



# **Association Documents**

## **Amended and updated Design Standards**

*Amended and updated to include all Resolutions and Amendments approved by the Vint Hill Manor Homeowners Association Board of Directors and/or Association Members at regularly scheduled meetings through October 2017.*

*The Vint Hill Conservancy Bylaws & Declaration of Covenants, Conditions and Restrictions are available on their website ([vinthillconservancy.com](http://vinthillconservancy.com))*

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# **DESIGN STANDARDS**

## **I. INTRODUCTION**

All new construction and exterior modifications to a home or lot in the Vint Hill Manor Homeowners Association, including landscaping, must first be reviewed and approved in writing by the Architectural Review and Covenants Committee (“Architectural Committee”).

The Board of Directors of the Association is pleased to provide you with these Design Standards for your use in preparing an application for architectural review by the Architectural Committee. The purpose of this booklet is to serve as an adjunct to the Association’s Declaration of Covenants, Conditions and Restrictions (the “Declaration”) found in your homeowner’s manual. In the event of any conflict between the Declaration and these Design Standards, the Declaration shall control. The Standards are not intended to be an inflexible set of rules but rather as a handy reference tool which will provide you with the information you need to understand the architectural review procedure, and to make the system work for you and for all the neighborhoods in the community. Ultimately, the goal of the architectural review standards and procedures is to preserve the unique traditional quality of the community and to maintain the high aesthetic standards that make it a desirable place to live and ultimately preserves and enhances property values in the community.

The Board of Directors of the Association welcomes any comments or suggestions you may have regarding this booklet.

## **II. DESIGN CRITERIA**

### **A. General Principles**

The Developer’s goal is to create an enclave of residences characterized by first class detailing, materials and construction. In general, homes in the community shall reflect designs that are cohesive, consistent and properly proportioned in keeping with the needs of mature homebuyers. The Architectural Committee will evaluate homes for their “overall design” rather than a sum of the component parts. Property owners must be cognizant of the fact that elements of architecture taken from several different homes in the community may not necessarily be appropriate when combined on the same house, as it is the effect of all the design elements working together which gives a home a traditional feel. Comments, suggestions, approvals and rejections may be based solely on the aesthetic judgment of the Architectural Committee.

The Architectural Committee is responsible for applying certain standards in making decisions regarding architectural improvements in the community. The standards are generally defined under Article 5 “Architectural Review and Architectural Committee” and Article 6, “General Restrictions” in the Declaration and underline the specific guidelines contained in the following sections of this booklet.

The guiding principles which direct the Architectural Committee in making its decisions include:

- \* protecting owners against improper use of surrounding lots as might depreciate the value of their lots;
- \* guarding against the erection of poorly designed or proportioned structures or the use of unsuitable materials;
- \* obtaining harmonious color schemes;
- \* preventing haphazard and inharmonious improvement of lots
- \* establishing a community that is safe and convenient for the mature buyer.

In all cases, the Architectural Committee is concerned with the impact and the view from neighboring lots, roads and recreational areas. Furthermore, it is mindful of any improvements which serve to create a precedent in the community.

B. All-Inclusive Submission Facilitates Review and Approval

In order to facilitate the Architectural Committee's review and approval process, and in order to provide a quick and thorough response to requests for architectural additions or modifications, the Architectural Committee urges owners to submit items for review in an all-inclusive manner. In other words, rather than submitting plans on an item-by-item basis as you progress through the improvements you plan to make to your home or lot, the Architectural Committee requests that, whenever possible, you devise your entire plan from the outset. The forethought will benefit you by saving time (and possibly money) in the early stages, and it will assist the Architectural Committee by providing the entire picture of what you are planning to do.

As an example, when you submit a pool plan, the Architectural Committee also requires that you provide the accompanying deck or patio plan, a complete landscape plan, with location and type and size of plant materials to be used, and the fencing plan and its specifications. Please note that if you have considered landscaping needs in connection with the planned improvement for your home and feel that no additional plantings are required, you should indicate such on your application.

The following "Considerations, Specifications and Guidelines" will assist you in making all-inclusive submittals. These Guidelines indicate, for example, what will or will not be approved for storage sheds, including materials and preferred location. By following these Guidelines, you should find that the procedure for submitting applications for review to the Architectural Committee is a very straightforward, simple process. The Association has attempted to provide guidelines in this booklet which address the most common elements of new home construction and modifications, although there may be some exterior changes desired by owners for which guidelines have not been included. **All exterior changes, whether covered in the Guidelines or not, must nevertheless be submitted for approval to the Architectural Committee in accordance with the application requirements described herein.**

C. Important Reminders:

1. County Approvals

Many exterior projects require a review and permit from Fauquier County in addition to Architectural Committee approval, and the property owner is responsible for all such County approvals. Fauquier County authorities should be contacted before commencement of work to be sure that any and all required permits have been obtained. County approval does not preclude the need for Architectural Committee approval, nor does Architectural Committee approval relieve the applicant of the responsibility to obtain county permits. In some cases, Fauquier County may require written confirmation of the Architectural Committee before issuing a permit.

