways, walkways, and ground level decks constructed after March 1, 2022 must follow the above setback requirements, unless a waiver is expressly granted by the DRC and/or the BOD due to property location specifics and neighbor impact.

To be considered for a setback waiver from the DRC and/or BOD, any ground-level construction within designated setbacks requires a professional survey and staking, and the survey plat must be submitted to the DRC together with the application to reduce the possibility of permanent structures being accidentally placed on adjacent property.

M. APPLICATION AND REVIEW PROCEDURES

All applications (see [Appendix A1: Exterior Changes Application](#) and [A2: Adopted Area Maintenance Application](#)) must be submitted at least seven (7) days prior to the next scheduled DRC meeting to be considered for that meeting. All applications must be either:

- ❖ Uploaded via the community website at <http://www.VirginiaOaks.org/DRC/Uploads;>
- ❖ The homeowner may make an appointment with the community manager and deliver the application in person at the Community Center (Clubhouse).

No other method of submission is valid.

On receipt, the application will be timestamped and the Management Company will perform a cursory review to determine whether:

- ❖ The correct application form has been used;
- ❖ The application form submitted is the correct, most-recent version as currently available from <http://www.VirginiaOaks.org/DRC>;
- ❖ All required questions are answered on the form the application is complete in accordance with these Guidelines;
- ❖ All signatures required have been included;
- ❖ The submission includes any and all supplemental materials needed for the DRC to make an informed decision.

If the application is incomplete or information required for the DRC to make an informed decision as to whether the project meets the Guidelines is missing, the Applicant will be notified by the Management Company as soon as possible.

Complete applications shall be uploaded by the Management Company for review by DRC members at least seven (7) days in advance of the next scheduled meeting. At the next appropriate meeting, the DRC will again check each application for complete information as required by these Guidelines. If the DRC determines that the application is complete, the review process shall begin and the DRC will review the application.

The DRC must act on all Exterior Alteration Applications within forty-five (45) days of receipt thereof by the Management Company. If a decision on an application is deferred to the Board, the homeowner will be notified within 45 days that the DRC is unable to make a decision and has provided a recommendation to the Board, which will issue a decision after the next scheduled meeting. The DRC must act on applications for Adopted Area Maintenance within ninety (90) days of receipt thereof by the Management Company.

If approved by the DRC, the Adopted Area Maintenance application may need to be sent by the DRC or Management Company to the Nutrient Bank Sponsor in a batch with other applications for final consideration. For applications involving proposed adoption of Nutrient Bank Areas, Virginia Oaks, LLC and/or the Nutrient Bank Sponsor retain the right to perform pre-approval inspections and request additional information or documentation. Sole right for final approval of Limited Licenses on Nutrient Bank Areas shall be reserved to the Nutrient Bank Sponsor. The DRC cannot make any guarantee of approval or the timeline required for approval by the Nutrient Bank Sponsor.

No work or maintenance relating to an Exterior Alteration or Adopted Area Maintenance application until the homeowner or resident is notified by the DRC via email that all final appropriate approvals have been granted.

Each decision made by the DRC and, if applicable, the Nutrient Bank will be documented electronically.

DRC decisions are not binding until ten (10) days after decision to allow time for the applicant, neighbors, or other HOA members to appeal the decision to the BOD.

N. WHAT TO INCLUDE WITH YOUR APPLICATION

All application packages must include enough basic information to let the DRC make an informed decision about whether or not your project meets the Design and Landscaping Guidelines, including [setback requirements](#) and neighbor impact.

Submissions must include the appropriate completed [Exterior Application](#) or [Adopted Area Maintenance Application](#) form from the Appendix of the Design and Landscaping Guidelines most recently available from <http://www.VirginiaOaks.org/DRC>.

Supporting details and documents needed for evaluation must be provided, including:

- ❖ Project description in detail, including size, style, shape, color, materials, manufacturer and brand, etc.;
- ❖ The estimated project start and completion dates;
- ❖ The requested number of neighbors' signatures, including those who would be most impacted by the changes;
- ❖ Completed signature page of the current application form, including marks in all appropriate checkboxes;
- ❖ Copy of the official House Location Survey Plat (see [House Location Survey Plats](#)) for all projects beyond the original exterior walls of the house. The proposed project should be marked on the Plat, showing the relative size (at scale) and location of the proposed work and its relationship to the property boundaries and easements, the applicant's house, and any existing decks, patios fences, and/or accessory structures, or significant vegetation;
- ❖ Architectural drawings for any structural change or addition of or to any building, shed, room addition, deck, screened porch, greenhouse, playhouse, etc.;
- ❖ Minimum 8 ½ by 11- inch at scale drawing, including measurements and locations, for all ground-level or non-architectural and landscaping projects beyond the original exterior walls of the house. This drawing must show the project in detail, including its relationship to the house and other design elements;
- ❖ Any information sheets or sample photos available from the contractor, manufacturer, builder, or comparable properties with similar projects to illustrate what the finished work would look like;
- ❖ Photos of the existing space;
- ❖ For Adopted Area Maintenance Applications only, photos showing that all young trees have been flagged;
- ❖ Specific details on any proposed grading or drainage changes or potential impact to neighboring structures or properties;
- ❖ If building permits or County zoning approval is required, copies of any approvals that have already been obtained (see above);
- ❖ For any project that doesn't clearly meet the current Design and Landscaping Guidelines but appears to have been completed elsewhere in Virginia Oaks, provide photos and addresses to allow the DRC and Board to determine whether the Guidelines could or should be amended.

O. APPEALS PROCEDURE

Decisions by the Nutrient Bank Sponsor and the DRC relating to Adopted Area Maintenance Applications shall be final and no appeal for such decisions shall be available. To be approved, Adopted Area Applications must meet all terms of these Guidelines as well as the Nutrient Bank Restrictive Covenants, the Nutrient Bank Nutrient Reduction Implementation Plan, and City, County, State, and Federal guidelines and ordinances, including those related to the Chesapeake Bay Preservation Area. Where the DRC or Nutrient Bank Sponsor has provided specific guidance on how to meet these criteria, homeowners may choose to submit a revised application.

For Exterior Changes Applications, an appeals procedure exists for applicants affected by an unfavorable DRC decision or for other residents who become aware of the requested alteration and object to the proposal. The appeal is to the BOD.

The DRC shall notify the applicant within seventy-two (72) hours if the DRC's decision was unfavorable. If the DRC decision is unfavorable, the applicant may appeal directly to the BOD at its next regularly-scheduled meeting by notifying the Management Company and the DRC at DRC@VirginiaOaks.org. The applicant and other interested parties wishing to speak may appear before the BOD.

The appeal to the BOD shall be heard by at least three members of the BOD who are not on the DRC. If any BOD members serve on the DRC, they shall recuse themselves. A majority vote of the BOD shall decide the appeal. The applicant and other interested parties participating in the appeal shall be informed by the Management Company of the final decision of the BOD no later than seven (7) days after that BOD meeting. Where the Board has ruled on an application deferred by the DRC, no appeal is available.

For Exterior Changes Applications, other residents who become aware of the requested alteration and object to the proposal may also appeal to the BOD.

P. ENFORCEMENT PROCEDURES

The Covenants (Article V, 5.4) require the DRC to ensure compliance of all lots within the HOA for Architectural Guidelines and aesthetics. The BOD has adopted enforcement procedures as set forth in the "[Enforcement for Violations](#)" Appendix.

Homeowner activity and/or maintenance on HOA-owned property is not the same as activity on a homeowner's private property. Damage to HOA property resulting from resident activities may result in [legal and/or criminal penalties](#). Covenants and restrictions that apply to the Virginia Oaks Nutrient Bank may be enforced by the Nutrient Bank Sponsor, the Department of Environmental Quality, and other State and Federal Agencies. The Nutrient Bank Sponsor, Virginia DEQ, and any other applicable State and Federal Agencies, may inspect HOA property, including Adopted Areas, that is part of the Nutrient Bank at any time, with or without notice.

Where an area of HOA Property is also environmentally protected by State and Federal regulations and the covenants and restrictions that create the Virginia Oaks Nutrient Bank, damage may result in increased penalties.

Q. PRIVATE PROPERTY MAINTENANCE REQUIREMENTS

Property owners are responsible for maintenance of all structures and grounds on their property. Each owner or tenant must at all times keep his/her premises, buildings, improvements, and appurtenances in a safe, clean, neat, and sanitary condition. This includes, but is not limited to, such [landscaping items](#) as seeding, watering, and mowing of all lawns, pruning and cutting of all trees and shrubbery, as well as painting or other appropriate external care of all buildings, trash removal, structural maintenance, and overall appearance.

Maintenance or repairs of the dwelling or structure of the same color and material do not require an application. Violations of maintenance Guidelines are violations of the Covenants.

1. Dwelling and Structures

Residents are responsible for maintaining the exterior of their dwellings and any other structures on their lots such as decks, fences, sheds, and playground equipment. While it is difficult to provide precise criteria for what the Association deems as unacceptable conditions, the following cases represent some of the conditions, but not all conditions, that would be considered as violations of the Covenants.

2. Mowing and Plantings

Grass areas must be mowed at regular intervals, maintaining a maximum height of six inches (6") and a minimum height of two inches (2"). Planted beds must be kept in a neat and orderly manner and four-season shrubs must be maintained along the foundation. Note: grass exceeding 12 inches will be reported to the County as a violation, and the County may then mow the property at the owner's expense. The Management Company may also contract for grass to be mown at the owner's expense if there have been repeated violations or complaints by other homeowner's or tenants. Trees must be given care to remain healthy and properly trimmed—no tree topping is allowed for any tree other than crepe myrtles.

3. Weed Control

Residents are responsible for ensuring all landscaping areas are kept planted with grass, trees, or shrubs and be clear from all weed growth.

4. Trash, Waste, and Snow Removal

Residents are responsible for removing litter on their property as well as for removing debris, ice, and snow on their sidewalks.

5. Erosion Control and Drainage Management

Residents are responsible for seeing that their lots are protected from erosion, and that storm drain structures are not blocked so as to cause additional erosion problems. Residents are responsible for maintaining proper drainage through their property and

for not blocking or hindering natural drainage from adjoining properties

6. Pesticides and Herbicides

Due to the close proximity of Lake Manassas, the Association was required to develop a maintenance program for residential and HOA Property . This Guideline recommends the use of pesticides and fertilizers that may be used on Private Property in accordance with the HOA's County zoning documents. A copy of the recommended maintenance program for residents is available in the [Yard Chemical and Fertilizer Recommendations](#) Appendix of these Guidelines, and a copy of the HOA's chemical use projections is available from the Management Company upon request. Emphasis should be placed on organic / biodegradable materials to ensure the least harm of the natural environment. Care in application is important. If at all possible, the use of pesticides and herbicides should be avoided. All use of fertilizers, and any use of unauthorized pesticides, herbicides, fungicides and other chemicals (see the [Chemicals Approved/Unapproved for Use Appendix](#)) on HOA Property requires an application for Adopted Area Maintenance.

R. DISCLOSURE PACKET

Upon request of the homeowner or a person so designated by the homeowner, a Disclosure Packet, as required by the Virginia Property Owners Act, will be completed and issued to the requestor prior to the closing date of the sale of the home. This disclosure packet provides information on the current status of assessment payments and on the existence of any architectural violations.

Any exterior alteration that has been made since the builder completed his approved plan must have an approved DRC application in the lot file for that address. Lack of an approved application shall constitute a violation.

The one exception involves structures such as decks and fences that were originally offered as builder options and are shown on original new construction House Location Survey Plats issued at the time the house was built. Assuming the builder has constructed one of these options to exact builder option specifications, it shall be considered approved.

When this rare situation occurs, there is no record of these builder options on file at the Virginia Oaks Association. In order to have these builder options recorded and on file at the Virginia Oaks Association, it is the responsibility of each homeowner to provide documentation acceptable to the DRC of the builder option(s). An acceptable form of documentation would be a copy of the contract between the builder and the original homeowner including this option.

The disclosure packet helps to protect the future buyer against unknown problems with past owners' architectural changes. If everything is in order, this also protects the seller from potential lawsuits involving violations of the Covenants by subsequent owners.

To obtain a disclosure packet for a property, the homeowner or authorized representative may send a written request to the Management Company.

Part II. Changes to Private Homes and Yards

Any changes to the appearance of the exterior of the home or the yard within the property boundaries defined as part of the lot at the homeowner's specific address are governed by the community's Design and Landscaping Guidelines and may require an approved Exterior Changes Application from the DRC. (Use the application in [Appendix A1.](#))

This section does not address any changes on property owned by the HOA. (See [Part III: Homeowner Use and Maintenance of HOA Property](#))

A. APPROVAL FROM ALL PWC COUNTY AND OTHER AUTHORITIES IS REQUIRED

All projects approved by the DRC are contingent on the applicant obtaining any and all County building and zoning permits that may be required.

County standards may vary from standards established within the HOA. In no circumstances will County approval require the DRC or Board to approve a project that is not in keeping with the Design and Landscaping Guidelines.

If County building or zoning permits are denied or the project description is changed to obtain County approvals, DRC approval is automatically removed and the applicant will need to submit a new package to the DRC.

B. MINIMUM PROJECT REQUIREMENTS

- ❖ All alterations must be compatible with the overall traditional or colonial style of the community.
- ❖ All changes must be compatible in scale, materials, and color with the applicant's house and nearby homes without altering or impairing the views, privacy, drainage, landscaping, amount of sunlight or natural ventilation, television or satellite reception, or use of solar technology on adjacent properties.
- ❖ Changes in grade or other conditions that could affect drainage, privacy, views, light/shade balance, landscaping, television/satellite reception, or solar operation on neighboring properties must be indicated on the application. Approval may be denied if adjoining properties are adversely impacted by such changes.
- ❖ The required number of signatures of the neighbors most impacted by a change cannot be waived by the DRC. These signify awareness of the proposed project by that neighbor and allows them an opportunity to appeal if they believe their property would be adversely impacted.
- ❖ Construction for any project that might require DRC approval may not begin until 10 days after DRC approval, or notification that no approval is required, has been provided to the applicant by the DRC to allow time for neighbors to appeal.
- ❖ Construction materials may not be kept on the property beyond the estimated completion date of the projects and must be stored as unobtrusively as possible during construction.
- ❖ Once construction begins, the aim should be to complete construction within eight

(8) weeks or less to minimize disturbance to neighbors.

- ❖ Construction equipment may not be used before 7:00 am or after 7:30 pm.

[The Exterior Changes Application form](#) is included in the Appendix of these Guidelines. Only the current form located in the Guidelines at <http://www.VirginiaOaks.org/DRC> will be accepted by the management company for review. All questions on the application must be completely answered and all supplemental information necessary for the DRC to understand and evaluate the project must be included before the DRC can issue an approval.

The DRC will review each individual application for major alterations according to the procedures detailed in Part I of these Guidelines. For extensive changes, applicants may call the Management Company or a member of the DRC for guidance.

C. WHICH EXTERIOR CHANGES DON'T REQUIRE DRC APPROVAL?

If you want to refresh existing elements of your home with the same style and/or color, that will not require approval by the DRC. (See appropriate sections of the guidelines for additional information.) This would include:

- ❖ Approved holiday lighting (see [Holiday Lighting](#));
- ❖ Firewood stacks of specific dimensions not visible from the street;
- ❖ Replacing roof shingles with new shingles in the same color, design, and quality;
- ❖ Repainting or replacing trim, shutters, exterior doors, and garage doors in the same style and color;
- ❖ Replacing windows in the same shape, size, style, grid configuration, and trim color;
- ❖ Replacing shutters in the same shape, size, and color;
- ❖ Replacing siding in the same color and style;
- ❖ Replacing exterior lighting with fixtures in the same style, size, and color;
- ❖ Replacing exterior air conditioner, attic ventilators, metal flues, gutters, and downspouts;
- ❖ Resealing driveways;
- ❖ Power washing concrete, siding, and walls;
- ❖ Repainting or replacing mailboxes in the approved style and color;
- ❖ Adding or changing deck or patio furniture in the backyard where it would not be seen from the street;
- ❖ Adding or changing *portable* grills or fire pits where they would not be seen from the street;
- ❖ Replacing small plants or low-growing shrubs/bushes with similar quantities and styles as long as:
 - ◆ four-season plantings are maintained every few feet along the front wall of the home; and
 - ◆ new plantings have no potential to negatively impact a neighboring home's

safety, privacy, views, drainage, landscaping, television/satellite reception, or solar system operation.

D. WHAT CHANGES DO REQUIRE AN APPLICATION?

Please read [Changes Never Allowed](#) below, and then review all details and additional information in the Guidelines section appropriate for the project.

Whether or not additional information is described specifically within those sections, the following types of changes will always require an approved Exterior Changes Application before work can begin:

- ❖ Anything that adds, removes, or changes any structure on the homeowner's lot, including but not limited to room additions, fences, sheds, gazebos, decks, patios, porches, swimming pools, hot tubs, greenhouse, playsets, swings, trampolines, firepits, etc.;
- ❖ Anything that changes the size, shape, style, or color of any element or design feature on the home's exterior or of any other structure on the lot, including but not limited to walls/siding, windows, doors, porticos, lighting, shutters, awnings, driveways, stairs, mailboxes, etc.;
- ❖ Any landscaping that would remove or materially alter four-season foundation plantings from the front wall of the home;
- ❖ Any landscaping that would add, remove, or change hardscaped elements of landscaping such as patios, decks, walkways, walls, raised beds, benches, statues, etc.;
- ❖ Removal of trees in or near the front yard;
- ❖ Anything that changes grading or drainage;
- ❖ Anything that could change or impact a neighbor's safety, privacy, views, drainage, landscaping, television/satellite reception, or solar system operation.

E. CHANGES NEVER ALLOWED

Nothing that is illegal, prohibited, or unauthorized under local, state, or federal laws or regulations is permitted whether or not it is specifically prohibited in these Guidelines.

The following list of prohibited items is not meant to be all-inclusive or exclusive, but rather to serve as a general guide as to what is not permissible. These are examples of changes, structures, and activities that are not allowed in Virginia Oaks:

- ❖ Bee hives;
- ❖ Chickens or caged wildlife;
- ❖ Doghouses and dog runs;
- ❖ Detached garages;
- ❖ Detached greenhouses;
- ❖ Detached sheds (except as provided in the Storage Sheds and Gazebos section);
- ❖ Clotheslines;

- ❖ Permanent, free-standing flagpoles;
- ❖ CB antennas on poles;
- ❖ Storage of equipment, trailers, recreational vehicles, boats, etc.;
- ❖ Storage or driveway parking of inoperable vehicles;
- ❖ Storage of discarded household items, wood piles, compost, trash bags or containers, construction materials, discarded brush, limbs, leaf piles, and/or any items covered by a tarp or plastic or in any way unsightly or obtrusive;
- ❖ Any proposed additions that adversely impact the use or value of adjacent properties will not be approved.

F. WHAT TO INCLUDE WITH YOUR EXTERIOR CHANGES APPLICATION

See the [What to Include with Your Application](#) section in Part 1 of these Guidelines. All Exterior Changes Application packages must include enough basic information to allow the DRC to make an informed decision about whether or not your project meets the Design and Landscaping Guidelines, including an official House Location Survey Plat showing that setback requirements are met and revealing potential neighbor impact.

G. GUIDELINES FOR EXTERIOR CHANGES

DRC approval provided for any structural alteration is conditional on the homeowner/contractor having received all appropriate permits and approval from all relevant governing bodies before construction begins and remaining fully in compliance with all building rules and regulations.

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

1. Fences

The preservation of open space and natural features enhances the Virginia Oaks community, both on Private Property and throughout HOA Property. No fencing installations, including electronic or invisible fencing, are allowed on HOA Property, and homeowners may in no way create structural, vegetative, or other barriers to impede free passage and entry by other homeowners on HOA-owned property.

An [Exterior Changes Application](#) is required for all fencing, visible and invisible. Fencing may not extend forward of the back corners of the house, and front yards may not be fenced. Fences must be maintained in good repair. If rust appears on metal fencing, it must be treated immediately.

(The following rules apply to all fences. See paragraph J. for additional rules specific to Single-Family, Townhomes, Villas, and Swimming Pools & Hot Tubs.)

a. Invisible Electronic Fences for Dogs

The use of “invisible” electronic fences is encouraged along the property line or added to supplement approved fence styles for dogs that persistently climb over

or burrow under. Electronic fences used without a physical barrier should must meet the needs of the individual animal and adequately confine the dog exclusively to a homeowner's property.

b. Wire Mesh for Animal Proofing

Wire-mesh screening may be used to increase security as part of any approved post and rail fence style. The wire mesh must be attached to the inside of the fence and will not extend above the top rail. It may be buried into the ground as needed. Wire mesh must be two-by-four inch (2" x 4") black mesh or two-by-four inch (2" x 4") black vinyl coated welded wire.