When considering a modification, do not rely on a modification your neighbors may have done to their property. It may not have been approved or, if approved, it may have had different reasons for being approved than your application. Each application is processed individually, and you are responsible for getting Architectural Committee and County approval for your modification.

Architectural Committee approval in no way deals with, guarantees, or warrants that the improvements comply with building codes, governmental regulations, or sound engineering practices; all of the aforementioned being outside the scope of the Architectural Committee. The Vint Hill Conservancy assumes no responsibility for the safety or structural validity of new construction by virtue of an approved design. It is the responsibility of each applicant to obtain a Building Permit where required and comply with County and State codes and regulations.

2. Modifications by Previous Owners

Purchasers of a resale property could be notified that they are in violation of the covenants because of an existing unapproved architectural modification on their property. Current owners are responsible for any existing violations. Should owners find themselves in this situation, they should remove the unapproved modification themselves or, alternatively, if the previous owners did not seek approval, the new owners should submit an application explaining the matter and requesting approval. The buyer of a resale home is urged to protect him or herself from this occurrence by obtaining a resale certificate from the Association prior to settlement which will state whether any fees are due or whether any covenant violations exist on the property so that these may be immediately resolved by the sellers.

Purchasers must be aware that certain architecture which may have been appropriate for one lot in the community may not necessarily be appropriate for another lot. The Vint Hill Conservancy assumes no responsibility for the safety or structural validity of new construction by virtue of an approved design. It is the responsibility of each applicant to obtain a Building Permit where required and comply with County and State codes and regulations.

### **III. APPLICATION PROCEDURES**

1. New Construction and Modifications Application Forms are attached. You may also pick up an application form by contacting the Chairman of the Architectural Review Committee at the address listed in the “*Manor Monitor*” newsletter.
2. Read this booklet — Design Standards.
3. Develop your plan. (Consider the impact on your neighbors.)
4. You must obtain the signature of all adjacent property owners within the Association on your application. if for any reason you do not provide their signatures, please explain the reason on your application. By signing the application your neighbors are only acknowledging that an application will be filed with the Association, the signatures do not constitute approval of the application. if you are unable to provide all of your neighbor’s signatures, the Declarant or Architectural Committee may elect to forward a copy of your application to your neighbor. The need for the Architectural Committee to seek additional signatures will delay the action on an application.
5. Submit the completed application and all required plans. Plans should be prepared as clearly and thoroughly as possible. You must include a copy of your final survey showing the location of all improvements.
6. Your application will be processed by the Architectural Committee on a first-come, first-served basis.
7. During the period that The Association is controlled by the Declarant, the Declarant will review all applications. Following the transfer of control to the residents, a staff member of the Association will review your application to determine if the information provided is sufficient for the Architectural Committee to be able to review it. if not, you will be asked to provide additional information. Once the application is complete, your request will be included on the agenda for the next regular meeting of the Architectural Committee.
8. A staff member will provide each member of the Architectural Committee with a copy of your application prior to the meeting so that they will have a chance to visit your property to best understand your plans.
9. The Architectural Committee will provide you with its written response (approval or disapproval) through regular mail within 45 days after the full and complete application, plans, specifications and fees have been submitted. If action is not taken by the Architectural Committee within 45 days of their receipt of a complete application; the owner may submit the application to the Association Board of Directors. In the event that the Board of Directors has not rendered a verdict within 30 days, the application is considered approved.
10. Modifications must be commenced within six (6) months of the receipt of written approval from the Architectural Committee and then must be completed within six (6) months of the date of commencement.
11. Should you or any of your neighbors feel you have been aggrieved by an action of the Architectural Committee, you may appeal the decision of the Architectural Committee to the full Board of Directors.



**V. GUIDELINES FOR MODIFICATIONS TO HOMES:  
CONSIDERATIONS, SPECIFICATIONS AND APPLICATION  
GUIDELINES**

A. Additions, Major (e.g.: Rooms, Screened Porches, Sunrooms) and Outbuildings

1. General Considerations

Major additions and outbuildings can have a significant impact on the appearance of the original building and on neighboring property, and the Architectural Committee will be sensitive to this fact in making its decisions regarding the addition. All detached structures such as garages, pavilions, or sheds shall be of similar design and materials as the primary structure(s).

The owner may submit conceptual drawings or preliminary plans for Architectural Committee review and comment before more detailed plans are made. Any preliminary comments are not to be interpreted as final approval by the Architectural Committee.

2. Specifications

The design of the addition or outbuilding must be compatible in scale, massing, roof pitch, character, materials and color with the original house. The location of the addition or outbuilding should be planned to minimize the effect on neighboring properties as it relates to their privacy and views, and located to minimize the removal of trees and other vegetation. The Architectural Committee will likely require additional landscape screening of adequate size at the time of planting to visually soften the view of the addition from the neighbors or street.

Changes in grade or drainage resulting from the addition must not adversely affect adjacent property, and should be shown on the site plan.

SHEDS: Sheds are allowed in the rear yard only. The preferred location is attached to the rear of the house. All sheds cannot exceed eight (8) feet in height, eight (8) feet in width, and ten (10) feet in length. All materials must be low maintenance and must match the exterior color of the house. Landscaped screening will be required to minimize the visual impact on all adjacent property owners. Areas around the shed must be maintained to keep a neat appearance at all times, and cannot be used for the additional storage of materials.

### 3. Application

Your application should include a completed application form and:

A site plan and/or record plat (scale not less than 1"= 30 ft.) showing the location of the proposed addition or outbuilding, the existing building, the setbacks from all property lines; and the impact that this construction will have on the neighbors.

- \* Detailed construction elevation drawings for all views (scale not less than ¼"= 1 ft.);
- \* Drawings or photographs of the existing building and site conditions before the proposed changes;
- \* Samples of colors and materials, if different from the existing building;
- \* Catalog cut sheets of exterior lighting specifications;
- \* Landscape plan (scale not less than 1"=30 ft.) showing all plant species, quantities and sizes at time of planting. Alternatively, proposed planting may be shown on site plan if the plan is not overly complex:
- \* Perspective drawings or scale models (not required, but may be helpful).

### B. Awnings

Awnings may be appropriate for rear yard patios and decks. Awnings must have a straightforward design, without decorative features such as scallops or fringes, and be consistent with the architectural style and scale of the building to which they will be attached. The color of the fabric must be compatible with the existing colors of the house and must be replaced as color fades or material becomes weathered. Solid colors should be used rather than stripes or patterns. Metal or plastic fabric shade material is prohibited.

Any exposed frames must be painted to match the trim of the dominant color of the building. Frames must be removed if the awning is removed.

### C. Basketball Backboards

Basketball backboards are not permitted under any circumstances.

### D. Antennae

Exterior antennae or similar devices of any kind are prohibited except that "direct T.V." antennae not exceeding 18" inches in diameter may be permitted on side and rear elevations only. In no event shall such devices be permitted in front yards, on front roofs, or front elevations.

E. Decks/Patios

1. General Considerations

The Architectural Committee expects to receive many requests for the addition or revision of a deck or patio. Because of the extended “living space” which a deck or patio provides and the opportunity to better enjoy the outdoor views within the community, the Architectural Committee understands the desire of owners to add or modify a deck. However, because a deck has a very definite impact on the appearance of a house and may possibly affect the privacy of adjacent owners, the Architectural Committee will take particular care in its review of a deck plan to be certain that its design is complementary to the existing house and it will not significantly interfere with the right of enjoyment of adjacent residents.

2. Specifications

Decks will only be allowed on the rear or side of homes and never in the front. Decks may extend up to four feet from the rear or side property line (the maximum allowed by County Code). New decks or modifications to existing decks must provide continuity in detailing, such as materials, color, post locations, railing design and trim.

For aesthetic appeal and consistency, only 3 standard railing designs (picket rails, Chippendale rails or a combination thereof) will be permitted on decks in the community. The Architectural Committee may promulgate additional acceptable complementary designs from time to time if deemed appropriate.

Decks must be constructed with cedar or high quality pressure treated, rot resistant wood, and in many cases, may be left to weather naturally. Composite wood (“Trex” or equal) may be used for walking surfaces. Painted or stained wood decks should be in a neutral color which blends well with the brick and trim color of the house. Column supports for above ground decks must be finished with the same level of quality and detail as the deck itself.

Underdeck Screening and Ground Covering: The undercroft shall be skirted by framed lattice, with a maximum of 1-1/2 inches between the boards, placed between (not over) the posts. Lattice and post must be painted or stained the same color as the deck. However, no lattice framing will be required for decks 4 feet and higher (one story) in height, or which have walkout basements. In such elevated decks the undercroft must be maintained such that it does not impact the exterior appearance of the home. The construction of an at grade patio or landscape buffer of the area under the deck is encouraged.