If any portion of the fence contains wire or mesh, the same wire or mesh must extend along the entire fence.

c. Approved Fence Styles

Approved fencing in Virginia Oaks minimizes the visual impact of the fence and maintains the open feeling of the community. Approved options (see the [Fence Styles Appendix](#) for illustrations) include:

- ❖ Black four (4) foot rust-free powder-coated aluminum fencing with half (1/2) inch rails. Wood or wood-tone four (4) foot, three-rail post-and-rail fencing with a maximum six (6) inch rail height at the highest point. To allow homeowners to take advantage of increasingly popular low-maintenance materials, if desired, split rail, ranch/paddock or diamond style fencing may be used;
- ❖ Wood or wood-tone six (6) foot board on board privacy fencing may be permitted only in specific locations and circumstances as specified by home type and location below, or around swimming pools or hot tubs in accordance with County regulations.

d. Fence Location Exceptions

Refer to the home type below to determine where fences must be built. A three (3) foot exception may be allowed only for instances where a fence was placed elsewhere by the original builder, or where a minor deviation is required to work around trees, bay windows, deck stairs, basement walkups or other impediments.

e. Fence Posts

Fence posts must be set in dirt or concrete footings and spaced no more than eight (8) feet on center for non-aluminum four (4) foot styles and six (6) feet on center for four (4) aluminum and all six (6) foot fences.

f. Fence Contour

Except in townhomes with six (6) foot fencing, fences must be contoured to grade, not stepped, and must not exceed the maximum allowed height at any point.

g. Materials

Four (4) foot post-and-rail and six (6) foot privacy fences must be constructed of

natural or wood-tone stained (not painted) pressure-treated pine or hard wood (cedar, redwood, etc.), or alternatively in vinyl or composite materials in wood-toned colors as shown in the color chart in Appendix D. Four-foot aluminum fencing must use maintenance-free black powder-coated aluminum only. Fencing that is finished on one side only must be constructed with the finished side facing out.

h. Gates

Gates on the front of the fence (the section that joins to the rear corner of the house) and/or on the back of the fence where the rear property-line adjoins Common Areas. Gates must be compatible with the fencing in design, materials, and height.

i. Construction

Construction must be in compliance with Prince William County building and zoning codes and all approvals must be obtained by the homeowner or contractor from the County directly. A current House Location Survey Plat is required for all fencing installations.

j. Additional Fencing Guidelines by Home Type and Location

i. Single Family Homes

- 1) Except for corner lots, fences must extend on a line perpendicular to the side of the home from the rear corner of the home to the side property line, then proceed to the rear property line, then proceed along the rear property line.
- 2) Fences for homes that are on corner lots where the side of the property is adjacent to either a roadway or a pipe-stem must extend from the rear corner of the house to the rear property line of the home. The fence must be parallel to the side of the house that is adjacent to the respective roadway or pipe-stem. (See the [Fence Styles Appendix](#) for a Corner Fence Location illustration).
- 3) Lots that border commercial property or Lakeview Estates may erect a six (6) foot board-on-board privacy fence on any boundary adjacent to the commercial or Lakeview Estates. (See the [Fence Styles Appendix](#) for illustration.) If the home is already eligible for privacy fencing on two sides and the homeowner wishes to have all three sides of the fence match, they may request a waiver from the DRC for Board review on a case-by-case basis.

ii. Villas and Townhomes

- 1) Gates are allowed between the home and side yard and where the rear property-line adjoins Common Areas. Gates must be no more than three-foot (3'0") wide and must match the fence height.
- 2) Fencing in townhomes (not villas) will be stepped in sections to conform to existing grade. Post and rail fencing in villas must be contoured to grade.

- 3) Except for corner/end units, side-boundary fences must extend from the rear corner of the home to the rear property line.
- 4) Corner/end unit fences may extend on a line perpendicular to the side of the home from the rear corner of the home to the side property line, then proceed to the rear property line, then proceed along the rear property line.
- 5) Four-foot (4'0") fence styles (see the [Fence Styles Appendix](#) for illustrations of all options) contoured to grade are the approved fencing for townhomes and villas except as defined in items 6) and 7) below.
- 6) The approved fence style is the six (6) foot privacy fence stepped to grade for all of the following addresses:
 - a) All addresses on Medalist Court;
 - b) Even numbered addresses on Cerromar Way and Fowlers Mill;
 - c) Odd numbered townhome (not villa) addresses on Montour Heights.
- 7) Townhome lots not included in paragraph 6) above may have previously installed a six-foot (6'0") board-on-board fences in compliance with previous guidelines. These townhomes are encouraged to remove six-foot fencing, but are granted "grandfather" privileges if wish to retain them.
 - a) Where six-foot fencing is removed on townhome lots not included in paragraph 6), any of the approved four-foot (4'0") fence style (see [Appendix](#)) may be used.
 - b) When a six-foot (6'0") fence is removed from these townhome lots, the grandfather privilege will no longer be valid for that home-site.
 - c) Specific addresses of these home-sites are listed as follows:
 - i) Cerromar Way: 8101, 8103, 8107, 8113, 8135, 8137;
 - ii) Fowlers Mill: 14391, 14405.

iii. Fences for Swimming Pools, Spas, and Hot Tubs

Homes with swimming pools, spas, and hot tuns must follow specific requirements for fencing per Prince William County, and it is the responsibility of the homeowner to ensure that all County and other regulations are met. Please refer to the Swimming Pools, Spas, and Hot Tubs section of these Guidelines, as well as to Prince William County codes, to obtain these requirements.

2. Patios, Decks, and Basement Walkouts

No decks, patios, platforms, walkways, steps, stairs, or other similar features installed by homeowners or residents are allowed on HOA Property.

All structures must adhere to community setback requirements (see the [Setback Requirements and Sightlines](#) Section in Part 1).

Patios, decks, and basement walkouts on Private Property must be located in rear yards, unless the DRC grants a variance, or the location is where the patio, deck, or basement walkout was placed by the original builder. Patios and decks, including railings, must be left to weather naturally with the use of a clear or semi-transparent wood tone preservative. Alternatively, they may be stained/painted to complement the trim color of the house.

The applicant is required to obtain all necessary Prince William County zoning approvals and building permits, as well as utility company inspections. The DRC shall evaluate applications concerning front or side yard patio and deck locations on a case-by-case basis.

When patio or deck schemes include other exterior changes, such as fencing, lights, plantings, sheds, etc., other appropriate sections of these Guidelines must be considered during the completion of the application. An application is required for all patios, decks, and basement walkout/staircase changes or additions.

Design Criteria

a. Ground Level Decks and Patios

Ground level (twenty-inches (20") or less above existing grade at highest point) decks do not require guardrails. Any posts or trellis rising or extending above the deck or patio surface must be perpendicular to the deck or patio and must extend to the same height and must not exceed ten (10) feet above the deck or patio surface, except that no trellis or structure rising above ground level must be placed within the designated property setback.

b. Elevated Decks

All elevated decks (higher than twenty-inches (20") above existing grade at highest point) require guardrails. Guardrail height must be between three feet (3'0") and three and one-half feet (3'6" or 42") in accordance with Prince William County code. Any posts or trellis rising above the deck or patio surface must be perpendicular to the deck or patio and must extend to a uniform height not to exceed ten feet (10'0").

c. Basement Doors and Walkouts

Doors for basement walkouts must conform to the residence in style, color, and materials. Door colors and trim must match window or door trim. Railings and steps for basement walkouts must conform to all applicable building codes. Railings and steps must conform to Prince William County building codes, including any protective rails around below-grade stairs. Rails around the staircase may be metal or follow deck/patio guidelines. Railings must be black or match house trim and must be kept rust-free and in good repair.

In addition to [the standard submission materials](#), Deck, Patio, and Walkout Applications to the DRC must include:

- ❖ A drawing of the proposed structure clearly showing all elements and their length, width, and height above existing grade, including the location and dimensions of

any stairs, walls, storage features, privacy trellis, or other feature elevated above existing grade;

- ❖ If a guardrail is included or required by County Code requirements, the drawing must show a guardrail, and where the guardrail will be installed. Guardrail height must be between three feet (3'0") and three and one-half feet (3'6" or 42"), per County Code requirements;
- ❖ Details of changes to windows or doors of the house, if applicable;
- ❖ Official House Location Survey Plat showing the property drawn to scale, including the relationship of the proposed construction to the house, other existing structures on the lot, and adjacent properties. Official plats will also be required for zoning and building approval from Prince William County. If you do not have your plat, see the Plats and Surveys section of these Guidelines;
- ❖ A description or photo of the proposed construction materials and colors to be used. Wood may be allowed to weather naturally. Deck railings and face boards may be painted to complement the trim color of the house. Any DRC application that includes painted deck railings or face boards must comply with the exterior painting requirements of these Guidelines;
- ❖ Where any under-deck storage or structures are proposed and shown on the drawing, a detailed description of these structures is required, including materials and colors to be used and any means provided to hide such structures from view.

3. Storage Sheds and Gazebos

(For Play Houses, see [Playhouses and Recreation Equipment](#))

No storage sheds, gazebos, pavilions, or observation platforms installed by homeowners or residents are allowed on HOA Property.

Attached gazebos and storage sheds on Private Property must not exceed 12.5 feet (12.5') in height at the peak from their base and must adhere to all County and HOA setback requirements as described in Part 1. An application is required for all attached storage sheds and gazebos.

Free-standing sheds and gazebos are not allowed except those grandfathered and previously approved prior to 2015 where they border Lakeview Estates.

The applicant is required to obtain the necessary Prince William County zoning and building permits. The DRC shall evaluate applications concerning deck locations will be evaluated on a case-by-case basis. When gazebo or shed plans include other exterior changes, such as fencing, lights, plantings, sheds, etc., other appropriate sections of these Guidelines must be considered during the completion of the application.

Design Criteria

- ❖ Attached sheds and gazebos must be designed to appear as part of the house or deck. For lots where six (6) foot fencing is permitted, or where mature trees would screen views of the proposed shed from the rear and sides, a shed may

be considered as part of a fence on a case-by-case basis.

- ❖ Any shed or gazebo must be designed with consideration to the "visual rights" and aesthetic interests of adjacent properties. For convenience, sheds and gazebos have been placed in three categories based upon the shed's relationship to the house:
 - ◆ **Attached to the House:** The architectural design of the shed or gazebo must be compatible with the design of the house; i.e., same materials, color, roof-pitch, detailing, etc., although gazebos may be open style with differing but coordinating materials and color.
 - ◆ **Integral with Fence:** (Not applicable after 2017. Currently incompatible with setback provisions of the County Zoning Regulations.)
 - ◆ **Integral with Deck/Porch:** The architectural design of the shed or gazebo must be compatible with the design of the deck. The finish material of the shed must be the same as the finish material used on the deck and the finish material of the gazebo must be either the same as the fence finish or compatible with the house trim. Unless located under the deck, the roof of the shed or gazebo must either be flat, with the top of the roof at the same elevation as the top of the deck or must slope at a grade similar to the rear side of the roof of the house.

In addition to the [standard submission materials](#), Storage Shed and Gazebo applications must include:

- ❖ Drawings or pictures with dimensions and other details as required to clearly describe all aspects of the proposal, including all dimensions;
- ❖ Materials showing that the shed or gazebos must comply with the exterior painting requirements of these Guidelines.

4. Room Additions

No buildings or room additions installed by homeowners or residents are allowed on HOA Property.

Patios and decks on Private Property must meet the guidelines below and the community setback requirements described in [Setback Requirements and Sightlines](#).

Design Criteria

- ❖ For the purpose of this section, "existing structure" is considered to be any exterior improvement on a single-family lot.
- ❖ The design of major exterior changes must be compatible with and complementary to the design of the existing home in terms of the structures' original design, scale, general shape and form, roof pitch, materials, windows, color, trim detail, etc.
- ❖ For structural additions to an individual townhome/villa unit, including, but not limited to covered porches and fully enclosed additions, the design must be able to be replicated within the connected units, including the applicant's townhome

or villa.

- ❖ All surfaces must be stained/painted to complement the trim color of the house and comply with all exterior painting requirements of these Guidelines.

In addition to the [standard submission materials](#), Room Addition applications must include:

- ❖ A description of the materials, paint, and roofing colors to be used;
- ❖ Drawings or pictures with dimensions and other details as required to clearly describe all aspects of the proposal and show they meet the Guidelines, including all dimensions.

5. Greenhouses and Screened Porches

No greenhouses or screened porches are allowed on HOA Property.

Greenhouses and screened porches on Private Property must adhere to the guidelines below and the community setback requirements described in Part 1, Section L. Setback Requirements and Sightlines.

- ❖ Detached greenhouses are not allowed.
- ❖ Attached greenhouses and screened porches will be reviewed as “Room Additions,” All surfaces must be stained/painted or sided (as appropriate) to match the trim color of the house.
- ❖ If a screened porch is to be added to an existing approved deck, the previously approved application for the deck should be provided for DRC reference, wherever possible. Otherwise, the dimensions and layout of the deck must be submitted with the House Location Survey Plat as part of the screened porch application. If a deck does not exist, the applicant must follow the Guidelines for the deck as well as for the screened porch, and the application will be reviewed by the DRC as both a deck and a room addition.

In addition to the [Standard submission materials](#), Greenhouse and Screened Porch applications must include:

- ❖ A description of the materials, paint, and roofing colors to be used;
- ❖ Drawings or pictures with dimensions and other details as required to clearly describe all aspects of the proposal, including all dimensions;
- ❖ Information on any pre-existing deck or patio involved in the project.

6. Swimming Pools, Spas and Hot Tubs

No swimming pools, spas, hot tubs, ponds, or fountains etc. installed by homeowners or residents are allowed on HOA Property.

Swimming pools, spas, and hot tubs on Private Property must adhere to the guidelines below and the community setback requirements described in the [Setback Requirements and Sightlines Section of Part 1](#).

- ❖ Only in-ground swimming pools are allowed.
- ❖ Hot tubs and spas may be in-ground or above-ground.
- ❖ Swimming pools spas and/or hot tubs (including any associated pumps and machinery) must be located and contained within the “rear lot” of the property and must be positioned so that the edge of the pool or spa is at least five (5) feet from the lot property line. In addition, swimming pools cannot be situated any closer than thirty (30) linear feet to the closest point of any adjacent properties in the Community as measured from the closest point of the adjoining house to the closest edge of the pool.
- ❖ Swimming pools, spas, and/or hot tubs must be fully contained within the rear property of the home and may not be located where they would be adjacent to or visible from the side yard or front of an adjacent Virginia Oaks property or from the street.
- ❖ The rear lot around a swimming pool must be enclosed with a non-ornamental, maintenance free wrought iron or maintenance free aluminum fence, or a Wyngate-style fence at least six feet (6’) high in full compliance with County requirements. Detailed drawings of the Wyngate style can be found in Appendix D - Fence Styles. Approval of a compliant fence is contingent upon the completion of the pool. Fence location as well as type of fence must be included in the application of the swimming pool.
- ❖ Hot tubs and spas must have a privacy fence surrounding the unit. For the purpose of a hot tub and/or spa, a privacy fence is considered either a board-on-board fence or a Wyngate style fence six feet (6’) high at minimum. Detailed drawings of both styles can be found in [Appendix D - Fence Styles](#). For hot tubs that contain a locking lid, screening around the hot tub is encouraged.
- ❖ Swimming pools constructed and approved by the DRC prior to April 1, 2003 are granted grandfather privileges. Existing pool owners can submit a new fence application if they wish to replace their existing Wyngate fences with the maintenance free metal fence style specified in the [Fences section of the Guidelines](#).
- ❖ Applications from owners with corner lots must be reviewed with extra care by the DRC due to the increased aesthetic impact that a swimming pool installation in one of these locations could have on the overall appearance of the community. Detailed guidelines for the placement of fences on corner lots are found in the [Fences section of the Guidelines](#), and those requirements would also be applied to corner lot pool applications.
- ❖ Wooden fences must be kept in good repair and stained with transparent (not opaque) wood tone stains that are approved by the DRC.
- ❖ Wrought iron fences must be kept in good repair and painted black. When rust appears, it must be treated immediately.
- ❖ Exterior lighting for pools, spas, and/or hot tubs and lighting from a source with the pools, spas, and/or hot tubs must be turned off when a.) it is not in use by resident or guest and b.) no later than 10:00 p.m. on weekdays and 12:00 a.m. (midnight) on weekends.

Additional Information

Pool and hot tub fencing may not extend to the side property line, and a landscaping plan for the outside of the privacy/security fencing must be included with the application.

Applications to the DRC must include detailed drawing and plans of the pool, spa, and/or hot tub, deck area, lighting arrangements, walkways, fences, etc., and pertinent information concerning water and electrical supply system, drainage, and water disposal system.

In addition to the [standard submission materials](#), Swimming Pool, Spa, and Hot Tub applications must include:

- ❖ Materials and finishes to be used;
- ❖ Separate Exterior Changes Applications for any new decking and fencing;
- ❖ Drawings or pictures with dimensions and other details as required to clearly describe all aspects of the proposal, including dimensions.

7. Playhouses and Play/Recreation Equipment

No permanent or semi-permanent playhouses, swings, or recreation equipment installed by homeowners or residents are allowed on HOA Property.

On Private Property, swings, basketball backboards with or without poles, tot lots, play houses (not including "Storage Sheds") are allowed on detached lots or neighborhood property subject to approval from the DRC. Commercially available equipment is often less than pleasing in appearance, so creatively designed equipment is encouraged. The Guidelines listed below are provided in an effort to reconcile the need for play equipment with the goal of minimizing its visual impact.

Where possible, playhouses and play/recreation equipment should meet the community setback requirements described in the Setback Requirements and Sightlines section of Part 1, but in no circumstances may they be placed within two (2) feet from property lines. They may not be placed on any roads (including pipe-stems, cul-de-sacs, etc.) or on any open space property. Play houses must be only minimally visible from the street. The DRC may grant a sightline waiver provided that screening vegetation is planted to reduce visibility from the road.

- ❖ Recreation and play equipment may not be placed within two (2) feet from property lines and may not be placed on any roads (including pipe-stems, cul-de-sacs, etc.) or on any open space property.
- ❖ Play houses must be only minimally visible from the street.
- ❖ Play house dimensions must not exceed sixty-six inches (66") high by seventy-five inches (75") in length or width. Other play equipment colors will be considered, contingent upon location and landscaping.
- ❖ All equipment (including any permanently-installed or affixed basketball backboards and/or poles) must be placed in rear yards in locations where visibility from the street and other homes is minimized.

- ❖ Free-standing (not permanently-installed or affixed) basketball backboards and poles must be portable and must be located adjacent to the owner's driveway and placed so that players are not playing in the streets or on sidewalks. All equipment must be stored well off the street and the driveway entrance or apron when not in use (i.e., overnight) so as to minimize the impact on neighbors. Such free-standing basketball equipment does not require a DRC application or approval.
- ❖ Free-standing basketball poles and bases must be black or in dark earth tones to blend with the natural surroundings or, if located adjacent to a dwelling or fence, painted or stained to match the backboard or screening structure.
- ❖ All swing set frames, whether wood or other material, such as metal or plastic, must be painted earth tone or natural in color (i.e., brown, dark green, tan, wood-colored with limited muted colors: red, blue, or yellow). Wood frames that are already a dark earth tone need not be painted. Neutral colors are preferred on wearing surfaces and accessories (i.e., canopies; other colors will be considered).

8. Air Conditioners-Exterior Units

No permanent or semi-permanent electrical equipment of any kind is permitted on HOA Property.

On Private Property, non-permanent window air conditioning units may be used as long as they meet the following conditions:

- ❖ They are in place only between the months of May through October and removed during the months of November through April;
- ❖ They may only be installed in windows on the rear of the house and are not visible from the front of the house.

No application is necessary for units that meet these criteria. Units that do not meet these Guidelines will not be approved by the DRC.

9. Exterior Antennas

No satellite dishes or antennas are allowed on HOA Property.

On Private Property, satellite dishes, and other antennas designed to receive video programming signals from direct broadcast satellites, wireless cable providers, and/or television broadcast stations must be in full compliance with the Federal Communication Commission's (FCC) Over-the-Air Reception Devices Rule (C.F.R. Section 1.4000). Non-complying exterior antennas must not be erected or permitted on any building, lot, or Common Area.

Restrictions on placement of such antennas by DRC Guidelines must not preclude reception of an acceptable quality signal or impose unreasonable delay or expense upon the resident. However, wherever possible, all antennas must be placed so that they are not visible from the street.

Local television broadcast-receiving antennas must be placed in the homeowner's attic, in which case they do not require DRC approval. If external installation is necessary, approval is required; the preferred location is on the back slope of the roof.

Additional Submission Requirements

To remain consistent with the Federal Communication Commission's Over-the-Air Reception Devices Rule, there is a notification that must be submitted prior to the installation of any exterior antenna. The title of this form is "Homeowner Notification Form for Satellite Dish Installation". This form is on the Virginia Oaks website at <http://www.virginiaoaks.org> and is also in the Appendix of these Guidelines.

Note: Other types of antennas not covered by the Telecommunications Act of 1996 will still require approval of a completed [Exterior Changes Application](#).

10. Attic Ventilators and Metal Flues

Attic ventilators, turbines, metal flues, and vents are only permitted on rear roof locations or the least visible side of the roof peak from the street. Where possible, they must match the color on the roof or house trim. An application is not necessary for units that meet the above conditions.

11. Chimneys

Chimneys on Private Property must be masonry or enclosed. Chimney caps must be painted, and any vent through the roof must be painted to match the roof color. If a chimney is not brick or stone, enclosed chimneys must be made of the same materials and same color as the house siding.

12. Compost Piles

No compost piles or trash receptacles may be placed on HOA Property.

On Private Property, residents may compost only by utilizing a commercially available prefabricated compost bin designed for residential use. Site-built compost areas fabricated from wire, pallets, wood slats, brick or block may not be used.

An owner's yard may contain only one compost bin. Compost bins may not exceed a size of fifteen (15) bushels (nineteen (19) cubic feet) by volume and must include a lid. The compost bin lid must remain attached at all times when materials are being added or mixed.

The compost bin must be located in the rear of the property at least ten (10) feet from all property lines, and must preferably be adjacent to the house.

An application is not required for a compost bin meeting these requirements.

13. Statues and Exterior Decorative Objects

Homeowners and residents may not place any permanent or semi-permanent statuary or outdoor decorative objects on HOA Property.

For items on Private Property, approval is required for all exterior decorative objects, including natural and man-made. Exterior decorative objects include such items as wagon wheels, sculptures, fountains, pools, stumps, driftwood piles, animal and humanoid figures, birdhouses, free-standing poles of all types, and items attached to approved structures.

Natural stone boulders or rocks less than twenty-four inches (24") in height do not require DRC approval on private property but do require approval for [Adopted Area Maintenance](#) to be placed on HOA common or Nutrient Bank areas.

On private property, exterior decorative objects must be located in the rear of the property. The DRC may deny any request for an exterior decorative object that is located in front of the property.

An application is required for exterior carpet on private property. No exterior carpet is permitted at the front or sides of private property or on HOA common or Nutrient Bank areas.

14. Exterior Lighting, Holiday Decorations, and Electronic Insect Traps

Homeowners and residents may not place any exterior lighting, holiday decorations, or electronic insect traps on HOA Property.

For items on private property, existing light fixtures may be replaced without DRC approval as long as the finish, color, and style remain the same. Changes to light fixture finish, color, and/or style must be approved by the DRC.

Temporary ground-level decorative lights under twelve inches (12") tall and under twenty-six (26) watts (251 Lumens) per unit do not require DRC approval.

a. General Exterior Lighting

All exterior light fixtures, including front/rear entryway, post, spot/flood, decorative, permanent, above-grade, below-grade, ground-level, and/or walkway lighting, must not be installed unless first approved by the DRC. Homeowners are responsible for maintaining all exterior lighting in operating condition at all times.

As the effects of proposed lighting may be difficult to assess prior to installation, the BOD reserves the right to require correction, including but not limited to removal or modification of lighting found to cause adverse impact after installation.

Exterior lights may not:

- ❖ Include sodium or mercury vapor lights;
- ❖ Cause discomfort to surrounding neighbors due to location, angle, wattage, or other features, and must be placed so that light does not shine outside the property lines.

Exterior lights must:

- ❖ Be compatible in style and scale with the overall community style of colonial or traditional design;

- ❖ All light fixtures on a specific side of the home must match in design, style, and color;
- ❖ Glass must be clear, transparent, or frosted;
- ❖ Color tinted-glass, stained-glass, or patterned glass is prohibited;
- ❖ Ball, cylindrical, or globe style fixtures are prohibited;
- ❖ All exterior light bulbs must be limited to white or clear glass non-colored bulbs;
- ❖ Front lamp/light posts are required at the builder specified location for every address, must be direct-wired, and include a fully automatic operational dusk-to-dawn control sensor;
- ❖ No device or process can be installed or implemented to defeat automatic control sensor operation;
- ❖ Lamp and light posts must be black, white, or cedar in color;
- ❖ Posts must not exceed four (4) inches in diameter, must not exceed six (6) feet in height;
- ❖ Posts can be made of wood, aluminum, or composite materials only.

b. Holiday Decorations and Lighting

Temporary winter holiday lighting and seasonal exterior decorations do not require DRC approval, and may be displayed anytime from November 15th through January 21st.

All other temporary holiday lighting and exterior decorations may be displayed no sooner than four weeks before the holiday, and no later than two weeks after the holiday.

c. Insect Traps

Electronic insect traps are regulated based on the same criteria as exterior lighting. In addition, no device can be installed or maintained in such a way as to cause discomfort to adjacent properties from noise. These devices may be operated only during those times when the owners or their guests occupy the immediate area protected by the trap.

In addition to the [standard submission materials](#), lighting, Decoration, and Insect Trap applications must include:

- ❖ Picture and/or detailed drawing of the lighting or insect trap with all materials, dimensions, and colors of the fixture and any poles, including the distance to the ground;
- ❖ The wattage of any lightbulbs to be used.

15. Exterior Painting

No application to the DRC is necessary for exterior painting or staining unless this will involve a change in color.

Color changes apply not only to the house siding, but also to doors, shutters, trim, roofing, and other appurtenant structures. (See the [Appendix for a chart of approved Exterior Door and Shutter colors](#).) Changes in exterior color must maintain a harmonious relationship between the colors of the houses in the immediate area.

In addition to [the standard submission materials](#), Exterior Painting Applications must include:

- ❖ Photos of all exterior colors on the house and appurtenant structures;
- ❖ A color sample of the new color to be used.

16. Firewood

No firewood can be kept on HOA Property.

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

No application to the DRC is required so long as firewood stacks meet the above criteria.

17. Garage Doors

Garage door materials may be changed without DRC approval so long as the exterior finish, color, and style remain the same.

See the [Garage Door Styles illustrations in the Appendix](#) for pre-approved replacement garage door styles that do not require DRC approval. All other changes to a garage door exterior finish, color, and/or style must be approved by the DRC.

If garage door windows exist, they must have clear transparent or frosted glass and must be installed in a single row either at the top or in the second row from the top of the door. Tinted-glass, stained-glass, textured, or patterned glass is prohibited.

Garage door window mullions are permitted in top row windows only. However, pattern and style must compliment the window mullion style of the windows on the home.

All garage doors must be colored or painted in the same trim color as the house or townhome or be white in color.

Carriage style, barn door style, beaded, or other specialty style doors are not permitted. Variations to the pre-approved styles must be approved by the DRC.

Any ornamentation, such as decorative handles, carriage-style hardware and hinges, or other ornamentation, must be approved by the DRC prior to installation.

Garages may not be used as, or converted into, living spaces. Using a garage

as a pet confinement area (leaving garage doors partially open with or without screening) is not permitted.

18. Gutters and Down Spouts

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

19. In-Home Businesses and Signs

Homeowners wishing to operate an in-home business must obtain appropriate Prince William County permits to fully comply with County Zoning laws.

Signs advertising homeowners' businesses are not allowed on private property or on common / VOA property.

20. Landscaping, Rock Gardens, and Vegetable Gardens on Private Property

Landscaping and gardens on Private Property must not obstruct sight lines required for vehicular traffic. All gardens must be neatly maintained as detailed in Part 1: [Private Property Maintenance Requirements](#). This includes removal of all unused stakes, trellises, and dead growth.

- ❖ Landscaping and Walls: An application is not required to plant trees, bushes, shrubs, or other vegetation **unless** these could grow to obstruct a neighbor's view, impact their air flow, ventilation, television reception, or solar system operation, alter their drainage, change their light shade balance or otherwise impact their landscaping, or develop root systems that could grow to damage driveways, walkways, or lawns.. An application is required for any hedges or other features that could grow to serve as structures, fences, or screens. An application is not required for natural stone landscaping walls twelve inches (12") high or less, landscaping walls of twenty-four inches (24") or less not visible from the street, or landscaping walls that do not exceed a height of twenty-four inches (24") for more than eight feet (8'). For all other walls, include a House Location Survey Plat with information on landscaping plans and any grading and potential drainage changes.
- ❖ Rock Gardens: An application must be submitted for rock gardens, collections of rocks, and single rocks exceeding twenty-four (24) inches (24"). All rocks must be left their natural color.
- ❖ Vegetable Gardens An application must be submitted for all vegetable gardens, which must meet the following conditions:
 - ◆ Authorized locations are limited to areas between the rear of the house and the rear property line;
 - ◆ Beds must not exceed one quarter of the area described in (a) above;
 - ◆ Water flow or disruption thereof for the vegetable gardens must not damage other homes and properties.

21. Mailboxes

All mailboxes must be well-maintained and mounted on top of a cedar or pressure-

All mailbox assembly components, including the metal mailbox, must be painted in Rust-Oleum Hunter Green as often as required to keep the mailbox, posts, and newsletter box looking the same in color.

If any component —mailbox, wood post, or newspaper box— is faded, replaced, or repainted, then all components must be painted simultaneously to match. Except for the red flag, no part of the mailbox assembly should be a different color than any other part.

treated newsletter box in a uniform and specific style (see the [Mailbox Requirements Appendix](#)). In compliance with USPS requirements, the bottom of the metal mailbox must be no less than forty-one (41) inches and no more than forty-five (45) inches above the street surface and set back six (6) to eight (8) inches from the curb.

a. Approved Paint Colors

- ❖ Rust-Oleum “Hunter Green Gloss Oil-based Enamel (#7538)” **brush-on** paint in a can, for application to the wood post and newspaper box. This paint may also be used on the metal mailbox, if desired.
- ❖ Rust-Oleum “Professional Hunter Green High-Gloss (#7538)” **spray-paint** for application to the metal mailbox. This spray paint may also be used on the wood post and newspaper box if they are not significantly weathered or cracked. (Spray paint coverage may not be sufficient on damaged wood vs. using brush-on paint.)

b. Mailbox Post and Arm Styles

“Professional Hunter Green (#7538)” —a higher-quality 15-minute fast-dry paint— is sold in a slightly larger spray can. If you purchase this paint at the Gainesville Lowe's store, it will be located on a separate shelf than the “regular-sized” Rust-Oleum spray paint cans in the same aisle. Please ask a store associate for assistance if you are unable to locate the correct product.

The preferred style for mailbox assemblies is shown in Appendix C, including a beveled post with a flat top and a 9” curved transition piece between the post and arm. Due to supply issues, violations will not be issued for minor differences in the transition piece style.

c. Replacement (New) Mailboxes

If it becomes necessary to replace the metal mailbox, the correct model is the “Gibraltar Elite Medium Capacity Galvanized Steel, Post-Mount Mailbox (Model E1100).” This can be purchased at home improvement retailers or Amazon.

When installing a new mailbox, the box as well as the post, arm, decorative transition trim, and newsletter box must immediately and simultaneously be painted in the approved Rust-Oleum “Hunter Green” available in brush-on or spray-on. (See above.)

d. Mailbox Address Numbers

- ❖ Numbers on mailboxes must be metallic brass, nickel, or silver tone, no less than three (3) inches and no more than five (5) inches high, and maintained in good condition. Black numbers are not permitted.
- ❖ Wherever possible, numbers should be mounted so that they are clearly visible to postal workers on approach on the right-hand side of the newspaper box. Numbers on both sides of the newsletter box are encouraged but not required. Numbers mounted vertically on the post or directly on the front of the mailbox are permitted where mailboxes are clustered together or the right side of the newspaper box is otherwise is not visible.
- ❖ Numbers should be mounted with screws or nails. Except where mailboxes are clustered together and stick on numbers are used on the front of the mailbox for visibility, all stick-on or adhesive numbers must be replaced with screw on numbers when any portion of the mailbox is painted.

e. Mailbox Covers and Decorations

All mailbox covers, decorations, and additions to the mailbox, wood post, or newspaper box are prohibited.

22. Parking and Storage of Vehicles

All vehicles must be parked in accordance with the Virginia Oaks overall [Parking Policy](#) and, where applicable, the [Townhome/ Villa Parking Policy](#). Vehicles in violation will be subject to the enforcement authority of the BOD or its designees. Each enforcement will be in accordance with the [Community Enforcement Policy as included in the Appendix.](#))

a. Where Parking Is Not Permitted

At the Clubhouse Facility, NO vehicles may be parked overnight, after 10 pm, before 7 am, or for longer than four (4) hours unless there is an event in progress or written permission has been provided by the BOD.

Elsewhere, the parking of ANY vehicle within the townhome section of the community (Phase Two-Section 1; Phase Two-Section 2; and Phase 3-Section 1) is strictly prohibited other than within a designated or striped parking space.

Any vehicle parked extending beyond a driveway, or beyond the lines or stripes designating a single parking space, or any vehicle parked behind another vehicle occupying more than one designated parking space, shall be considered to be in violation of this rule.

b. Designated Parking Spaces

Designated parking spaces throughout the community are marked and/or adhere to a uniform numbering system established by the BOD. Any sign, initials, numbers, or any other addition or alteration to any HOA parking space or private street, whether painted, displayed, or erected by any occupant. is prohibited.

c. Prohibited Vehicle Types

Any vehicle fitting or falling into one or more of the following classifications shall be deemed to be in violation of the [Parking Policy](#) and shall be subject to [Enforcement for Violations](#).

Any vehicle that could cause or be classified as a safety hazard are prohibited;

Any vehicle parked on or in a lot owner's property in a location that is not specifically intended for vehicles, such as any area other than a paved driveway or garage or along a curb near the owner's property are prohibited.

Commercial and recreational vehicles parked on the homeowners property, HOA-property, or the public street without the express written permission of the BOD or the DRC.

- ❖ Commercial vehicles include any vehicle used as a Taxi, Taxi Cab or Car for Hire, any vehicle defined as commercial by Prince William County Code, and any vehicle displaying commercial lettering or advertisements, or which are patently used for commercial purposes such as vehicles having ladders or ladder racks, tool storage compartments, or other apparatus not customary to standard four-wheel passenger automobiles;
- ❖ Recreational vehicles include any boat, trailer, motor home, or other self-contained camper, mobile home, mobile home trailer or fifth wheel trailer, camper slip-ons not mounted on the vehicle, pop-up camp/tent trailer or other similar recreationally-oriented portable or transportable facility or conveyance.

This also includes commercial and/or private or public school or church vehicles (including automobiles, trucks, or buses), and any vehicle which could not normally or regularly be used for daily transportation, including dune buggies, golf carts, ATVs, non-operative automobile collections, or other automotive equipment not licensed for use on the highways of Virginia.

Note: other than in the townhome and villa sections, visiting RV's may be parked up to 10 days in the driveway of a resident's home by obtaining a temporary permit from the Management Company or the DRC. The permit must be displayed on the dashboard or on the windshield of the RV at all times while within the community.

Certain commercial vehicles whose signage is covered may be parked only if the following criteria are met:

- ❖ The sign is the same color as the vehicle background it is affixed to;
- ❖ The cover must not be unreasonably large or unreasonably configured;
- ❖ The vehicle must be consistent with the type of vehicle normally driven by homeowners in the VA Oaks community;
- ❖ An Exterior Changes Application has been submitted and approved by the Management Company or the DRC.

Vehicles not displaying the appropriate licenses, stickers, decals, or permits for operation on streets or highways of the Commonwealth of VA.

Vehicles in excess of two (2) tons.

Vehicles parked in a NO PARKING zone or in a Fire Lane as designated by the Fire Marshall, BOD, or its Designee(s) on the HOA parking areas and or the private or public streets.

Service vehicles on a service call parked on Virginia Oaks property for an unreasonable amount of time as determined by the BOD or its Designee(s).

Service vehicles parked on the HOA parking area or on the private streets overnight.

Abandoned vehicles, defined as:

- ❖ Any vehicle that is not legally registered and/or inspected by a state and/or other jurisdiction;
- ❖ Any vehicle that is in a state of disrepair or which is inoperable in its current condition and which is not, will not, or cannot be made operable within any six (6) hour period;
- ❖ Any vehicle which, in its current state, is legally or physically incapable of operation on the roadways of the Commonwealth of Virginia or one which would create a hazard or nuisance by noise, appearance, exhaust or fluid emissions.

Stored vehicles, defined as:

- ❖ Any vehicle parked in the same position and not moved for a period of thirty (30) consecutive days;
- ❖ Any vehicle rendered incapable of locomotion under its own power source for any period in excess of six (6) hours, including any inoperable vehicle which is not, will not, or cannot be made operable within six (6) hours);
- ❖ Any boat, trailer, camper, mobile home, recreation, commercial and/or private or public school or church vehicle parked without the expressed written permission of the BOD or its Designee(s);
- ❖ Any vehicle operated on Virginia Oaks property other than on those paved areas or parking lots specifically designed for operation of motor vehicles.

Repair / restoration / maintenance of any vehicle on privately owned or HOA Property. Minor emergency maintenance, excluding fluid changes and other action that may soil or impact on the HOA Property, and normal cleaning may be permitted at the discretion of the BOD provided there is no damage to or soiling of HOA Property and no obstruction of HOA Property.

23. Permanent Flagpoles

Permanent flagpoles are allowed on private property only with approval from the DRC to fly the United States flag in accordance with § 55-513.1 of the Code of Virginia.

24. Permanent Grills, Barbecues, and Fire Pits

No permanent or semi-permanent grills, barbecues, or fire pits of any kind are allowed

to be placed on HOA Property by homeowners or individuals.

On Private Property, any portable outdoor grill, barbecue, or firepit must conform to County and local ordinances and be located and stored out of sight of the street.

Permanent structures and fire pits require approval from the DRC and must be located at the rear of the property and may not be located within ten (10) feet of the side and rear property lines. This requirement supercedes other setback requirements.

Permanent outdoor grills and fire pits not built on the deck or patio connected to the residential structure must be constructed of brick or stone.

In addition to [the standard submission materials](#), applications for Permanent Grills, Barbecues, and Fire Pits must include:

- ❖ Picture and/or detailed drawing of the grill, barbecue, or fire pit to include dimensions and materials used;
- ❖ Details of the construction of the grill, barbecue, or fire pit and any surrounding patio or deck.

25. Sales, Rental, Commercial, and Political Signage

No signage is allowed to be placed on HOA Property by individuals or homeowners.

On Private Property, "For Sale," "For Rent," and political signs must meet County regulations with respect to size, content, and removal. Only one such sign may be placed on the property and real estate signs are limited to the front yard of the property for sale or rent. Real estate signs must be removed within thirty (30) days after contract acceptance. Political signs must be removed within two (2) days after the completion of an election.

Up to two (2) temporary real estate signs (such as those used to advertise for an open house and provide directions to prospective buyers) may be placed within the Virginia Oaks Community. These signs may only be displayed between 8 a.m. and 6 p.m. of any day. Such temporary signs must not be placed on private property without the prior consent of the homeowner/resident.

Signs That Are Prohibited

- ❖ Commercial and business signs.
- ❖ Signs placed near or at the edge of the road.
- ❖ Signs larger than thirty inches (30") by twenty-four inches (24") or mounted on posts more than seventy-two (72") high.
- ❖ Signs that obstruct the view of motorists, pedestrians, or cyclists.
- ❖ Signs that have blinking lights, mimic traffic signals, or could cause confusion for motorists.

26. Sidewalks, Pathways, Driveways, and the Paved Trail

No sidewalks, driveways, permanent or semi-permanent pathways, including but not

limited to asphalt, concrete, gravel, wooden, stone, brick, or other constructed paths, may be placed by individuals or homeowners on HOA Property. If a pre-existing gravel or mulch path was grandfathered via an Adopted Area Maintenance prior to October 2020, an active Adopted Area Maintenance Application must remain in place for that residence. Adopted Area Maintenance Approval does not transfer to new owners, and a new application must be submitted.

The Paved Trail, formerly the golf cart path, may not be obstructed or repaired by any individual or homeowner. Nothing may be placed or kept on the path or within three (3) feet of the path on either side. Homeowners may choose to mow the area within three (3) feet on either side of the Paved Trail and remove weeds, brush, grass, and fallen limbs, vegetation, sticks, acorns, and other objects from the Paved Trail or the area within three (3) feet on either side of the Paved Trail. No application is required for such maintenance as long as no risk or damage to planted trees occurs within the Nutrient Bank.

On Private Property, all improvements or changes to walks, paths, and driveways require approval of a completed [Exterior Changes Application](#), except for resealing and/or resurfacing with identical materials. Installing a maximum of four (4) pavers at the site of faucets and exterior electrical outlets does not require an application.