Any deck appurtenances such as arbors, pergolas, lattice and trellises must be submitted as part of a complete deck application package. Lattice panels cannot exceed six (6) feet in height above deck level and should primarily be used on the sides of decks for privacy purposes, although additional lattice screening may be permitted for hot tubs.

Patios are encouraged to be stone, brick or exposed aggregate concrete. Concrete may be used but must remain neutral in color. Painting or coloring concrete is permitted on rear patios only and must be approved prior to installation. Edges must be neatly finished and cannot exceed 8” in height. Patios may extend to no closer than two inches from the property line.

### 3. Application

Your application should include a completed application form and:

- \* A site plan, plat or house location survey (minimum scale of 1"=30') showing the location of the deck or patio relative to the house and the property lines;
- \* Construction elevation plans (minimum scale ¼"=1'-0") including details of railings, built-in benches, barbeque or cooking areas, etc. Drawing should indicate relationship of the deck to the existing house and existing finished yard grade;
- \* Paint or stain color samples where applicable.

## F. Driveways/Parking Pads/Walkways

### 1. General Considerations

It is not anticipated that many requests for driveway revisions, either in design or material, will be made since these issues should be carefully considered during the original new home construction review and approval process. The impact of an enlarged or modified driveway on neighboring properties will be carefully considered. New or revised walkway plans must also be submitted to the Architectural Committee for review and approval.

### 2. Specifications

Enlarging or modifying a driveway and/or walkway may be done only where it and its use will not adversely affect adjacent property, natural areas or drainage and where it will not negatively impact the appearance of the streetscape.

Enlarging driveways, and adding parking pads or walkways must be done with the same material as the existing driveway or walkway. Should the driveway cause disturbance to any existing vegetation, the owner will be required to replant landscaping and may be requested to plant additional landscaping if needed to soften the impact and view of the driveway from neighboring properties.

Materials for driveways are limited to asphalt, concrete, exposed aggregate concrete, or brick pavers. Any other materials, including monolithic poured concrete will generally be unacceptable unless the Architectural Committee, at its sole discretion, decides the specific circumstances warrant the use of other materials. Leadwalks may be constructed of stone, brick, concrete, flagstone, or exposed aggregate concrete. Leadwalks must be neutral in color.

### 3. Application

Your application should include a completed application form and:

- \* A site plan, plat or house location survey (minimum scale of 1"=30') showing the location of the existing house and driveway or parking pad and proposed changes showing dimensions and distances from property lines;
- \* A grading plan if the existing grading is changed;
- \* A plan showing additional landscaping if needed to soften the impact of the driveway from neighboring properties.

## G. Fences

### 1. General Considerations

Fencing can be an architectural plus with a certain design and specific use, in the complementing location and with abundant, well designed landscaping. Conversely fencing can, when not controlled, become an intrusion on the open character of the community from both an aesthetic and a physical standpoint.

### 2. Specifications

The general philosophy is to retain an open feeling to the community by limiting the use of fences to only those Lots that require fencing because of children, pets, swimming pools, or other safety considerations, and in such cases to permit only certain types of fencing which accomplish the desired effect.'

No fencing will be permitted in front yards. Fencing is to be limited to rear yards only and must not be installed beyond the mid-plane of the side of the house. Fencing on corner Lots may include a portion of the side yard with permission from the Architectural Review Committee. The use of invisible, electronic dog fences to contain pets within yards is encouraged in lieu of aboveground fencing.