New stone, concrete, or brick sidewalks or paths must be set back at least four feet from the property line and must be installed flush with the ground.

All driveways must be asphalt or concrete. Extensions and additions to existing driveways will be considered when a thorough investigation of the impact on adjoining properties is completed by the DRC. Any modifications to driveways must be of the same material as the existing driveway.

Driveway grades should not exceed twelve percent (12%). A maximum grade of eight percent (8%) is recommended. Driveways must be no wider than necessary with a maximum width of sixteen (16) feet.

27. Solar Systems and Panels

No solar systems, arrays, or panels may be placed on HOA Property by individuals or homeowners.

On Private Property, all solar systems, arrays, or panels in the community must be approved by the DRC and must be kept in good working order or be immediately removed. Approval will be contingent on meeting all of the following requirements:

- ❖ Solar arrays, panels, and roof systems must be invisible or inconspicuous from the street. Components must be integrated into the design and style of the home;
- ❖ Solar roofs and shingles must be in keeping with the home style and design;
- ❖ Approved locations for solar arrays and panels are limited to roof-mounted solar system arrays and panels that are flush or lightly raised with components conforming to the color of the roof shingles.
- ❖ At the highest point, the solar panel array may be no higher than the ridge of the

roof where it is attached. Solar shingles and integrated solar roofs must comply aesthetically to traditional roof designs within the community as much as possible;

- ❖ All electrical connections and piping must be as inconspicuous as possible and located either underneath or within the perimeter of the solar system and/or panels;
- ❖ All installation and maintenance must be completed by a licensed installer or journeyman plumber.

Applications for installations that would contain solar panels visible from the street are not approvable by the DRC. Homeowners may submit an application and ask that the application be reviewed by the BOD.

In addition to [the standard submission materials](#), Solar System and Panel applications must include:

- ❖ A scale roof diagram provided by the licensed contractor installing the system reflecting exactly where the system will be installed in relation to the house, property lines, and adjacent properties—this must be detailed enough to include the number and placement of all solar panels on the roof;
- ❖ Photos of the roof area where the array will be mounted with descriptions, style details, dimensions, color compliance between the solar system and the roof shingles;
- ❖ Photographs of similar existing systems and installations;
- ❖ Information on battery storage, if any, and where the batteries will be located, including photos of the existing space and how it relates to neighboring homes and HOA common areas;
- ❖ For installations that would potentially include solar panels visible from the street, the homeowner must also provide details from a licensed contractor describing:
 - ◆ The percentage of solar yield for each section of the roof that would contain solar panels (front, rear, garage left side, garage right side, etc.),
 - ◆ Information and details of any similarly priced potential installation that would place panels where they would not be visible from the street or a statement from a licensed contractor stating that there is not alternative solution.

28. Windows, Sidelights, Transoms, Storm/Screen and Entry Doors

Applications for repainting of window trim, shutters, and doors in the original or existing previously approved color are not required. Color changes for doors and shutters should match the colonial palette provided in the [Color Chart of approved exterior door and shutter colors in the Appendix](#) as closely as possible and the paint number and color swatch will need to be provided along with the application.

a. Windows

- ❖ Having white window grids/mullions between two panes of glass on all

windows visible from the street is part of the community's traditional/colonial aesthetic. Window frames must be white or match the trim color of the house. Replacement windows of the same size, shape, and style that match the above style requirements do not require an application to the DRC.

- ❖ Windows without grids, alternate types of mullions, and any change in style, size, or window shape may be submitted for consideration.

b. Storm or Screen Doors

- ❖ Storm or screen doors must be transparent (full-view)—or etched only along the outside edging—in compliance with the illustration shown in the [Storm Door Appendix](#). Storm or screen doors of this type do not require an application.
- ❖ Storm doors with blinds or ornamentation such as etched or frosted scrolls or other decorative elements may be considered if an application is submitted.
- ❖ Stained glass, imitation gate hinges, and grillwork are not allowed.
- ❖ The narrow metal frames of storm or screen window frames must match the door, the trim color of the house, or be white in color. Storm or screen windows of this type do not require an application.

c. Entry Doors, Sidelights & Transom Windows

- ❖ Plain paneled doors not involving a color change do not require an application. Doors incorporating bars or any other ornamentation (see above) are prohibited.
- ❖ Plain, transparent sidelights and transom windows do not require an application.
- ❖ An application is required for any entry door that contains glass, whether it is transparent/plain, etched, or leaded.
- ❖ An application is required for sidelights and transom windows if they contain glass that is etched or leaded. Colored/stained glass, or glass with any other type of ornamentation (see above), is prohibited.

29. Awnings and Sun Control Devices

No awnings or sun control devices may be placed on HOA Property by individual residents or homeowners.

On private property, awnings and sun control devices must adhere to the following guidelines:

- ❖ Sun control devices must be compatible with the architectural character of the house in terms of style, color, and materials;
- ❖ Permanent installation of bamboo screens is prohibited;
- ❖ Awnings and trellises are allowed only on the back of the house and should not adversely affect views, light, or natural ventilation of adjacent properties;
- ❖ Colors must be solid or muted stripes in natural colors or harmonious with the

house;

- ❖ All trellis work and frames required for the device must match the home's trim or dominant color or trim used on an existing deck;
- ❖ If awnings are removed for winter storage, frames must be removed.

In addition to the standard submission materials, Awning and Sun Control Device applications must include:

- ❖ The location of trellis, frame, and/or awnings, property lines, and adjacent properties drawn on the [House Location Survey Plat](#);
- ❖ Photographs of the area where the awning will be installed;
- ❖ For townhomes and villas, include photos of adjacent houses;
- ❖ Manufacturer information and details of frame and fabric types and colors.

30. Trash and Recycling Containers

No trash, compost, or yard waste may be placed or discarded on HOA Property, including but not limited to ponds, streams, parking areas, or dumpsters. No trash or yard waste may be deposited in drains, including street drains and stormwater drains that empty onto HOA Property. Yard waste build up and trash removal from ponds and streams can result in significant cost to the HOA and potential damage to other areas, including homeowner property elsewhere. Damages, including but not limited to, payment for cleanup and removal may be imposed by the HOA for violations. Additional fines and penalties may be levied by local, State, and Federal agencies.

Trash and yard waste for pickup must not be placed at appointed locations prior to 5:00 p.m. on the previous evening and must be removed from the curb by 10:00 p.m. on the day of trash collection. Check on TownSq or the community website for pickup times.

Waste is to be placed for pickup in appropriate containers as authorized by the community contractor.

Trash containers must be stored so that they are not viewable by other residents and must be contained within the homeowner's property. In no case may a container be stored in front of a home in plain view from the street. All other refuse, cardboard items, and bagged yard waste are subject to the same time constraints as containers.

31. Tree and Vegetation Trimming/Removal and Minimum Landscaping Requirements

For questions relating to landscaping, trees, or other vegetation on HOA property, please see Part III of these Guidelines. Absolutely no maintenance, however minor, may be conducted on HOA property by individual homeowners.

For mandatory/regular landscape maintenance requirements, see [Private Property Maintenance Requirements](#). Please also see the [Landscaping](#) section.

Note: no live vegetation on slopes of greater than twenty percent (20%) gradient or in "no cut" or vegetated buffer areas marked on original plans may be cut. Contact DRC@VirginiaOaks.org for assistance.

For tree care information, refer to the Tree Owners' Manual from the USDA (https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5368392.pdf)

For additional resources and information see the [Tree Care Resources section in the Appendix.](#)

a. Tree Trimming and Removal

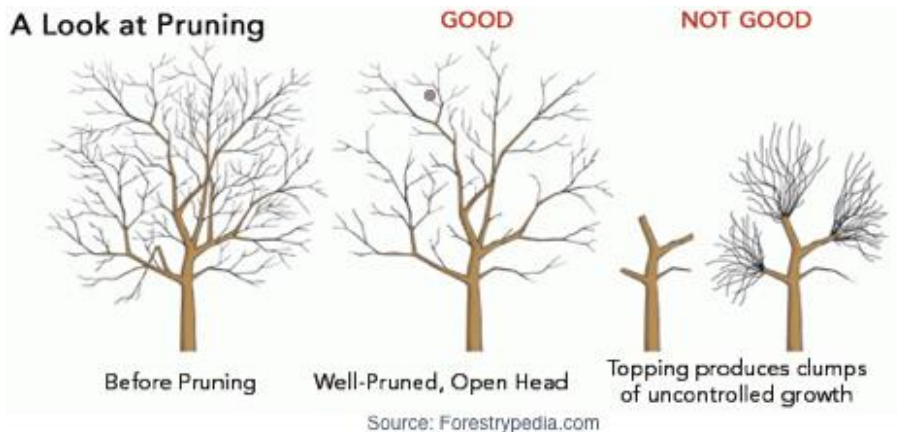
Trees that grow outside homeowner property and fall onto homeowner property, as well as branches that encroach or fall onto a homeowner's property, may be removed by the homeowner in accordance with Virginia Tree law regardless of who owns the tree. Damage from fallen trees may be covered by the homeowner's insurance.

Requests for guidance about dead or dying trees on HOA-owned property where a falling tree would endanger a residence or structure or fall across the Paved Trail or other trafficked area may be made by contacting OpenSpace@Virginiaoaks.org. Removal will be at the discretion of the BOD and its Committees.

Warning: Unskilled and predatory tree contractors are a problem throughout Prince William County. Poor cutting can result in permanent damage that will eventually kill the tree and endanger property. For your protection, do not agree to work with any tree contractor who approaches door-to-door. Get multiple bids for cutting/trimming and be sure to use an insured, professional arborist. (See the [Tree Care Resources section in the Appendix.](#))

i. Tree Topping and Trimming

Tree topping (see image on right below) is prohibited in Virginia Oaks for all trees except crepe myrtles.



Trees need leaves for food, so topping will usually kill or harm the tree in the

long term. In the short term, the tree may try to grow quickly to its former height, but the new growth can be weak, unsightly, and dangerous in storms. Most trees that have been topped end up having to be replaced.

For trimming, no application is needed. Follow best practices and consult the resources provided in the Tree Care Resources section of the Appendix.

ii. Dead Trees

For aesthetic and safety reasons, dead trees must be removed. Where substantial portions of a tree are dead or visibly unhealthy, homeowners are encouraged to consult a certified arborist (see the Tree Care Resources section in the Appendix). If the tree is unlikely to recover, it should be removed according to the tree removal guidelines below.

iii. Removal and Replacement of Trees In and Near Front Yards

Submission of an Exterior Changes Application and DRC approval is required **before** removal of select trees on a homeowner's private property within the HOA.

Any tree that meets the requirements below requires DRC approval of a completed Exterior Changes Application before removal. The trunk will need to be removed and the tree will need to be replaced by the homeowner with a tree of similar growth, unless a specific variance is granted by the DRC.

- ❖ Any tree that has a diameter in excess of three (3) inches in diameter as measured at ground level or was previously planted to replace a larger tree; and
- ❖ Any tree located in the front yard or the side yard within ten (10) feet from the front corner of the house or extends over the side property line.

Any tree meeting the above requirements that is removed prior to the receipt of approval by the DRC or management company can result in additional enforcement actions including, but not limited to, requiring that the tree be replaced with a larger diameter—up to at least five (5) inches in diameter as measured at ground level.

Prior to 10/1/23, it has been the policy in Virginia Oaks to require replacement with a similar tree for any tree that meets the above requirements. Effective immediately, the DRC may consider waiving replacement requirements or allowing replacement with smaller species for all trees **except** the shade trees that are critical to the character of the community and/or required by the community's County documents.

Trees that must be replaced with similar species include the following:

- ❖ Any variety of oak tree in the front of the home or within ten (10) feet of the front of the home,
- ❖ Any tree that is the main or only shade tree in the front of the home,

- ❖ Any tree that provides shade along the curb or street and is the only shade tree within fifty (50) feet of another tree providing shade along the road frontage.

Trees fitting the above description(s) will need to be replaced with a tree of similar species not less than two-and-one-half (2 ½) to three (3) inches in diameter as measured at ground level, depending on the type and species. Shade trees that have overgrown the lots or were planted too close to structures may be replaced with the same or similar species, or any smaller oak variety including Post Oak, Swamp Oak, Chestnut Oak, or Blackjack Oak. Location may be changed where an alternative location request is included in the Exterior Changes Application.

iv. Other Tree Removals Where Applications Are Encouraged

An application to the DRC, including neighbors' signatures, is strongly recommended any time that a tree's removal would impact the privacy, drainage, light, views, or landscaping of any neighboring property.

v. Emergency Approval

The DRC can approve tree cutting or pruning of damaged sections on an emergency basis if needed due to storm or other damage. Please email DRC@VirginiaOaks.org for help. If you are unable to reach the DRC and a tree must be removed or pruned immediately due to hazardous conditions, photographs must be taken prior to removal and then attached to the homeowner's subsequent application to the DRC.

b. Mandatory Foundation Plantings for All Homes

The front side of all homes must be bordered by shrubs and/or vegetative landscaping elements throughout the seasons. In no instance may landscaping elements at the front of a house be removed and replaced by beds containing exclusively annual or seasonal flowers or gravel, rock, or mulch.

Submission of an application for foundation shrub replacement is not required.

In addition to [the standard submission materials](#), Tree Removal applications must include:

- ❖ Statement regarding the reason for replacement or removal;
- ❖ Photograph and site plan showing the tree in its present location;
- ❖ Photographs or certified arborist's written statement supporting the reason for removal;
- ❖ Details of replacement plantings and/or tree, including type of tree and dimensions;
- ❖ Statement that the stump of any tree removed will be pulled out or ground down to just below ground level.

Residents are advised to contact Miss Utility (dial 811) prior to digging as well as

consult with the County Arborist (703) 324-1770 for compliance with general County ordinances on tree cutting. Consult the [Tree Care Resources section in the Appendix](#) for contact information to reach County Master Gardeners who can answer tree-related questions and provide individual situations.

32. Window Boxes

All window boxes must adhere to the following:

- ❖ Construction material must be wood, vinyl, or painted metal—plastic and foam are not permitted;
- ❖ The color must match the trim color of the house or metal—natural wood is permitted only when in connection with a deck or rear area of the home;
- ❖ Boxes must extend no longer than three (3) inches beyond the window width and at least the width of the window, the height must not exceed fourteen (14) inches, and the depth must not exceed ten (10) inches;
- ❖ If a box is to be placed on one window, identical boxes must be placed on all windows at the same level on the same side of the house;
- ❖ Plantings must be maintained in a neat and orderly live condition at all times;
- ❖ Fake flowers or plantings and dead or unsightly plantings are prohibited.

In addition to [the standard submission materials](#), Window Box applications must include:

- ❖ An elevation of the house showing the proposed location of the window boxes;
- ❖ Manufacturer's product information, drawings and/or photographs, colors and descriptions, sizes, and anchorage details must be submitted for approval.

Part III. Homeowner Use and Maintenance of HOA Property

Efforts by homeowners and residents to enhance the natural environment of HOA Property behind and beside their homes are generally welcomed and appreciated by the BOD, the DRC, and the Community. In some cases, homeowners are performing these tasks without knowing they are maintaining HOA property and not their own.

The DRC asks everyone to check their official [House Location Survey Plat](#) and familiarize themselves with their property boundaries. These may be different than expected. Prior maintenance by previous owners can make a yard appear visually larger than its legal boundaries.

If the official Plat is unavailable, please visit the [Prince William County Mapper](#) and use the search to find the parcel information. This will contain the boundaries as well as satellite imagery of the property and historical images to help determine where the house lot ends and HOA property and neighboring property begins.

The County Mapper can also help homeowners locate the “[Adoptable Area](#)” for their home. This is the portion of HOA property that they can apply to mow or maintain in compliance with specific limitations.

Please note that for the protection of homeowners and residents and the HOA overall, placement of mulch, debris, furnishings, firepits, birdhouses, play equipment, or other structures or ornamentation on HOA Property is prohibited. Any mowing, maintenance, or activity resulting in changes to existing or developing woodland, trees, and other vegetation by a homeowner or resident **must** be approved by the DRC before work begins. This includes the use of any fertilizers or chemicals.

For the protection of HOA property and the integrity of the developing Nutrient Bank, the HOA performs a number of routine “encroachment inspections” each year. Any unauthorized maintenance or use of HOA property within a homeowners “[Adoptable Area](#)” may be attributed to that homeowner and could result in [HOA fines](#) or [other penalties](#), so it is critical to obtain approval if you are mowing or performing any other maintenance or activity.

Adopted Area Maintenance approval does not transfer from one homeowner to another. Continuing to mow or maintain an area previously maintained by former property owners will require a new Adopted Area Maintenance Application and approval from the DRC.

Please reach out to DRC@VirginiaOaks.org or the management company if you have questions about prior or existing Adopted Area Maintenance approval.

A. WHAT IS THE ADOPTED AREA MAINTENANCE PROGRAM?

Adopted Area Maintenance provides homeowners or residents non-exclusive legal permission to mow, maintain, or make approved minor modifications to specific HOA Property (a designated [Adoptable Area](#)) behind or beside their homes to improve their views or prevent weeds or specific types of vegetation from impacting their own lawns and

gardens. Applications for an Adopted Area Maintenance are required for all HOA property, whether or not an area is part of the Nutrient Bank.

Activities that will likely receive Adopted Area Maintenance approval include weed removal and mowing in meadow areas, and weed removal and/or limited mowing between and around planted saplings and young trees so long as no saplings or young trees are harmed. Approval may also include limited removal of brush and the pruning and removal of dead or dying trees in mature wooded areas. Homeowners and residents are also likely to receive approval to enhance areas with the addition of plants native to the Piedmont Region of Northern Virginia, and such plants can be used to soften transition zones, encourage wildlife, screen young trees, discourage pests and insects, and a variety of other reasons. Residents are asked to note that due to the potential for environmental damage, no fertilizers may be used on HOA Property, and applications are also required for any application of herbicides, fungicides, pesticides, or other chemicals (see [Chemicals Approved/Unapproved for Use](#)).

Adopted Area Maintenance approval covers specific types of maintenance described in the application. The DRC will try to make approval of the application process as easy as possible. The BOD and its committees welcome the opportunity to help homeowners and residents who wish to enhance the natural environment for the betterment of the entire Community while protecting the benefits of the unique landscape that the Community will become.

Under no circumstances can activities be performed with or without an application that are prohibited in the “[Changes Never Allowed](#)” section of these Guidelines. This includes but is not limited to grading, digging, ditching and any construction of permanent or semi-permanent structures or decorative items.

Homeowners and residents may not restrict access to an Adopted Area by fencing or creating vegetative barriers. HOA property is provided for the enjoyment of all homeowners equally, so other HOA residents, homeowners, agents, contractors, and any and all other users authorized by the HOA, must be able to transverse any portion of HOA property within the established rules and schedules.

B. WHAT REQUIRES AN ADOPTED AREA MAINTENANCE APPLICATION?

Any removal, cutting, or maintenance of vegetation on HOA property is subject to compliance with the Nutrient Bank covenants and restrictions and other applicable State or Federal laws.

Approved maintenance can only be provided within the homeowner’s specific “[Adoptable Area](#),” as explained in Part I: Definitions. Many types of activities are not approvable. Please read [Activity Never Allowed on HOA-Owned Property](#) below.

The following types of activity may be approvable as one-time endeavors or for ongoing maintenance, but will always require an approved Adopted Area Maintenance Application before work can begin:

- ❖ Careful mowing around trees;
- ❖ Cutting or use of herbicide/fungicide for removal of removal of poison ivy, poison

oak, poison sumac, stinging nettle, and plants appearing on the VA list of Tier 1, Tier 2, or Tier 3 Noxious Plant List or invasive plants identified on Virginia Invasive Plant Species List (see the [Native Plant List Sources](#) section of the Appendix for list links);

- ❖ Creating a buffer area of limited (not cleared) vegetation within three (3) feet of a property line to reduce foliage encroachment into private yards, provided this does not involve the removal of any tree with a trunk measurement greater than three (3) inches at the ground;
- ❖ Limited aesthetic modifications and weeding that does not involve clearing of all vegetation, inhibiting all vegetative growth, or removing any planted sapling or young tree or the removal of any existing or mature tree with a trunk measurement larger than three (3) inches in diameter at the ground line;
- ❖ Removal of overhanging limbs on mature trees provided the limb is dead or no larger than three (3) inches in diameter where it meets the trunk;
- ❖ Limited, case-by-case use of pesticides for tick or chigger control;
- ❖ Planting of native grasses, shrubs, trees, and wildflowers to improve views and soften property boundaries in unstructured zones or small constructed beds, provided that beds must not be raised above the surrounding soil level or edged by anything other than natural stones laid on top of the soil in a single layer and that placement of beds must not cause water flow, or disruption of water flow, that could damage planted Nutrient Bank trees, other vegetation, or other property.