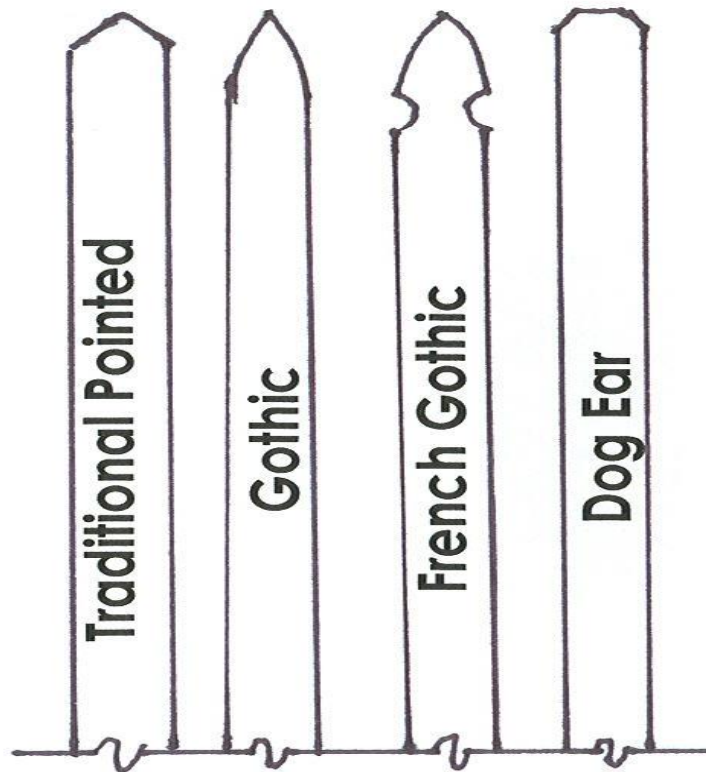
To maintain a consistent appearance throughout the community, except for swimming pools, hot tubs, and other water structures, a fence must be specified that will complement the size of the Vint Hill Manor Lots, and at the same time adapt to the diversity of the Lot configurations. In recognition that one type of fence will not suffice for all Lots, the following three basic types are permitted: Wood Picket (2a), Wood 5 Board Estate (2b) or Ornamental Metal (2c). Neither Privacy nor Chain Link fences are permitted.

If necessary, black or dark green vinyl coated mesh may be used on the inside of the fence to increase security for pets and children. The mesh can be any height up to the 48 inch height of the fence.

Generally, fencing must be installed with the sections following the grade or flat, level, and stepped to accommodate changes in grade; the bottom of the fence may follow grade or be stepped; the "steps" should not exceed 12" at either top or bottom. All vertical members must be straight and plumb. Property corners must be established prior to the installation of fences. In accordance with HOA Covenants - Article IX - Two Party Fences, no fence (or any other barrier) may be erected on the property line between two Lots. In the event any Lots have fences separating the Lots, any such fence shall be constructed completely on the Lot owned by the person entitled to construct a fence thereon. All fences must be constructed no less than two (2) inches from the property line in order to allow the maintenance of the fence without encroaching on the neighboring Lot. For the purposes of this provision, the term fence includes any form of barrier, including, vegetative barriers.

2a. Wood Pickett Fence

A picket fence will be 48” to the top above finished grade, be constructed of 3” or 4” wooden pickets with a traditional pointed, gothic, French gothic, or dog-ear top, and be spaced a minimum of 3” apart to maintain a more open feeling in the community. It must be made from hardwood, cedar, or pressure treated pine and allowed to weather naturally or finished with a clear or light cedar preservative. Wooden horizontal supports shall be attached to 4x4 wooden posts; said wooden posts shall be a maximum of 8’ apart. Fencing will be installed the finished side out, in consideration of views from neighboring properties and streets.



Picket fence gates are to match the design and construction of the fence. Access gates will be allowed only at the front elevations and rear elevations where property line adjoins common area.

2b. Wood 5 Board Estate Fence

A five (5) board estate style fence must be forty-eight (48) inches high with eight (8) foot sections and posts that are 4x4 inches square with caps. The posts are to be placed on the inside of the fence with the boards on the outside. It must be made from hardwood or pressure treated pine and finished with a natural or light cedar preservative.

Estate style fence gates are to be constructed with a round top and be compatible with the fence in design; material, height, and color (refer to picture). Access gates will be allowed only at the front elevations and rear elevations where property line adjoins common area.

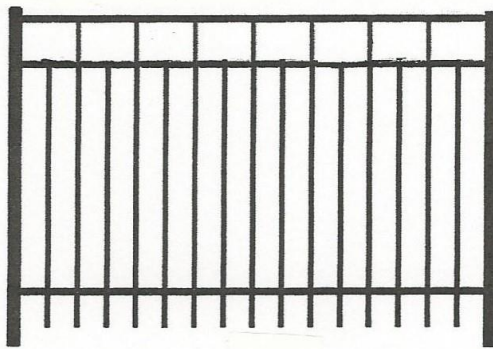




2c. Ornamental Metal Fence

An ornamental metal fence shall be constructed of wrought iron or aluminum in a non-climbable design to meet Fauquier County codes, with a maximum height of 48 inches (or 54" specifically for added safety around pools). Post spacing shall be approximately 72 inches on center. The aluminum or wrought iron fence must be black in color. The aluminum or wrought iron fence must be maintained regularly to retain its finished appearance and to repair missing or damaged pickets, rails and other components.