C. ACTIVITY NEVER ALLOWED ON HOA-OWNED PROPERTY

At the risk of fines and other substantial potential penalties, homeowners may never do the following on HOA-owned Property:

- ❖ Place firepits, play equipment, furnishings, birdhouses, or other structures or decorations;
- ❖ Obstruct movement by other homeowners or residents of the HOA;
- ❖ Create anything that resembles a fence, privacy screen, or other means to obstruct, even if constructed of living foliage or vegetation;
- ❖ Store or dispose of trash, discarded household items, wood piles, compost, trash bags or containers, construction materials, yard waste, containers, vehicles, bicycles, trailers, boats, equipment, household items, construction materials, and/or any items covered by a tarp or plastic or in any way unsightly or obtrusive;
- ❖ Add mulch, gravel, or flagstones other materials that inhibit vegetative growth;
- ❖ Use any fertilizers or other chemicals (see [Chemicals Approved/Unapproved for Use in the Appendix](#));
- ❖ Damage, kill, remove, or place at risk any tree or any tree with a trunk measurement larger than three (3) inches in diameter at the ground line;
- ❖ Remove, prune, trim, or break any branches of ANY sycamore, white oak, pine, maple or other trees planted as part of the Nutrient Bank until the tree has reached a height of at least ten (10) feet;

- ❖ Remove, prune, trim, or break any branches of any tree where such branch measures larger than three (3) inches in diameter where it meets the trunk;
- ❖ Remove, prune, trim, or break branches of any mature tree or section of woods where more than ten (10) percent of the tree or leaf areas would be removed;
- ❖ Cut, prune, break, kill, and/or remove more than 10% of the trees, branches, or brush, from any section woods or natural area, regardless of the size of individual trees and plants (contact DRC@VirginiaOaks.org in case of special circumstances);
- ❖ Remove all ground cover, whether that ground cover is vegetation, leaf litter, or woody debris;
- ❖ Obstruct a neighbor's view, television reception, or solar system operation or remove foliage or vegetation in a way that removes existing privacy screening;
- ❖ Plant any vegetation other than that native to the Piedmont Region of Northern Virginia (see the [Native Plant List Sources section of the Appendix](#) for help);
- ❖ Grade, dig, ditch, dike, damn, excavate, plow, flood, pond, mine, drill, build, construct, or otherwise alter the property with any permanent or semi-permanent alterations or fills;
- ❖ Remove surface leaves, soil, and/or vegetation, add mulch, stones, or woodchips, or cause the ground of any conversion area or mature woods to be compacted in such a way that would permanently or semi-permanently prohibit vegetative undergrowth, alter drainage or water absorption, expose tree roots, or endanger the health of existing tree and root systems;
- ❖ Cause the removal/addition of topsoil, sand, grass clippings, yard waste, or other materials from or onto HOA Property. No dumping of waste from your yard onto HOA property.

D. AMNESTY/GRANDFATHERING FOR PRE-2020 ENCROACHMENT

Before the HOA's purchase in 2019, a number of homeowners and/or residents had previously encroached into areas that were owned by the former golf course. A transition period was granted to these homeowners to apply for potential adoption and grandfathering to allow for mediation in these circumstances. Grandfathering of pre-2020 maintenance has ended.

Any property that did not obtain grandfathering approval by the 2020 deadline must comply fully with the most recent limitations of the Adopted Area Maintenance program.

Adopted Area Maintenance Approval does not transfer if a property sells, and new homeowners must reapply.

An active and approved Adopted Area Maintenance application must be on file with the management company for grandfathered features or maintenance to continue.

For questions about whether a landscape bed or other use/maintenance on HOA property is grandfathered, contact Management@VirginiaOaks.org.

E. HOW LONG IS ADOPTED AREA MAINTENANCE VALID?

[Adopted Area Maintenance](#) approval can be valid for a single clean-up effort or for up to ten (10) years on a single application. For long-term maintenance, approval expires automatically at the end of the ten-year period or instantly on transfer of property ownership. Continued approval after that will simply require a new [Adopted Area Maintenance Application](#).

F. DOES ADOPTED AREA MAINTENANCE APPROVAL TRANSFER TO NEW OWNERS?

If a property owner with an active, approved application intends to sell or rent their property, they must inform any prospective new property owner or resident that approval will expire when the property conveys or the current tenancy terminates. The new owners will need to submit a [new application](#) to obtain approval for any maintenance they wish to continue to perform.

G. LOSS OF AN ADOPTED AREA MAINTENANCE APPROVAL

The grant of approval to an HOA homeowner or resident may be withdrawn at any time by, and entirely at, the discretion of, the BOD. Termination of Adopted Area Maintenance may occur for any reason, including but not limited to the following:

- ❖ Violation of applicable Nutrient Bank covenants, requirements, regulations, or restrictions that include, but are not limited to, unauthorized cutting, pruning, causing damage to or destruction of any trees or saplings planted within the adopted area;
- ❖ Unauthorized planting of any vegetation not native to the Piedmont region of Northern Virginia (see the [Native Plant List Sources section in the Appendix](#) for help);
- ❖ Any use of mulch or any other means to inhibit vegetation growth in anything but a small landscape “bed,” or use of fertilizers and unauthorized use of any unapproved pesticides, herbicides, fungicides, or other chemical applications;
- ❖ Failure to follow-through or continue the maintenance described in the approved Adopted Area Maintenance Application;
- ❖ Placing or causing to be placed any structure, furnishings, firepits, playsets, or barrier or engaging in or authorizing any activity on HOA Property that includes but is not limited to items described in the “[Changes Never Allowed](#)” section of these Guidelines;
- ❖ Causing any drainage issues for neighboring properties or drainage issues that could be damaging for trees and vegetation;
- ❖ Causing disturbances or noxious uses for neighboring properties;
- ❖ Limiting or denying, or attempting to limit or deny, access to other HOA homeowners, residents, employees, contractors, agents, or others authorized by the HOA;
- ❖ Conveyance of the homeowner’s property, or termination of a lease or rental agreement, at which time the approval automatically expires and must be renewed

by the subsequent owner or tenant for authorized maintenance to continue.

Where the grant of approval has been revoked, if specific vegetation planted by the applicant is less sustainable or may require more maintenance than surrounding HOA Property, such vegetation may need to be removed at the applicant's expense.

H. VOLUNTARY TERMINATION OF ADOPTED AREA MAINTENANCE

An approved [Adopted Area Maintenance Application](#) may be terminated at any time by completing a [Termination of Adopted Area Maintenance form](#) accompanied by photographs showing any and all non-vegetative alterations have been removed. Where specific vegetation planted by the applicant is non-native to the Piedmont region of Northern Virginia, or is less sustainable or require more maintenance than the surrounding HOA Property, that vegetation may also need to be removed at the homeowner's expense.

I. CONDITIONS OF ADOPTED AREA MAINTENANCE APPROVAL

- ❖ An application for Adopted Area Maintenance may be granted only for the [Adoptable Area](#) assigned to the residence, and only for the maintenance and non-exclusive use and enjoyment of the applied-for portion of HOA Property.
- ❖ The application must follow, to the extent possible, an exact extension of the homeowner's existing Private Property's side survey lines, in a direct line behind the residence.
- ❖ The application should describe in detail the plans for the maintenance proposed and include a Plat (See [House Location Survey Plats and Drawings](#)) of the applicant's residential plot and a separate clear drawing with measurements of the maintenance area. The plan should mark any areas planted with saplings or young trees, including the location of each sapling/young tree and the number of such trees. It must also include any natural boundaries, including but not limited to the Paved Trail, established brush and woodlands, applicable tree line(s), neighboring properties, etc. Any saplings and/or young trees must be flagged or marked with biodegradable temporary flagging tape on the tip only (not the trunk). Pre-approval photographs must also be provided to document the general area and type, current growth, and condition of saplings and young trees.
- ❖ Where the Paved Trail transects or abuts the proposed [Adopted Area](#), the HOA's contractors or agents may perform maintenance and weed removal on the Paved Trail and mowing and maintenance for the three (3) feet on either side of the Paved Trail at any time. Provided that no trees or saplings are damaged, a path of no more than three feet in width may be mowed to the Paved Trail. In no case may this path extend beyond the homeowner's adoptable area or contain mulch, rocks, or gravel that permanently inhibits vegetative growth or contains materials that can spill onto the trail. Under no circumstances may any plants, bushes, trees, or other vegetation be planted in such a way that they will grow to encroach within three (3) feet of the Paved Trail. Any such plantings may be removed or cut down by the HOA or its agents without liability or responsibility for damage or replacement. No rocks, limbs, or objects or any kind may be placed within three (3) feet of the Paved Trail on either side. Homeowners may not repair, damage, or alter the Paved Trail in any way.

J. WHAT CAN HOMEOWNERS DO ON HOA PROPERTY WITHOUT DRC APPROVAL?

Homeowners and residents may use the Paved Trail and adjacent areas of HOA-owned property in accordance with its rules of use for quiet, leave-no trace recreation. Please see the [HOA Property Quick Facts](#) section at the front of these Guidelines for additional information.

ANY and ALL maintenance or change to property outside of the property boundaries of your home requires an Adopted Area Maintenance Application and DRC approval. In some cases, the DRC may also be required to obtain approval from the Nutrient Bank Sponsor on behalf of the Department of Environmental Quality.

For guidance about fallen trees or branches from trees on HOA-owned property that encroach onto homeowner property, see the Guidelines section on [Tree Removal](#).

K. DAMAGE, ENCROACHMENT, AND VIOLATIONS OF HOA PROPERTY AND THE NUTRIENT BANK

As with other aspects of community appearance and property, the HOA's BOD has a duty to safeguard community aesthetics and protect the property that belongs to all HOA homeowners. Where the HOA and/or its members as a whole could be damaged, or where the HOA could become liable for damages, as the result actions by any individual homeowner or resident, the BOD may ultimately need to issue violation notices, seek remedies, and seek enforcement for damage or encroachment onto HOA Property where no solution can be worked out with the homeowner. Where fences, firepits, playsets, structures, or plantings encroach on HOA Property, or trees have been removed or damaged by individual homeowners or residents, homeowners may be asked to pay for removal or replacement or billed for such damages, including attorneys' fees and any penalties. See the [Notice to Homeowners](#) at the beginning of these Guidelines.

The HOA, and in applicable cases, the Nutrient Bank Sponsor, are unlikely to be able to prevent penalties and specific remedies that may be imposed for violations of the covenants and restrictions of the Nutrient Bank by the Virginia Department of Environmental Quality and/or other State or Federal agencies. Such penalties would not be the responsibility of the HOA.

L. WHAT TO INCLUDE WITH YOUR ADOPTED AREA MAINTENANCE APPLICATION

See [What to Include with Your Application in Part I](#). All Adopted Area Maintenance Application packages must include enough basic information to allow the DRC to make an informed decision about whether your project meets the Design and Landscaping Guidelines, including local, state, and federal guidelines as well as neighbor impact.

Appendix A1: Exterior Alteration Application

Name: _____ Address: _____

Email: _____ Phone (C): _____ Homeowner Renter

Est. Project Start Date: _____ Est. Project Completion Date: _____

Detailed Project Description: _____

Notes/Comments: _____

Required Application Attachments*: (See [What To Include with Your Application](#) for help.)

- Official House Location Survey Drawing Showing Proposed Project Location and Boundaries
- Contractor Design Drawings Building Permit(s) Zoning Approval
- Product Specification Sheets Color Swatches or Chips Photos of Current Location
- Sample Photos of Proposed Project or Project Details

**Applications submitted without all supporting materials needed to show where the project will be situated relative to the original building foundation and property lines, how it will look, and how it might impact views and neighboring property will be returned as incomplete.*

Neighbor Project Awareness Notification Signatures

(Neighbors Should Contact DRC@VirginiaOaks.org Immediately with any Concerns or Objections)

Name	Address	Signature

- ❖ The signatures of the four (4) neighbors who might be most affected by this project are required.
- ❖ Include neighbors next door to the left and right and two others who will have views of your requested change.
- ❖ Signatures show awareness, not necessarily approval or disapproval, of your proposed change.

Applicant's Statement

I understand that I am responsible for obtaining a Prince William County building permit for certain projects such as decks, room additions, fences, etc., and that I will obtain the appropriate permit.

I understand that compliance with the Guidelines and approvals by the DRC do **not** constitute compliance with the provisions of any applicable building and zoning codes of Prince William County. The building ordinance of Prince William County Building Department requires that you file plans with the building inspector at the office in the Prince William Building located at County Complex Court, Davis Ford Road (792-6924) for construction requiring a building permit. Further, nothing herein contained shall in any way be construed as a waiver or modification of any applicable County restriction.

I understand and agree that **no** construction or exterior alteration shall commence regarding my application **until approval** of the DRC's decision has been emailed to me from the HOA's management company. I understand that if earlier alterations are made, I may be required to return the property to its former condition at my expense if my application is disapproved wholly, or in part, and that I may be required to pay all legal expenses incurred.

I understand that members of the DRC are **permitted to enter upon my property at any daytime/ reasonable time, without further notice**, for the purpose of inspecting the proposed project, the project in progress, and the completed project, and that such entry does not constitute trespass.

I understand that the alteration authority granted by the DRC will be revoked automatically if the alteration project has not been completed within six months, or by the dates specified by the Prince William County Building permit. If a County permit extension is requested and granted, the DRC must be notified of this and a DRC extension is automatic.

I understand that the DRC's decision is required on all applications within 45 working days of receipt by the HOA's management company of a **fully complete** application.

I understand that any fence, deck, patio, or other structure built on HOA property must be removed upon request by the HOA or be subject to removal by the HOA and/or its contractors, and that I may be required to pay all expenses, penalties and legal costs incurred by the HOA in compelling such compliance and restoration.

I understand that the authority granted by this application will be revoked automatically if the alteration requested has not begun within 180 days of the application approval date. Unless specifically extended by the DRC, projects must be completed by the approved estimated completion date, or within 60 days of the project start.

IMPORTANT: Please check the appropriate section(s) below:

For a deck application: I understand that the deck may be allowed to weather naturally.

- ❖ Weathering naturally does not preclude the use of a clear or semi-transparent wood tone preservative.
- ❖ Deck railings and face boards may be stained/painted to match the trim color of the house.
- ❖ Any application that includes painted deck railings or face boards shall comply with the exterior painting requirements of these Guidelines.

For a fence application: I understand that wood must be left to weather naturally with the use of **only** a clear preservative.

My signature below indicates that I understand and will comply with each and all of the terms of my application. My signature also indicates that I will comply with all applicable requirements of the Guidelines.

Owner's Signature: _____ Date: _____

Scan and upload this form and all attachments to VirginiaOaks.org/DRC/Uploads, or contact

Management@VirginiaOaks.org to make an appointment to have the document scanned for you.

Appendix A2: Adopted Area Maintenance Application

Name: _____ Email: _____

Address: _____ Phone (C): _____

Start Date: _____ Ongoing Maintenance/ One-Time Maintenance Homeowner/ Renter

FOR DRC USE ONLY Includes Nutrient Bank: Yes No

No fertilizers or non-native planting can be used on HOA Property

PLEASE MARK ALL ACTIVITIES YOU WISH TO PERFORM:

Maintenance in an Area with NO saplings or young trees, to include (check all that apply):

<input type="checkbox"/> Mowing	<input type="checkbox"/> Removal of Invasive Weeds	<input type="checkbox"/> Use of Herbicide/Fungicide
<input type="checkbox"/> Dead Brush Removal	<input type="checkbox"/> Removal of Noxious Weeds	<input type="checkbox"/> Use of Pesticides
<input type="checkbox"/> Live Brush Removal	<input type="checkbox"/> Other Weed Removal	<input type="checkbox"/> Use of Other Chemicals
<input type="checkbox"/> Trim Overhanging Limbs < 3"	<input type="checkbox"/> Use of Herbicide/Fungicide	<input type="checkbox"/> Planting Native Flowers
<input type="checkbox"/> Leaf and Debris Removal	<input type="checkbox"/> Planting Native Grasses	<input type="checkbox"/> Other:
<input type="checkbox"/> Other Native Planting	<input type="checkbox"/> Other:	<input type="checkbox"/> Other:

Maintenance in an area with saplings or young trees, to include (check all that apply):

<input type="checkbox"/> Careful Mowing around Trees	<input type="checkbox"/> Removal of Invasive Weeds	<input type="checkbox"/> Planting Other Natives
<input type="checkbox"/> Careful Trimming around Trees	<input type="checkbox"/> Removal of Noxious Weeds	<input type="checkbox"/> Use of Herbicide/Fungicide
<input type="checkbox"/> Dead Brush Removal	<input type="checkbox"/> Other Weed Removal	<input type="checkbox"/> Use of Pesticides
<input type="checkbox"/> Live Brush Removal	<input type="checkbox"/> Planting Native Grasses	<input type="checkbox"/> Use of Other Chemicals
<input type="checkbox"/> Trim Overhanging Limbs < 3"	<input type="checkbox"/> Planting Native Flowers	<input type="checkbox"/> Other:
<input type="checkbox"/> Leaf and Debris Removal	<input type="checkbox"/> Other:	<input type="checkbox"/> Other:

Number of saplings/young trees in the area _____

Have ALL saplings/young trees been flagged or marked with flagging tape? Yes No

Is all flagging tape to be used **biodegradable and tied at the tip of tree** (not the trunk)? Yes No

Are all flags and flagging tape to be removed or replaced within 90 days? Yes No

Maintenance in mature woods (NO saplings and young trees), to include (check all that apply):

<input type="checkbox"/> Limited Dead Brush Removal	<input type="checkbox"/> Cut Few Healthy Trees < 3"	<input type="checkbox"/> Removal of Noxious Weeds
<input type="checkbox"/> Limited Live Brush Removal	<input type="checkbox"/> Leave Cut Trees in Place	<input type="checkbox"/> Removal of Invasive Weeds
<input type="checkbox"/> Cutting Some Tree Growth < 3"	<input type="checkbox"/> Remove Cut Trees	<input type="checkbox"/> Other Weed Removal
<input type="checkbox"/> Trim Overhanging Limbs < 3"	<input type="checkbox"/> Use of Herbicide/Fungicide	<input type="checkbox"/> Leaf and Debris Removal
<input type="checkbox"/> Trimming Low Branches < 3"	<input type="checkbox"/> Use of Pesticides	<input type="checkbox"/> Plant Additional Native Trees
<input type="checkbox"/> Cut Dead Trees < 3"	<input type="checkbox"/> Use of Fertilizers	<input type="checkbox"/> Other Native Planting
<input type="checkbox"/> Cut Dying Trees < 3"	<input type="checkbox"/> Other Chemical Application	<input type="checkbox"/> Install Bird/Bat Box

<input type="checkbox"/> Cut Diseased Trees < 3"	<input type="checkbox"/> Use of Mulch:	<input type="checkbox"/> Other:
--	--	---------------------------------

Additional Information

Detailed Project Description: _____

Brand names of any chemicals to be used (see [Chemicals Approved/Unapproved for Use in the Appendix](#)), strengths, how and how often they will be applied:

Vegetation to be planted/added (Must be native to the Piedmont Region of Northern Virginia):

Additional Items Required with Application:

- [House Location Survey Plat](#) showing boundaries of the lot and its relationship to the [Adoptable Area](#).
- Drawing, including measurements, of the area you wish to maintain, clearly showing the number and location of any saplings/young trees and any mature trees to be pruned, trimmed, or cut and/or removed. Show your property boundaries, neighbors' boundaries, and any natural boundaries, including but not limited to the Paved Trail, areas of established brush and woods, and applicable tree line(s). The outer boundaries of the proposed area may not exceed the Adoptable Area (see Part I: Definitions) for your residence. They can go no farther than the imaginary line created by extending your own property lines at the side of your home without crossing any imagined extension of any property lines from neighboring homes. If another home backs to the proposed area, the outer boundary of the adopted area should be no more than halfway between the homes.
- Photographs of the area in its current condition showing that all saplings and young trees planted as part of the Nutrient Bank have been flagged or marked with temporary flagging tape.
- Drawing(s) and photos showing ALL proposed changes involving ANY vegetation removal other than mowing. This includes ALL areas where established brush would be removed or where vegetation removal would expose views of neighboring homes that are not currently visible.
- Drawing(s) showing the location and specific type (name(s)) of any vegetation native to the Piedmont region of Northern Virginia that the applicant proposes to plant. (See [Appendix for Plant Lists of Native Species](#).) This can be the same or a different drawing as above.

Neighbor Project Awareness Notification Signatures

(Neighbors Should Contact DRC@VirginiaOaks.org Immediately with Concerns or Objections)

Name	Address	Signature

❖ Signatures of the two to four property owners who might be most affected by this project are required. Include neighbors who will have views of your requested maintenance.