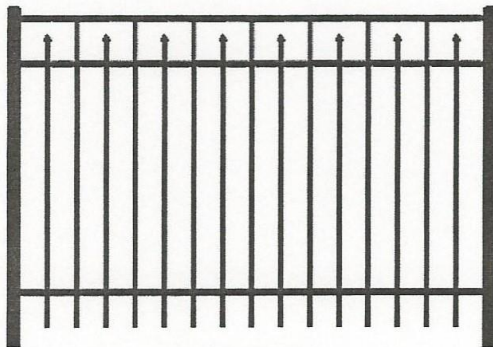
The following three (3) styles of aluminum or wrought iron fencing are approved for installation by the Vint Hill Manor Architectural Review Committee:



Style "A"



Style "B"



Style "C"



### 3. Application

Your application should include a completed application form and:

- \* A site plan, plat or house location survey (minimum scale 1"=30') showing the home, other improvements, exact fence location including distance from home and property lines;
- \* Detailed description of proposed fence including a catalog sheet (with exact height from ground level indicated), color photograph or drawing; and
- \* Landscape plan showing all new plant material to be installed as needed for softening the appearance of the fence where visible from the street.

### H. Landscaping (Additional) and Tree Removal

#### 1. General Considerations

Plans for additions or modifications to existing landscaping and/or the removal of existing trees which are larger than 6" inches in diameter (measured two feet above the ground) or more than fifteen (15) feet in height must be submitted to the Architectural Committee for approval. Approval of the removal of trees will be granted only where the tree is severely diseased or damaged, or such removal is reasonably necessary for the construction of driveways, paths, or other approved lot improvements. In many cases, landscaping is required as an adjunct and a condition for approval for the other modifications such as the addition of a deck or fence and, as noted in other sections of this booklet, is required as part of the application for such items.

#### 2. Specifications

Landscape modifications or additions should be integrated in a way that is harmonious with the existing landscaping on the lot and the adjacent lots. Front yard landscaping will be carefully considered for its effect on the overall streetscape. Generally, landscaping serves to visually soften or provide a finished look to a lot and should not be planted in such a way as to create a fenced-in appearance.

Planting of flowers by the owner is acceptable without making application to the Architectural Committee; however, flowers should be tasteful and blend well with the existing landscaping.

To help with water conservation, and keep excessive weed growth under control, it is recommended that trees, shrubs and planting beds be mulched with shredded hardwood bark, pine bark, pine straw, or other materials that may be neatly maintained. Widespread gravel, stone, wood chip or other mulched areas are prohibited. Grass shall not be permitted to exceed six (6) inches in height. Dead plants, shrubs or trees shall be immediately removed. All hedges, trees and shrubs must be neatly trimmed and maintained and their size maintained in proportion to the lot and home through pruning.

Pruning should respect the natural growth habits of the plants; plants should not be pruned into strict geometric shapes unless the design concept for the landscape requires formal shapes.

Approval by the Architectural Committee is required for the planting of hedges or screens that will attain a height of more than two feet. A hedge is defined as a repetitive mass linear planting of three or more shrubs, forming a solid, living landscape barrier. Hedges located forward of the front plane of a house shall not be permitted to grow in excess of three feet and shall not restrict sight lines along a roadway.

Tree removal is a very serious issue, which should only be undertaken when necessary for aesthetic, grading or safety reasons. Like landscape modifications, tree removal may be necessary in order to accomplish another modification. If this is the case, an indication of the tree(s) to be removed and reason for the removal must be included in the modifications application. Owners are asked to carefully plan modifications so as to eliminate or minimize the need to remove any trees. In most cases, the owner will be asked to offset any tree loss, whether associated with another modification or not, with new plantings.

No live trees with a caliper (trunk diameter) in excess of 6" inches, measured 24" aboveground, nor flowering trees in excess of 2 inches similarly measured, no live vegetation on slopes or more than 20 percent gradient or marked "no cut" or "tree save" or similar, on approved plans, may be cut without the prior approval of the Architectural Committee.

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

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

Lawn Watering — Water only during extended dry periods, and apply the water only as fast as the soil can absorb it. Wet the soil to a depth of between four (4) inches and six (6) inches. This usually requires the equivalent of one-half (1/2) inch to one (1) inch of rainfall.

Lawn and Garden Fertilization — All soil should be tested before fertilizer is added, especially in areas where drainage will flow into ponds. Special care should be taken not to over-fertilize or to fertilize lawns and gardens when there is the least chance of run-off. Soil test kits are available free from the County Extension office.

Compost Bins — If a compost bin is desired, the use of a pre-manufactured compost bin, which is earth tone in color, is required. Bins should be located to the rear of the property and should be screened from the street, open space and adjoining and affected neighbors. All active compost must be treated at all times to prevent odors from escaping. Failure to maintain a satisfactory compost bin and/or the point at which the compost becomes a public nuisance shall indicate an abandonment of the compost pile and violation of these Design Standards.

Stockpiling of materials such as mulch, compost or firewood will only be permitted in rear yards and must be properly screened.

Trash Removal — Each resident is responsible for picking up litter on his property and preventing wind-blown debris from origination on his land.

At no time is the Conservancy open space considered a dumping ground for inorganic debris. Organic debris such as leaves, grass clippings and branches may not be dumped on open space. Yard waste is required to be recycled according to the refuse collector's specifications.

Removal of trash and debris from all Conservancy areas accumulated from resident usage will be completed as necessary. Removal of trash and debris costs the Conservancy dollars and voluntary resident and neighborhood clean-up, in addition to controlling the litter at the source saves everyone money.

Erosion Control — Each resident is responsible for seeing that their lot area is protected from erosion and that storm drain structures are not blocked so as to cause additional erosion problems which will silt up ponds and stream valleys.

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

Snow Removal — Residents are required to clear snow and ice from the sidewalks in front or adjacent to their homes. Sand may be used as an abrasive when necessary, but the use of any rock salt or any other deicing salts, which are known to cause concrete deterioration, is prohibited.

Wetlands — Vint Hill has many protected wetlands that must be preserved in a natural state. Some trails will exist in these areas where the minimum disturbance can be achieved. Use of the wetlands is limited to pedestrian use of the trails and must be maintained to only walk in designated areas. Yard debris must not be deposited in the protected wetlands.

### 3. Application

Your application should include a completed application form and:

- \* A site plan, plat or house location survey (minimum scale of 1"=30') showing the location of the proposed plant material (or tree to be removed), existing plant material, existing buildings and other improvements, and property lines;
- \* A schedule of plant material indicating species, height at the time of planting, caliper where appropriate and quantities;
- \* A detailed description and location of any structural elements such as retaining walls (addressed in a separate section).

## I. Lighting - Exterior

### 1. General Considerations

Typical site lighting may include lighting fixtures of the following types, subject to the specifications set forth in the paragraphs which follow:

- \* Building-mounted lights at entries (Compatible with Post-mounted lights)
- \* Building-mounted security floodlights in hooded fixtures, in rear and side yards only
- \* Post-mounted lights (Builder original = Progress #P5430 or Sea Gull # 8209 - brass). Replacement lights should be of a similar design, either bright brass or black finish.
- \* Accent lighting
- \* Garden lights

Consistent with its daytime character, the community should be viewed as a quiet, natural nighttime setting without intense, overly decorative lighting. Fixtures should be of high quality, traditional in design, compatible with the house. Whether building-mounted or freestanding, lighting fixtures should be properly located and directed downward, diffused, or shielded to avoid causing glare when viewed from adjacent properties or from the street. No exterior lighting, emanating from a Lot, shall be directed outside the boundaries of the Lot.

### 2. Specifications

- \* Lamps should be an incandescent type of 100 watts or less, or a compact florescent bulb of 40 watts or less for most outdoor applications. Homeowners are encouraged to use electric eyes or timers to prevent lights burning during daylight hours. High wattage commercial/industrial type fixtures are not acceptable.
- \* Unobtrusive building-mounted fixtures are preferred.
- \* When building-mounted light is inadequate for proper illumination, high-quality, post-mounted fixtures of 8 ft. or less in height are preferred.
- \* Low-level landscape or garden lighting should be used sparingly, if at all, for areas along foundations only, and these fixtures should be spaced to avoid a solid, commercial effect. Such lighting must be worked into planting or mulch beds for ease of mowing and will not be permitted to be placed along driveways or pathways.
- \* Security flood lights should be used with discretion so as not to adversely impact adjoining properties. When the rear lot line of a residence adjoins wooded areas or other similar situations, and the rear lot line does not adjoin a current or future residential lot or street, flood lights may be used for security purposes to illuminate the rear yard. Floodlights should always be attractive fixtures and not of the bare bulb and socket variety. They should be mounted on the fascia board (not on the brick or siding), under roof eaves and should be a color which matches or blends with the surface upon which they are mounted.

- \* All conduit and wiring should be hidden within the wall or buried and out-of sight.
- \* Sodium vapor quartz and other non-incandescent varieties of lamps are presently unacceptable.
- \* Accent lighting for building facades must be of low intensity to create a subtle, warm impression. The lights must not be obtrusive either as visible fixtures nor provide any glare. Such lighting should be totally or partially buried in the ground.