- ❖ Signatures indicate awareness, not approval or disapproval, of your proposed change.

Applicant's Statement

I understand and agree that I, the Applicant, am responsible for and liable for any damage that results from my (and any members of my household, guests, or invitees) entry, the use of, and actions undertaken within Virginia Oaks "Natural Area" or the Virginia Oaks Nutrient Bank (Nutrient Bank).

I further covenant and agree that I, as the Applicant, shall perform (directly or at my direction) any activities within the Virginia Oaks "Natural Area" or Nutrient Bank at my own risk, without any recourse against the Virginia Oaks Association, Inc. (HOA) in the event of injury to myself or others in the course of, or as the result of, the performance of this activity or any damage that may occur to my or others' property that goes beyond the scope of the work that has been approved subject to this Agreement. I, as the Application, am responsible for all costs of the work, as well as costs to repair any damage resulting directly or indirectly from that work. I hereby shall indemnify, defend, and hold the HOA harmless from and against any and all loss, damages, costs, expenses, charges, fines, penalties, liens, actions, or judgments (including, but not limited to, reasonable attorneys' fees) arising from my entry into, use of, and actions within the Virginia Oaks "Natural Area" or Nutrient Bank I propose to maintain or alter, inclusive of any persons acting by, through or under my authority.

I further understand and agree that:

- Although the DRC, the Board of Directors of the HOA (VOA BOD), and the Nutrient Bank Sponsor (Sponsor) may approve such work, the decision for whether the contemplated work or maintenance fully complies with the Covenants and Restrictions of the Virginia Oaks Nutrient Bank and the Virginia Oaks Nutrient Bank Nutrient Reduction Implementation Plan rests with the appropriate State and Federal agencies. Regulations and restrictions may change at any time, and the Applicant will be required to comply with any such changes. Although the DRC and the VOA BOD will do their best to modify the DRC Guidelines as appropriate when notified of policy, regulation, or restriction changes by the Nutrient Bank Sponsor or State or Federal agencies, the HOA and the DRC are under no obligation to provide notice of policy, restriction, or regulation changes to individuals or homeowners. Further, nothing herein contained shall in any way be construed as a waiver or modification of any applicable local, County, State, or Federal restriction.
- No maintenance, modification, or work on HOA common area, Virginia Oaks "Natural Area" or within Nutrient Bank shall commence regarding my application until written approval of the DRC's decision has been received by me from the HOA's management company. For work to be conducted within the Nutrient Bank, approval from the Sponsor will also be required and the application will not be fully approved until written Sponsor approval is also received. I understand that if alterations are made before I receive approval or do additional maintenance not within the scope of this application, or incur damage as a result of maintenance or activity, I may be required to return the property to its former condition at my expense, and that I may be responsible for HOA fines and other remedies as allowed under Virginia law, and all penalties and legal expenses incurred by the HOA as a result of my actions. This may include fines and penalties from State and Federal agencies.
- Approval by the DRC and the Nutrient Bank Sponsor for the area adjacent to any other homeowner's property is subject to review by the BOD at any time if an objection or adoption request is received from a homeowner or resident. Disputes between homeowners or residents will be subject to review by the BOD.
- Members of the DRC, Open Space Committee, BOD, Management Company, the Sponsor, and agents of any appropriate local, County, State, or Federal agency may enter any portion of the Virginia Oaks "Natural Area" or Nutrient Bank **without notice** for the purpose of inspecting the proposed project, the project in progress, and the completed project. I further acknowledge that they may also need to cross portions of my private property in the course of such inspection and that such entry does not constitute trespass.
- Any Adopted Area Maintenance approval granted to me under this application will constitute non-exclusive legal permission to conduct specific maintenance or make specific and limited modifications to the designated property only. The granting of Adopted Area Maintenance Approval by the VOA Board and/or the Sponsor will be entirely "permissive" and temporary. This permission will never become, and shall not be construed, as an easement or a conveyance of any type of "permanent" property right or interest from the HOA to me, my family, or my assigns, or successors.
- The authority granted by the DRC will expire automatically ten years from the date of application approval and

does not run with the land. Approval will terminate immediately upon conveyance of my Lot or the property or the termination of any lease or rental agreement currently in force on the Lot. It shall be my sole and exclusive responsibility to notify prospective buyers or new tenants that any Adopted Area Maintenance Approval currently in force shall terminate. The HOA is under no obligation to notify me of such expiration and obtaining permission for continued maintenance of HOA common or Nutrient Bank areas shall be exclusively my responsibility or that of the new owner or tenant and will require a new application. I may not in any manner limit or restrict access to the area for other HOA residents, homeowners, and/or contractors, agents, or other designated members of the HOA, the Sponsor, or others.

Approval granted to me may be withdrawn at any time, and entirely at the discretion of, the VOA BOD for any reason, including but not limited to the following:

- ❖ Violation of Nutrient Bank covenants or other governing requirements, regulations, or restrictions or damage to vegetation or vegetative growth including, but not limited to, unauthorized cutting, excessive pruning, causing damage to or destruction of any trees or saplings planted within the licensed area;
- ❖ Unauthorized planting of any vegetation not native to the Piedmont region of Northern Virginia;
- ❖ Use of any fertilizer, mulch, or unauthorized use of any chemicals, including but not limited to pesticides, herbicides, or fungicides (see [Chemicals Approved/Unapproved for Use](#));
- ❖ Cutting of live, dying, or dead trees or limbs greater than three (3) inches in diameter at the base without express permission, or cutting more than 10% of a single tree's limbs, or cutting more than 10% of the vegetation in any area of woods unless otherwise specifically approved by DRC due to extenuating circumstances;
- ❖ Failure to complete or continue the maintenance described as part of the Adopted Area Maintenance Application;
- ❖ Causing any grading changes or drainage issues for neighboring properties or drainage issues that could be damaging for trees and vegetation.
- ❖ Causing disturbances or noxious uses for neighboring properties;
- ❖ Limiting or denying, or attempting to limit or deny, access to other HOA homeowners, residents, employees, contractors, agents, or others authorized by the HOA.
- ❖ Any other activity prohibited on HOA Property as described in Part III of the Guidelines.
- ❖ Conveyance of the homeowner's property, or termination of a lease or rental agreement, at which time the Adopted Area Maintenance approval automatically expires and must be renewed by the subsequent owner or tenant for authorized maintenance to continue.

No fence, deck, patio, bench, firepit, birdhouse, or other structure, furnishings, or decorations may be placed on HOA Property. Any such items built or placed on HOA property must immediately be removed upon request of the HOA at my expense or be subject to removal or restoration by the HOA and/or its contractors. If the Adopted Area Maintenance approval is withdrawn for violation(s) or the agreed upon maintenance is abandoned or not performed by me, I acknowledge that the HOA has the authority to require me to return the property to its former condition at my expense. and that I may be required to pay all expenses, penalties and legal costs incurred by the HOA in compelling such compliance and restoration.

My signature below indicates that I understand and will comply with each and all of the terms of my application. Additionally, my signature indicates that I will comply with all applicable requirements of the current Guidelines and the covenants and restrictions of the Nutrient Bank, if applicable, for the any Nutrient Bank areas within which work is to be performed.

Applicant's Signature _____ **Date:** _____

Scan and upload this form and all attachments to VirginiaOaks.org/DRC/Uploads, or email Management@VirginiaOaks.org to make an appointment to have the document scanned for you.

Appendix A3: Termination of Adopted Area Maintenance

Name: _____ Email: _____

Address: _____ Phone (C): _____

Adoption Start Date: _____ Termination Date: _____

I am terminating maintenance of my previously Adopted Area, per the approved application on file for the above address.

Reason for Termination:

Please attach to this application:

- Approved Adopted Area Maintenance Application, Notification of the DRC’s Decision, and (if applicable) Notification of the Sponsor’s Decision, if these are available.
- Drawing of the area you no longer wish to maintain, including measurements, showing any natural boundaries, including but not limited to the Paved Trail, applicable tree line(s), neighboring properties, etc. Wherever applicable, this drawing should also show the back and side boundaries of any neighboring lots and the homeowner’s or resident’s lot.
- Photographs of the area in its current condition. Neighbor Maintenance Termination Awareness Notification Signatures

Neighbor Project Awareness Notification Signatures

(Neighbors Should Contact DRC@VirginiaOaks.org Immediately with Concerns or Objections)

Name	Address	Signature

- ❖ Signatures of the two to four property owners who might be most affected by this project are required. Include neighbors who will have views of the area that will no longer be maintained.
- ❖ Signatures indicate awareness, not approval or disapproval, of your proposed termination.

Appendix B: Exterior Door and Shutter Color Chart

Home exterior colors must adhere to the community's overall Colonial style. To provide homeowners the greatest flexibility in choosing manufacturers and brands that meet their budget and preferences, we have provided a chart approximating those used by the various builders. Selected colors should match these guidelines as closely as possible. Swatches, brand names, and color numbers will be required for applications involving a color change from the current paint on the home's doors or shutters.



COLONIAL DOOR AND SHUTTER COLORS

Only colors with an * may be used for shutters.

Match colors as closely as possible with your preferred brand of paint.

Door colors must relate well with house, trim, and shutter colors.

Door colors must be harmonious with surrounding homes.

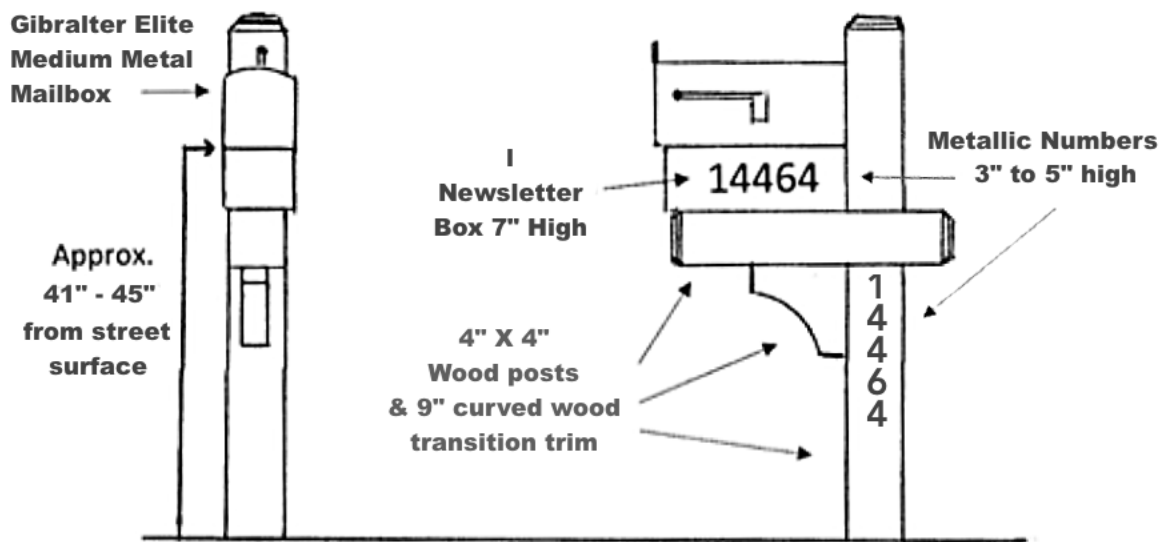
Door colors should not stand out compared to other door colors in the community.

Appendix C: Mailbox Requirements

Post tops must be beveled with a flat top, set back 6" to 8" from the curb, and buried no more than 24" deep per USPS regulations.

The transition from the vertical post to the arm beneath the mailbox or newsletter box should be 9" high and rounded. See existing mailboxes in community and conform to match. Due to supply issues, no violations will be issued for minor differences in the style of cross-pieces or transition pieces.

All components, including the metal mailbox, must be painted the same shade of Rust-Oleum Hunter Green. See the [mailbox guideline](#) for full paint requirements.



Post must be buried no more than 24" deep and set back 6" to 8" from the edge of the curb

KEEP ALL COMPONENTS WELL-MAINTAINED AND MATCHED IN RUST-OLEUM HUNTER GREEN PAINT

Appendix D: Fence Styles

1. APPROVED VINYL AND COMPOSITE COLORS FOR ALL FENCING

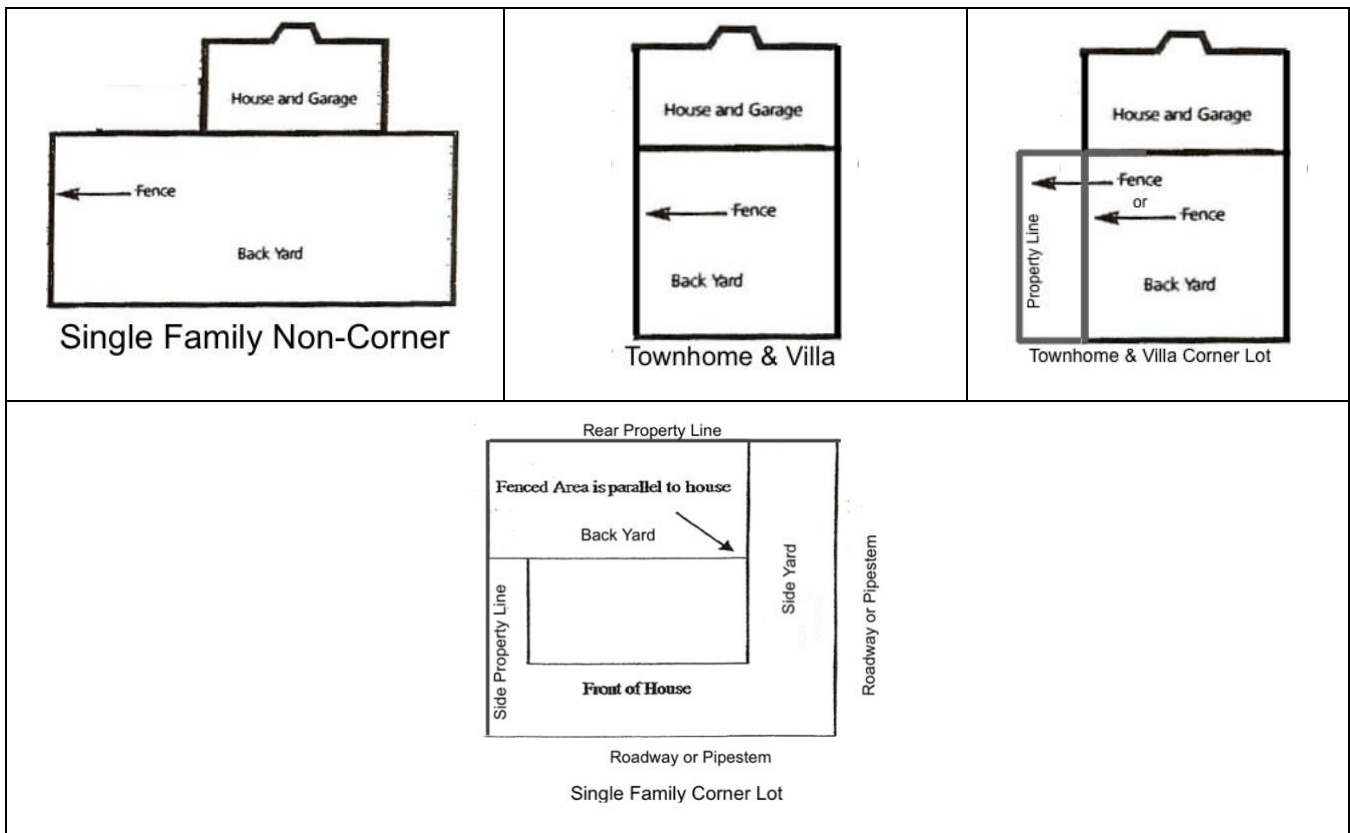


Match colors as closely as possible within choices provided by your preferred manufacturer. Color names may vary but should resemble a natural wood color similar to those already installed within Virginia Oaks. Color swatches or manufacturer photos must be provided with applications.

Vinyl and composite materials may be used with or without wood grain appearance and texture.

(Pressure-treated pine and hardwood fences may be stained in wood-tones but not painted.)

2. FENCE LOCATIONS



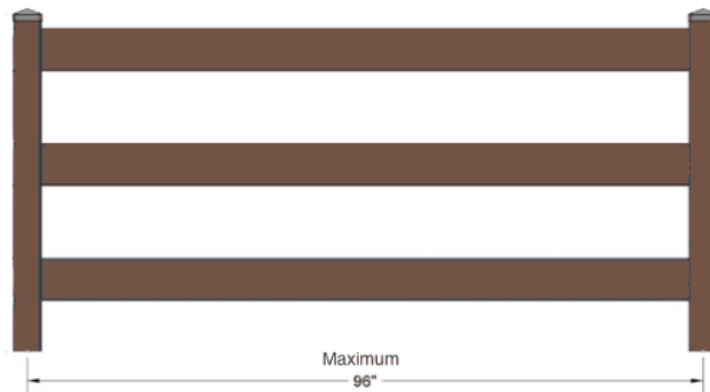
3. APPROVED FOUR-FOOT POST AND RAIL FENCE STYLES

See the [Fence section in Part II](#) for full guidelines. Maximum rail height for wood or composite styles (a., b., and c.) is six (6) inches. Maximum span between posts is eight (8) feet for four (4) foot wood or composite styles and six (6) feet for powder-coated aluminum (style d.) and six (6) foot wood or composite styles.

a. Rustic Split Rail Post and Rail Fence



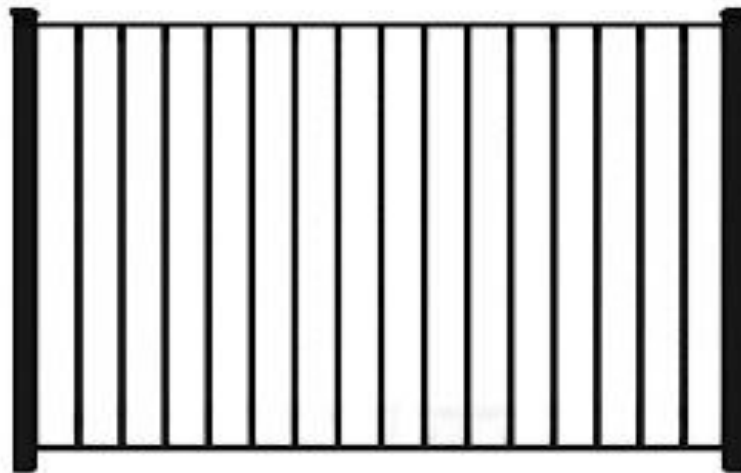
b. Paddock, Farm, or Ranch Style Post-and-Rail



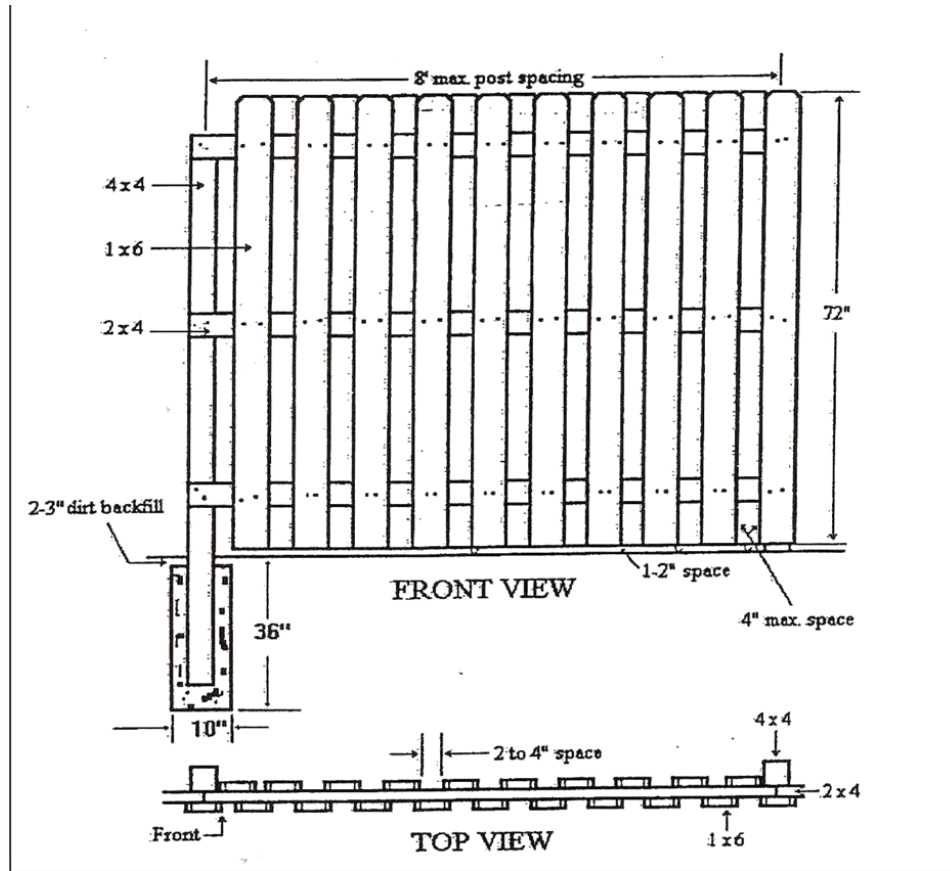
c. Wood or Low-Maintenance Vinyl or Composite Diamond Style



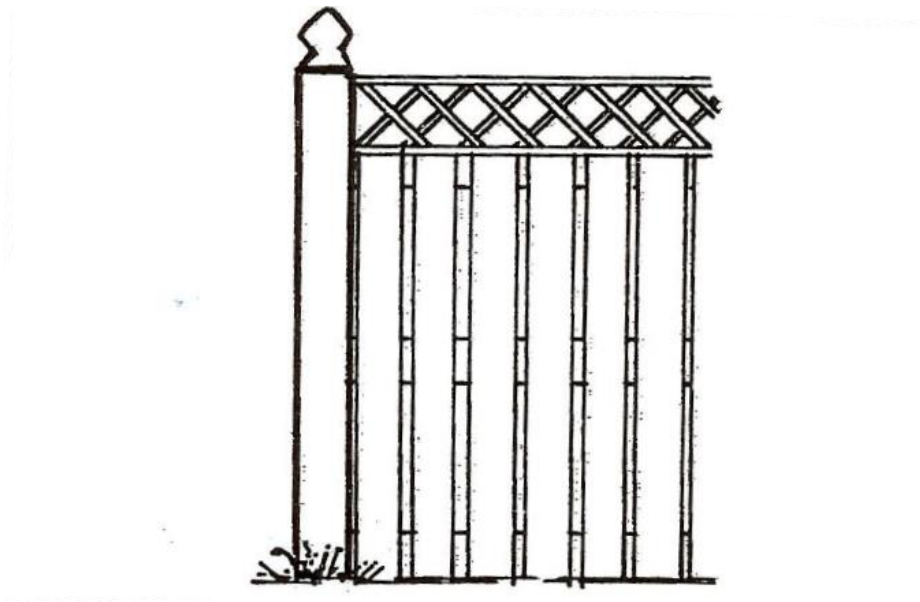
d. Maintenance-Free Black Powder-Coated Aluminum Fence



4. SIX-FOOT FENCE FOR TOWNHOMES & BESIDE COMMERCIAL & LAKEVIEW PROPERTIES



5. SIX-FOOT "WYNGATE" STYLE POOL FENCE

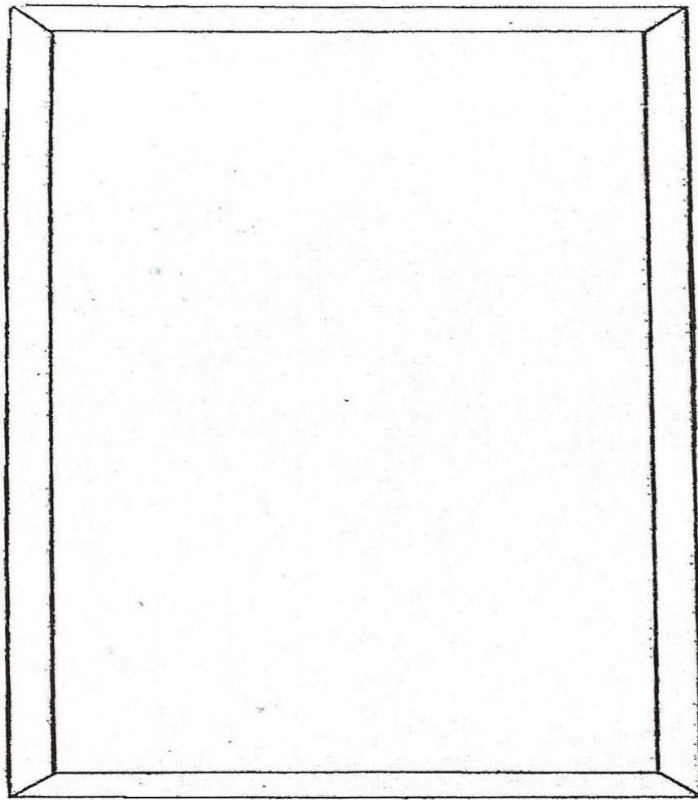


Similar styles may be approved on a case-by-case basis.

Appendix E: Storm Door Styles

Note: there are no restrictions on Entry Door Styles, other than proposals for “color changes.” In accordance with the requirements of the Guidelines.

- ❖ Full View is considered any storm door where the border is of equal width: top, bottom, and full sides.
- ❖ Anything else is considered as not being full view and is not acceptable (except for the below). However, Full View is also considered when the bottom of the door has a wider border, not to exceed 15 inches.
- ❖ Stained and colored glass is not allowed.
- ❖ Etched glass and other decorative elements may be considered with a completed application. See the [Storm Door section in Part II](#) for complete Guidelines.



Appendix F: Garage Door Styles

Pre-approved Garage Door Style - No Windows:

- All Homes (Single Family, Villas, Townhomes)



Pre-approved Garage Door Style - With Windows - Top Row:

- Single Family & Villa (Windows prohibited for Townhomes)



Pre-approved Garage Door Style - With Windows - Second Row:

- Single Family & Villa (Windows prohibited for Townhomes)



Pre-approved Garage Door Style - With Windows and Mullion - Top Row Only:

- Single Family & Villa (Windows prohibited for Townhomes)

- Single Family & Villa pre-approved Mullion Styles below (Approved for Top Row Windows only).



Pre-approved Mullion Styles - Top Row Windows only:

- Single Family & Villa (Windows prohibited for Townhomes)

SHORT PANEL

CATHEDRAL (22)



STOCKTON (20)



WAGON WHEEL (26)



SUNRAY (27)



CASCADE (23)



FULL SUNRAY (28)



Appendix G: Notification of Satellite Dish Installation

Email completed form to: Management@VirginiaOaks.org

NAME: _____

ADDRESS: _____

LOT NUMBER: _____ SECTION: _____

INSTALLATION DATE: _____

TYPE OF DEVICE: _____

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

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

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

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

OWNER SIGNATURE: _____ DATE: _____

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

Appendix H1: Virginia Oaks Parking Policy

Policy Resolution #01-08-01, Adopted 8/20/01, Effective 10/15/01

WHEREAS, the Virginia Property Owners' Association Act (Va. Code §55-513 et seq.) empowers the Board of Directors to establish, adopt, and enforce rules and regulations with respect to use of the common areas; and,

WHEREAS, Article II, Section 2.1 (a) of the Declaration of Covenants, Conditions, and Restrictions states that the Board of Directors shall have the right to adopt, promulgate, enforce, and from time to time amend, reasonable rules and regulations pertaining to the use of the Common Area which shall enhance the preservation of such area and the safety and convenience of the users thereof. Such rules and regulations may include limitations on the number of guests of Owners and their tenants who may use the Common Area at any one time; and

WHEREAS, Article II, Section 2.1 (h) of the Declaration of Covenants, Conditions, and Restrictions states that the Board of Directors shall have the right to regulate parking on Common Area through the granting of easements, licenses, or promulgation of rules and regulations; and

WHEREAS, Article I, Section 1.19 of the Declaration of Covenants, Conditions, and Restrictions states that "Neighborhood" shall mean and refer to each separately developed and denominated residential area comprised of one (1) or more housing types subject to this Declaration, whether or not governed by an additional owners' sub-association; and,

WHEREAS, Article II, Section 2.2 of the Declaration of Covenants, Conditions, and Restrictions states that Lots or Dwelling units within a particular Neighborhood may be subject to additional covenants; and WHEREAS, the Board of Directors desires to establish set policies and procedures regarding parking on Common Areas within the Virginia Oaks community in order to provide for the safety, convenience and general welfare of Owners living in the community;

NOW THEREFORE BE IT RESOLVED THAT, the Board of Directors hereby adopts the following rules and regulations governing the parking of vehicles within the community:

I. PARKING VIOLATIONS

Any vehicle fitting or falling into one or more of the following classifications shall be deemed to be in violation of these parking regulations and subject to enforcement authority set forth, subsequently, herein:

1. A vehicle that could cause or be classified as a safety hazard;
2. A vehicle parked on or in a lot owner's property that is not specifically intended for vehicles (i.e. any area other than a paved driveway or garage) or along a curb;
3. The parking of a commercial or recreational vehicle without the express written permission of the Board or its Designee(s).
 - a. For the purpose of this rule, commercial vehicles include any vehicle used as a Taxi, Taxi Cab or Car for Hire, any vehicle defined as commercial by Prince William County Code, and any vehicle displaying commercial lettering or advertisements, or which are patently used for commercial purposes (i.e. vehicles having ladder racks, tool storage compartments, or other apparatus not customary to standard four-wheel passenger automobiles);
 - b. For the purpose of this rule, recreational vehicles are defined as a boat or boat trailer, any type of trailer, any motor home or other self-contained camper, mobile home, mobile home trailer or fifth wheel trailer, any camper slip-ons not mounted on the vehicle, any pop-up camp/tent trailer or other similar recreation oriented portable or transportable facility or conveyance, commercial and/or private or public school or church vehicles (including automobiles, trucks,

or buses), and any vehicle which could not normally or regularly be used for daily transportation, including dune buggies, non-operative automobile collections, or other automotive equipment not licensed for use on the highways of Virginia.

Note: Other than in the town-home section of the community (Phase Two-Section 1; Phase Two-Section 2; and Phase 3-Section 1), visiting RV's may be parked up to 10 days in the driveway of a resident's home by obtaining a temporary permit from the Management Company or the Design Review Committee. The permit shall be displayed on the dashboard or on the windshield of the R. V at all times while within the Virginia Oaks Community.

4. Certain commercial vehicles whose signage is covered may be parked in Virginia Oaks only if the following criteria are met:
 - a. The signage must be totally covered by a flexible plastic magnetic cover, which is the same color as the vehicle background it adjoins to.
 - b. The cover must not be unreasonably large or unreasonably configured.
 - c. The vehicle must be consistent with the type of vehicle normally driven by homeowners in the VA Oaks community. The Design Review Committee must approve the cover.
5. The parking of ANY vehicle on Virginia Oaks property within the town-home section of the community (Phase Two-Section 1; Phase Two-Section 2; and Phase 3-Section 1) other than within a designated or striped parking space. For the purposes of this rule any vehicle parked across or extending over the lines or stripes designating a single parking space, any vehicle not parked within a designated parking space, any vehicle parked behind another vehicle either stacked in line or perpendicular to the other vehicle ("T" parking), and any vehicle occupying more than one designated parking space shall be in violation of this rule;
6. The parking of ANY vehicle not displaying or not bearing the appropriate licenses, stickers, decals or permits for operation on streets or highways of the Commonwealth of Virginia;
7. A vehicle in excess of two (2) tons will not be allowed to park on Virginia Oaks property
8. Any vehicle parked in a NO PARKING zone or in a Fire Lane as designated by the Fire Marshall or Board or its Designee(s) on the common area parking areas and or the private or public streets;
9. Any service vehicle on a service call parked on Virginia Oaks property for an unreasonable amount of time as determined by the Board or its Designee(s); provided however, that no such service vehicle shall be parked on the common area parking area or on the private streets overnight.;
10. Any sign, initials, numbers or any other addition or alteration to any common area parking space or private street, whether painted, displayed or erected, by any occupant is prohibited. This section does not apply to a uniform numbering system established by the Board of Directors;
11. Any vehicle that qualifies as "abandoned" under these regulations. Virginia Oaks defines "abandoned vehicles" for the purpose of these regulations as any vehicle satisfying one or more of the following conditions: 1. a vehicle that is not legally registered and/or inspected by a state and/or other jurisdiction; 2. a vehicle that is in a state of disrepair or which is inoperable in its current condition and which is not, will not or cannot be made operable within any six (6) hour period, and/or 3. A vehicle not maintained in proper operating condition (proper operating condition means a vehicle which, in its current state, is capable of operation on the roadways of the Commonwealth of Virginia and which does not create a hazard or nuisance by noise, appearance, exhaust or fluid emissions);
12. Any vehicle that qualifies as "stored" under these regulations. Virginia Oaks defines "stored vehicles" for the purpose of these regulations as any vehicle satisfying one or more of the following conditions:

- a. a vehicle parked in the same position and not moved for a period of thirty (30) consecutive days; or
- b. any vehicle rendered incapable of locomotion under its own power source for any period in excess of six (6) hours. (This condition to include any inoperable vehicle which is not, will not or cannot be made operable within six (6) hours); or
- c. any boat, trailer, camper, mobile home, recreation, commercial and/or private or public school or church vehicle (automobile, truck or bus) parked without the expressed written permission of the Board or its Designee(s);

II. ENFORCEMENT OF REGULATIONS

All vehicles must be parked in accordance with the governing documents and the duly adopted rules and regulations of Virginia Oaks, including this parking regulation. The governing documents include the recorded Declaration of Covenants, Conditions and Restrictions, the Articles of Incorporation and the Bylaws for Virginia Oaks.

1. Any vehicle operated on Virginia Oaks property other than on those paved areas or parking lots specifically designed for operation of motor vehicles.
2. Repair/restoration/maintenance of any vehicle on privately owned or Virginia Oaks property (Common Areas). Minor emergency maintenance (excluding fluid changes and other action that may soil or impact on the common areas), and normal cleaning may be permitted, within the Board's or its Designee's (s') discretion, provided there is no damage to or soiling of the common areas and no obstruction of the common areas.
3. Any vehicle not parked in accordance with the governing documents, as amended, or the duly adopted rules and regulations of the Association shall be in violation and subject to the enforcement authority of the Association, which authority shall include, but not be limited to, the towing of violating vehicles from the common area property or other property within the community.
4. A vehicle considered being Abandoned/Stored or under repair, restoration and/or maintenance, as defined herein, or any vehicle parked in violation of the governing documents or any of these rules and regulations, may be towed from the common area at the vehicle owner's sole risk and expense. The vehicle owner shall also be solely responsible for any fees or charges, including storage fees associated with the towing of the vehicle. Towing may be authorized by any member of the Board of Directors, or by its authorized Designee. There will be no liability to the Association, the Board of Directors, or its authorized Designee for towing a vehicle in violation of the governing documents or the duly adopted rules and regulations. Information regarding towed vehicles may be obtained from the Prince William County Police Department, who will be notified when towing is implemented against a violating vehicle.

III. OTHER

1. The Board or its Designee(s) may, but is not required to give written notice of violations prior to undertaking the enforcement act. Violation notices will include the managing agent's name and address. This notice will be placed on the vehicle in a visible location and in a secure manner. The Board or its Designee(s) will not be responsible in the event such notice is in any way removed from the vehicle.
2. Owners in violation will be charged with any and all expenses incurred by the Association to perform repairs to damaged common areas caused by said vehicles. In the case of damage to the common areas by guests of an owner, the owner of the lot will be charged. If the resident is occupying a rental lot, the lot owner and/or resident will be charged.

3. Reporting of violations of these regulations should be made to Board or its Designee(s) in writing. Information such as location, date, time, and type of violation and the make, model, license plate number and color of the violating vehicle must be provided. In cases where Association property is damaged, the reporting individual shall provide a written statement.
4. In addition to towing, as provided above, any violation of these regulations may result in revocation or suspension of the lot owner's/resident's parking privileges. Such revocation shall not occur without written notice of the violation and an opportunity for a hearing pursuant to Section 55-513 of the Virginia Property Owners Association Act.
5. Any violation of these regulations will be subject to a \$10.00 charge per day for each day and each continuing day or portion of a day of the violation, and a \$50.00 charge per violation for a non-continuing violation.
6. The Board has the right to make modifications or amendments to this document, thirty (30) days written notice shall be given to all lot owners/ residents prior to the enforcement of modifications or amendments to this resolution and its regulations.
7. The Board has the right to make special exceptions to these regulations for reason of hardship. Should any resident desire an exception on a temporary basis to any of these regulations, they must request such exception in writing to the Board. These special exceptions will be heard by the Board at its monthly meeting, or other meeting at which a quorum is present, and granted or denied on a case-by-case basis by a majority vote. Special exceptions granted by the Board do not establish a precedent upon which other requests will be granted or denied.
8. Virginia Oaks, its members, residents, owners, members, Board, and Designee(s) involved in the enforcement of this document shall not be held responsible for the towing, storage fees or damage to any towed vehicle.
9. In order to enforce the towing provisions of these regulations, the Board will enter into a towing agreement with a properly licensed towing company for the towing of vehicles pursuant to these regulations and federal, state and local law. In addition, the Board will ensure that all necessary sign age is posted pursuant to federal, state and local laws. No liability shall flow to the Board, its Designee(s) from the obligations of this or any other section of these regulations.

Appendix H2: Townhome/Villa Parking Policy

Policy Resolution 20-01, Adopted Effective 2/10/20

WHEREAS, the Virginia Property Owners' Association Act (Va. Code 555-513 et seq.) empowers the Board of Directors to establish, adopt, and enforce rules and regulations with respect to use of the common areas; and,

WHEREAS, Article II, Section 2.1(a) of the Declaration of Covenants, Conditions, and Restrictions states that the Board of Directors shall have the right to adopt, promulgate, enforce, and from time to time amend, reasonable rules and regulations pertaining to the use of the Common Area which shall enhance the preservation of such area and the safety and convenience of the users thereof. Such rules and regulations may include limitations on the number of guests of Owners and their tenants who may use the Common Area at any one time; and

WHEREAS, Article H, Section 2.1(h) of the Declaration of Covenants, Conditions, and Restrictions states that the Board of Directors shall have the right to regulate parking on Common Area through the granting of easements, licenses, or promulgation of rules and regulations; and

WHEREAS, Article I, Section 1.19 of the Declaration of Covenants, Conditions, and Restrictions states that "Neighborhood" shall mean and refer to each separately developed and denominated residential area comprised of one (1) or more housing types subject to this Declaration, whether or not governed by an additional owners sub-association; and,

WHEREAS, Article II, Section 2.2 of the Declaration of Covenants, Conditions, and Restrictions states that Lots or Dwelling units within a particular Neighborhood may be subject to additional covenants; and

WHEREAS, the Board of Directors desires to establish set policies and procedures regarding parking on Townhome/Villa Common Parking Areas and Private Streets in order to provide for the safety, convenience and general welfare of Residents living in the Townhome/Villa community;

NOW THEREFORE BE IT RESOLVED THAT, the Board of Directors hereby adopts the following rules and regulations governing the parking of vehicles within the Townhome/Villa community:

I. SCOPE OF POLICY

This policy shall apply to the parking of vehicles located within the Townhome and Villa sections of the community. It shall not apply to the streets located within the single-family neighborhoods within Virginia Oaks.

II. PARKING RULES AND REGULATIONS

This policy shall apply to the parking of vehicles located within the townhome and villa sections of the community. It shall not apply to the streets located within the single family Neighborhoods within Virginia Oaks. The following items are the rules and regulations for the townhome/villa common parking area and private streets:

1. A vehicle that could cause or be classified as a safety hazard is prohibited.
2. Due to the width of the streets in the Townhome/Villa section, parking along the curb is prohibited in order to allow fire and emergency vehicle access, regardless of the presence or absence of curb markings and/or signs.
3. A vehicle parked on or in a lot owner's property that is not specifically intended for vehicles (i.e., any area other than a paved driveway or garage) is prohibited.

Parking for Residents/Owners is limited to their driveway, garage, and/or community parking spaces only. If a Resident's/Owner's vehicle is parked in their driveway and extends onto the sidewalk or partially into the street, the vehicle shall be subject to being towed without notice at the Resident's/Owner's expense. Absolutely no commercial vehicles or unregistered vehicles may be parked in a Resident's/Owner's driveway and/or community parking areas.

4. The parking of a commercial or recreational vehicle without the express written permission of the Board or its Designee(s) is prohibited.

For the purpose of this rule, commercial vehicles include any vehicle used as a Taxi, Taxi Cab or Car for Hire, any vehicle defined as commercial by Prince William County Code, and any vehicle displaying commercial lettering or advertisements, or which is used for commercial purposes (i.e., vehicles having ladder racks, tool storage compartments, or other apparatus not customary to standard four-wheel passenger automobiles). Residents/Owners are prohibited from parking their Independent Auto Dealers vehicles in the townhome/villa areas (community parking lots). If these vehicles, identified by Independent Dealer (ID) license plates are parked in the townhome/villa area, the vehicle will be subject to being towed without notice at the Resident's/Owner's expense.

For the purpose of this rule, recreational vehicles are defined as a boat or boat trailer, any type of trailer, any motor home or other self-contained camper, mobile home, mobile home trailer or fifth wheel trailer, any camper slip-ons not mounted on the vehicle, any pop-up camp/tent trailer or other similar recreation oriented portable or transportable facility or conveyance, commercial and/or private or public school or church vehicles (including automobiles, trucks, or buses), and any vehicle which could not normally or regularly be used for daily transportation, including dune buggies, non-operative automobile collections, or other automotive equipment not licensed for use on the highways of Virginia.

5. Certain commercial vehicles whose signage is covered may be parked only if the following criteria are met:
 - a. The signage must be totally covered by a flexible plastic magnetic cover, which is the same color as the vehicle background it adjoins to.
 - b. The cover must not be unreasonably large or unreasonably configured.
 - c. The vehicle must be consistent with the type of vehicle normally driven by homeowners in the VA Oaks community. The Design Review Committee must approve the cover.
6. The parking of ANY vehicle within the Townhome/Villa section of the community other than within a designated or striped parking space is prohibited. For the purposes of this rule, any vehicle parked across or extending over the lines or stripes designating a single parking space, any vehicle not parked within a designated parking space, any vehicle parked behind another vehicle either stacked in line or perpendicular to the other vehicle ("T" parking), and any vehicle occupying more than one designated parking space, shall be in violation of this rule;
7. The parking of ANY vehicle not displaying or not bearing the appropriate licenses, stickers, decals or permits for operation on streets or highways of the Commonwealth of Virginia is prohibited.
8. Any vehicle parked in a NO PARKING zone or in a Fire Lane as designated by the Fire Marshall or Board or its Designee(s) is prohibited.
9. Any service vehicle on a service call parked in the Townhome/Villa section for an unreasonable amount of time as determined by the Board or its Designee(s) is prohibited. No such service vehicle shall be parked overnight.
10. Any sign, initials, numbers or any other addition or alteration to any Townhome/Villa common area parking space or private street, whether painted, displayed or erected, by any occupant, is

prohibited. This section does not apply to signs, curb markings, or a uniform numbering system established by the Board of Directors;

11. Any vehicle that qualifies as "abandoned" under these regulations is prohibited. Virginia Oaks defines "abandoned vehicles" for the purpose of these regulations as any vehicle satisfying one or more of the following conditions:
 - a. a vehicle that is not legally registered and/or inspected by a state and/or other jurisdiction;
 - b. a vehicle that is in a state of disrepair or which is inoperable in its current condition and which is not, will not or cannot be made operable within any six (6) hour period;
 - c. and/or a vehicle not maintained in proper operating condition (proper operating condition means a vehicle which, in its current state, is capable of Operation on the roadways of the Commonwealth of Virginia and which does not create a hazard or nuisance by noise, appearance, exhaust or fluid emissions).
12. Any vehicle that qualifies as "stored" under these regulations is prohibited. Virginia Oaks defines "stored vehicles" for the purpose of these regulations as any vehicle satisfying one or more of the following conditions:
 - a. a vehicle parked in the same position and not moved for a period of thirty (30) consecutive days; or
 - b. any vehicle rendered incapable of locomotion under its own power source for any period in excess of six (6) hours. (This condition to include any inoperable vehicle which is not, will not or cannot be made operable within six (6) hours); or
 - c. Any boat, trailer, camper, mobile home, recreation, commercial and/or private or public school or church vehicle (automobile, truck or bus) parked without the expressed written permission of the Board or its Designee(s).
13. Any vehicle operated in the Townhome/Villa section on areas that are not paved areas or parking lots specifically designed for the operation of motor vehicles is prohibited.
14. Repair/restoration/maintenance of any vehicle. Minor emergency maintenance (excluding fluid changes and other action that may soil or impact on the common areas), and normal cleaning may be permitted, within the Board's or its Designee's discretion, provided there is no damage to or soiling of the common areas and no obstruction of the common areas.

III. ENFORCEMENT OF REGULATIONS

All vehicles must be parked in accordance with the provisions of the Governing Documents and the duly-adopted rules and regulations of Virginia Oaks, including this parking policy. The Governing Documents include the recorded Declaration of Covenants, Conditions and Restrictions, the Articles of Incorporation and the Bylaws for Virginia Oaks.

1. Any vehicle not parked in accordance with the Governing Documents, as amended, or the duly adopted rules and regulations of the Association shall be in violation and subject to the enforcement authority of the Association, which authority shall include, but not be limited to, the towing of vehicles from the common area property or other property within the Townhome/Villa section.
2. A vehicle parked in violation of the Governing Documents or any of these rules and regulations, may be towed from the Townhome/Villa section at the vehicle owner's sole risk and expense. The vehicle owner shall be solely responsible for any fees or charges, including storage fees, associated with the towing of the vehicle. Towing may be authorized by any member of the Board of Directors, or by its authorized Designee. The Association, the Board of Directors, or its

authorized Designee shall not be liable for any damage to a vehicle or other property arising from or related to the towing of any vehicle found to be in violation of the Governing Documents or the duly adopted rules and regulations. Information regarding towed vehicles may be obtained from the Prince William County Police Department, who will be notified when towing is implemented against a violating vehicle.

Owners in violation will be charged with any and all expenses incurred by the Association to perform repairs to damaged common areas caused by said vehicles. In the case of damage to the common areas by guests of an owner, the owner of the lot visited by such guest shall be charged. If the resident is occupying a rental lot, the lot owner and/or resident will be charged.

3. In addition to towing, as provided above, any violation of these regulations may result in revocation or suspension of the lot owner' s/resident's parking privileges. Such revocation shall not occur without written notice of the violation and an opportunity for a hearing pursuant to Section 55-513 of the Virginia Property Owners Association Act;
4. Any violation of these regulations will be subject to a \$10.00 charge per day for each day and each continuing day or portion of a day of the violation, and a \$50.00 charge per violation for a non-continuing violation.

IV. OTHER

1. The Board or its Designee(s) may, but is not required to, give written notice of violations prior to undertaking the towing of a vehicle. Violation notices will include the managing agents name and address. This notice shall be placed on the vehicle in a visible location and in a secure manner. The Board or its Designee(s) shall not be responsible in the event such notice is in any way removed from the vehicle.
2. Reporting of violations of these regulations should be made to Board or its Designee(s) in writing. Information such as location, date, time, and type of violation and the make, model, license plate number, and color of the violating vehicle must be provided. In cases where Association property is damaged, the reporting individual shall provide a written statement.
3. The Board has the right to make modifications or amendments to this policy. Thirty (30) days written notice shall be given to all lot owners/residents prior to the implementation of any modifications or amendments to this policy.
4. The Board has the right to make special exceptions to these regulations for reason of hardship. Should any resident desire an exception to any of these regulations on a temporary basis, they must request such exception in writing to the Board. These special exceptions will be heard by the Board at its monthly meeting, or other meeting at which a quorum is present, and granted or denied on a case-by-case basis by a majority vote of the Board. Special exceptions granted by the Board do not establish a precedent upon which other requests will be granted or denied.
5. Virginia Oaks, its members, residents, owners, agents, Board, and Designee(s) involved in the enforcement of this document shall not be held responsible for the towing, storage fees or damage to any towed vehicle.
6. In order to enforce the towing provisions of these regulations, the Board will enter into a towing agreement with a properly licensed towing company for the towing of vehicles pursuant to these regulations and federal, state and local law. In addition, the Board will ensure that all necessary signage is posted pursuant to federal, state and local laws. No liability shall flow to the Board, its Designee(s) from the obligations of this or any other section of these regulations.

Appendix I: Enforcement for Violations

Policy Resolution #01-02-01, Creation of Procedures to Ensure Due Process in Enforcement Cases

Adopted Effective 1/19/01

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

WHEREAS, the Virginia Property Owners Act requires the Board of Directors to formally adopt and publish a written resolution to enact the statutory power to assess monetary charges against members for violations of the regulations of the Association; and POLICY RESOLUTION #01-02-01 (Creation of Procedures to Ensure Due Process in Enforcement Cases)

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

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

I. ENFORCEMENT PROCEDURES

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

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

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

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

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

II. HEARING GUIDELINES

If the offense is not remedied within the number of days requested in the second notice of citation, and the owner has not requested a hearing in writing by or before the hearing confirmation date, the owner shall be deemed to have waived the right to a hearing and the Board of Directors shall have the power to impose monetary charges. The Board of Directors shall be required to conduct a hearing

prior to the imposition of monetary charges in accordance with §55-513 (B) of the Property Owners Association Act.

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

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

III. ADMINISTRATIVE ACTION GUIDELINES

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

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

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

This Resolution supersedes Policy Resolution #97-(0)6"O 1: Creation of Procedures to Ensure Due Process in Enforcement Cases.

Appendix J: Native Plant List Sources

Any new plantings on HOA Property by individual homeowners or residents must be native to the Piedmont Region of Northern Virginia. No exceptions.

Please note that not all plants that can be purchased locally are native plants.

Please see the document titled Piedmont Native Plant Guide in the DRC library on the VirginiaOaks.org website (https://www.virginiaoaks.org/download/28/open-space/4496/piedmont_native_plant_guide-2.pdf) for a list and descriptions of plants that are permitted to be planted within the Nutrient Bank with specific permission from the DRC.

In addition, the following are sources for information about the right kind of plants for the region and specific uses.

Merrifield Nursery	Wellington Road, Gainesville
DRC Piedmont Natives:	https://www.dcr.virginia.gov/natural-heritage/document/pied-natplants.pdf
Plant Native:	http://www.PlantNative.org
Grow Native:	http://www.GrowNative.org
Native Plant Finder:	https://www.nwf.org/NativePlantFinder
VA Native Plant Society:	https://vnps.org/johnclayton/native-plants-lists/

Appendix K: Chemicals Approved/Unapproved for Use

Environmental protections in place for the Nutrient Bank and Lake Manassas limit vegetative changes and the use of fertilizers and chemicals within Virginia Oaks Natural Areas and around the lake. This relates particularly to the use of chemicals that can contribute to environmental impacts in the drinking water reservoir, the Potomac River Basin, and the Chesapeake Bay Preservation Area.

The application of any chemical requires an approved Adopted Area Maintenance application prior to use.

The following guidelines apply for individual homeowners and residents on all HOA property.

1. FERTILIZERS

Nutrients are prohibited in the Nutrient Bank and soil runoff can carry them beyond an application area. No fertilizers are therefore approved for individual use on any HOA Property.

No exceptions can be made, even for areas that homeowners have previously treated as lawn. This does not, of course, apply to lawn or flowerbeds on their own, private, property.

2. HERBICIDES AND FUNGICIDES

Use of environmentally safe products is encouraged, and Virginia Oaks is required by our County zoning documents, HOA documents, and legal agreements with the City of Manassas to obtain approval for chemical plans used by residents as well as the HOA each year. Any chemicals that carry environmental risks to an aquatic environment cannot be approved for HOA property. Limited use of Oust or similar herbicides is approved for spot treatment (one plant at a time) on noxious or invasive weeds. Not for use on trees or brush.

3. PESTICIDES

Use of pesticide treatments for mosquitos, chiggers, grubs, fleas, and ticks at manufacturers' recommended doses is approved within fifty (50) feet of homes provided use is in accordance with manufacturers' instructions.

Please note that activity near Lake Manassas, whether or property owned by the HOA, the City, or someone else, is protected by additional regulations and restrictions. It is the responsibility of the homeowner to comply.

Restrictions imposed on the HOA by outside agencies can change at any time without notification, and it is not the responsibility of the DRC to provide notification to homeowners. Chemical use approved by the City and County can also change year to year. The volunteers of the DRC will update this approved chemical list as time allows and notification is provided to the DRC of changes.

Appendix L: Yard Chemical & Fertilizer Recommendations

Due to the proximity of Lake Manassas, a drinking water reservoir, Virginia Oaks homeowners are asked to take particular care with chemical and fertilizer use on their private residences. Run-off from private residences reaches the lake through stormwater management systems.

The following recommendations were prepared for us by our professional landscaping service, and will be periodically updated as conditions or products change. By performing some of these activities, you can cut down on the need for chemicals and fertilizers.

Per the terms of the community's legal agreements with the City of Manassas and Prince William County in 1994, and renewed in all subsequent agreements, the HOA is required to provide recommendations to all homeowners to help minimize the amount of chemicals and fertilizers that residents use. We ask that all residents also provide this information to any landscaper or contractor they engage to work on their yards.

PLEASE NOTE: All products you use will be different. Read all labels carefully and follow all safety precautions, application practices, and application rates. Always wear appropriate personal protection as recommended on the product label. Follow all clean up and storage procedures as listed on the product label. DO NOT exceed the rate of application for the square footage or acreage that you are covering. Doing so will not provide a better result, it will only cause potential harm to the environment and cost you extra time, effort, and money. If you do not know the size of your lawn or flowerbeds, please go to the Prince William County Mapper, search for your address, and use the measurement tool to calculate the exact size of the area.

Whenever applying chemicals or fertilizers, with the exception of post-emergent weed killer, slow release granular products are recommended for easy and safety of use as well as long term benefit. They are active over time feeding and protecting the landscape. This promotes a healthy landscape while reducing applications.

Lawns should be mowed at a height of 3-4 inches to promote healthy turf and grass root systems. Mow or mulch in organic 'green waste' material such as leaves when possible. They provide organic matter to the soils and are a natural fertilizer and soil conditioner.

1. SPRING RECOMMENDATIONS (MARCH, APRIL, MAY TO EARLY JUNE):

- ❖ Remove leaves and winter build up in beds and lawns before applying any fertilizer or preemergent application.
- ❖ If weed and crabgrass preemergent for the lawn is desired, consider using a brand that combining preemergent with fertilizer reduce the amount of applications and your exposure to chemicals.
- ❖ If fertilizer is desired for lawns and landscape beds to help feed and initial new growth, apply a slow release granular version using a rotary spreader. Recommended fertilizers include Scotts, Vigoro and Lesco brands. These manufacturers all make a spring starter in granular pellets.
- ❖ If a landscape bed preemergent to control weeds in the landscape beds, do not use within twenty-five feet of the lake, or any pond drain, sewer, or stormwater run-off conduit.

2. SUMMER RECOMMENDATIONS (MID-JUNE, JULY, AUGUST TO MID-SEPTEMBER):

- ❖ If post-emergent turf weeds are a problem in May and early June, these are weeds that have already started to grow over the winter months and will not be eradicated by pre-emergents you may have applied in spring.
- ❖ Use of self-mixing post-emergent solution in which the bottle is attached to a garden hose is recommended. These products are mixed at the proper rate when the garden hose water passed through the bottle nozzle. The bottle has a back flow preventer build into it so no chemical returns to the garden hose. It only flows one direction. The product is mixed at the proper low rate, and application is easy. Scotts, Spectracide, and Ortho are common brands.
- ❖ Do not spray multiple times. It takes a few weeks to totally rid a lawn of weeds. Repeating the application does not help eradicate the weeds and only adds to possibility of chemical run off from individual lawns.
- ❖ If additional summer fertilization of lawns and landscape is desired, do not apply fertilizer any earlier, or at a shorter interval from the spring application, than recommended by the product label.
- ❖ Fertilize at a lower to half rate in summer. Plant material is in survival maintenance mode and not in growth mode at this time, so it does not need as much fertilizer as it did in the spring.
- ❖ Do not apply additional pre-emergents, and do not use a fertilizer that contains a preemergent with it. Summer fertilizer should be just fertilizer at a lower rate of application.
- ❖ Do not water lawns or landscape beds every day. Instead, water them for a longer period of time on alternating days. This deep soaking provides for moisture to the root and soil and promotes deeper root growth. Frequent shallow watering promotes shallow roots and turf with shallow roots systems do not hold up as well in the long term. Both wetting and drying are essential to the grass growing process. This is the same for garden vegetables and landscape plants.

3. FALL RECOMMENDATIONS (MID-SEPTEMBER, OCTOBER, NOVEMBER TO EARLY DECEMBER):

- ❖ Core aeration and dethatching of lawns is recommended and a preparation for the new seed application. This helps the seed make better contact with the soil. Aeration helps loosen the soil for root growth and allows more oxygen access for the roots. These services should be performed just prior to grass seed application.
- ❖ New grass seed should be applied the lawn in the month of September. Early fall application of turf seed is best so the roots have ample time to absorb the nutrients slowly and fully over the final growth months of the season.
- ❖ Recommended seed will be certified with the state of Virginia. Certified seed is the preferred seed to the local environment and will contain a guaranteed rate of weed and filler seeds. This is typically less than 1%.
- ❖ Use turf grass seed and not annual (one year) seed. Annual seed like Rye is only used for quick establishment to aide in erosion control and dies without having reseeded itself once it reaches maturity.
- ❖ Spread seed with a rotary spreader at a rate determined by the seed and spreader label. Too much seed is only a waste of product.

- ❖ If fertilizer is desired for lawns, use a slow release fertilizer applied along with turf seed directly after dethatching and core aeration of the lawn. Application in September is sufficient to sustain plants and turf until the following Spring.
- ❖ Do not use any fertilizer that contains a pre-emergent or post-emergent weed killer mixture. Temperature and seasonal changes will kill summer weeds as soon as they drop below certain nightly degrees.
- ❖ Where possible, mulch mow leaves into the grass through the Fall instead of planning to use a Winter soil amendment. You can also apply compost to help new grass seed become established before colder temperatures prevail.
- ❖ Application of compost is called top dressing, and is typically done as the final process in the Fall turf care process. It helps hold seed in place, protects seeds from feeding birds, adds nutrients and adds organic matter to the soil. An even application of 1/4"- 1/2" of compost raked into the grass is recommended.

4. WINTER RECOMMENDATIONS (DECEMBER, JANUARY, AND FEBRUARY):

- ❖ No action recommended.

Appendix M: Noxious and Invasive Plant Lists

The DRC and Nutrient Bank Sponsor may, on a case-by-case basis, permit the removal of noxious or invasive plant species as part of an Adopted Area Maintenance Application. This applies to specific species ONLY, and the removal of other species is strictly prohibited unless otherwise approved.

For purposes of the Adopted Area Maintenance program, a Noxious Plant is defined to include poison oak, poison ivy, poison sumac, stinging nettle, and any plant defined by the State of Virginia as a Noxious Weed. See:

<https://law.lis.virginia.gov/admincode/title2/agency5/chapter317/section20/>

For purposes of the Adopted Area Maintenance program, an Invasive Plant is defined as any plant appearing on the Virginia Invasive Plant Species List. See:

<https://www.dcr.virginia.gov/natural-heritage/document/nh-invasive-plant-list-2014.pdf>

Appendix N: Tree Care Resources

Mature, healthy trees are a valuable resource that adds value to homes and the community. Work by unskilled and/or predatory tree contractors can damage or kill the tree, resulting in greater expense and the loss of thousands of dollars in value.

For best results, when choosing a tree contractor, get multiple bids and do not automatically accept the lowest bid. To ensure the contractor is knowledgeable, check for certification from one of these three organizations:

- ❖ International Society of Arboriculture: <https://www.treesaregood.org/>
- ❖ Tree Care Industry Association: <https://treecareindustryassociation.org/>
- ❖ American Society of Consulting Arborists: <https://www.asca-consultants.org/>

“Studies have found that tree cover adds 2–9% to the value of existing houses and a single tree can add as much as 2%. Newly built houses on tree-planted lots have a 7% higher price than those on bare lots. Lawn area and type of grass affect property value, with increased lawn area (up to a limit) having a positive impact on price. Specific landscape characteristics, such as hedges or walls and landscaped curbs, each add 4% to property value; however, an above-average density of vegetation has a negative impact on price. When overall landscaping (including trees, plants, grasses and other landscape features) improves from average quality to excellent quality, house price increases by 10–12%. An estimated 30% of the price increase is due to added tree cover. Perceptions of homeowners on the value of landscaping generally agree with the empirical research results — for example, one study reported that homeowners believe that improved landscaping can increase property value 5–11% for landscapes with sophisticated designs that incorporate a variety of different plant types and sizes and include flowers and colored hardscapes.”

Source: Journal of Environmental Horticulture, Volume 30, Issue 4

For a comprehensive guide to planting and maintaining trees, download the free Tree Owner’s Manual from the USDA Forest Service:

https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5368392.pdf

For help pruning your tree, refer to this guide from the Virginia Cooperative Extension service:

<https://www.pubs.ext.vt.edu/430/430-456/430-456.html>

For help with oak trees, consult this guide on How to Identify, Prevent, and Control Oak Wilt:

https://www.dec.ny.gov/docs/lands_forests_pdf/oakwiltusda.pdf

For additional help, community members can contact the County extension service Help Desk with questions about pruning, gardening, and natural resources in general: mastergardener@pwcgov.org or 703-792-7747. The County’s Master Gardeners may be available for an in-person site visit if pictures are not enough to diagnose the issue.