### 3. Application

Your application should include a completed application form and:

- \* Site plan, plat or house location survey (minimum scale of 1"=30') showing buildings and property lines and showing existing and proposed lighting;
- \* Catalog sheets of fixtures including photographs or drawings, description and lamping data; and
- \* Landscape plan when lighting is integrated and/or softened with plants.

## J. Painting/Staining/Color Changes — Exterior

### 1. General Considerations

All exterior color (or material) changes on a home or other approved structure within the community must be submitted in writing to the Architectural Committee for approval. Generally, the Architectural Committee recommends colors that create a subtle, traditional effect, which is harmonious with the house and complementary to the surrounding homes in the community.

No request for approval is needed to re-paint any exterior elements in the existing approved color(s) already on the house.

### 2. Specifications

Selected colors (or materials) must be harmonious with the other colors (or materials) used on the structure, e.g., roofing, trim and brick, and must be harmonious with the color-scheme used in the neighborhood.

### 3. Application

Your application should include a completed application form and:

- \* Sample color chips (minimum 2" square in size) of proposed new colors and existing paint colors to be retained; and
- \* A written description or, preferably, an illustration showing all surfaces to be painted or stained.

## **Paint Color Schedule**

The exterior colors on the houses in Vint Hill Manor are listed among the sales documents you received when you purchased the property. The Architectural Review Committee has in its' files a list of the colors K-Hov used, but they are not specific as to which house each was used. The colors listed below are taken from the standard color chart of Mid America Shutter Company (Mid America Building Supply). The Paint Store in Warrenton, among others, has the color formulas to match the original colors.

The Mid America colors are as follows:

Midnight Blue  
Black  
Midnight Green  
Bordeaux  
Wedgewood Blue  
Musket Brown  
Tuxedo Gray

### K. Doghouses

Doghouses will only be permitted in the rear yard where not readily visible from the street. Doghouses should be constructed with pitched roofs that are covered with shingles to match the house, and the doghouse should be painted to match the exterior of the house.

Dog runs are prohibited.

Architectural Committee approval for a normal doghouse is not required.

## L. Retaining Walls

### 1. General Considerations

Retaining walls should be as unobtrusive as possible and should be installed only where structurally necessary, such as for purposes of diminishing erosion or creating a more level lawn or garden area. Retaining walls should be built only to the minimum height needed to serve their function.

### 2. Specifications

Retaining walls in the yard facing a street or common area must be constructed of stone, brick or approved interlocking architectural pre-cast concrete blocks. Concrete walls or walls constructed of landscape timbers will only be approved for a rear yard application where a common area or neighbor's view is not impacted.

The ends of all walls must be gradually tapered down to the ground rather than abruptly ending.

In some cases, safety codes may require a railing along the top of the retaining wall. The owner is responsible for determining through the proper authorities if a railing is necessary. Should a railing be required, the design specifications including dimensions, material and color must be included as part of the application. Alternatively, the owner may want to consider stepping the wall in a terracing effect in order to keep the wall height below the height for which a rail is required.

In certain instances, plantings may be required to screen areas where the retaining wall will be obtrusive either from the street and/or neighboring homeowners.

### 3. Application

Your application should include a completed application form and:

- \* Site plan, plat or house location survey (minimum scale 1"=30') showing the location of the retaining wall, any existing or planned buildings and the relationship to property lines;
- \* A sectional drawing showing the construction details;
- \* A description of the materials; and
- \* Landscape plan showing additional plant material to be used to soften the appearance of the retaining wall(s).

M. Screen Doors/Windows and Storm Doors/Windows

1. General Considerations

Should an owner decide to install screen/storm doors and windows, the owner should specify a design and color which does not alter the appearance of the door or window behind it or detract in any way from the traditional theme of the home and community.

2. Specifications

Screen/storm doors and windows should allow a full or nearly-full view of the existing door or window behind it and should be a color which matches the existing door or trim color, whichever will create the most unobtrusive appearance. No mill finishes will be allowed. Generally, only full view storm and screen doors with little or no ornamentation will be considered and permitted.

3. Application

Your application should include a completed application form and:

- \* Detailed drawing or catalog sheet which shows the new screen/storm doors and windows including dimensions and color; and
- \* Depiction of the existing door with dimensions and frame color noted.

N. Swimming Pools, Hot Tubs and Other Water Structures

1. General Considerations

Swimming pools can greatly enhance the enjoyment and livability of a home while also providing excellent exercise benefits to the owner. However, because of the possible intrusion on adjacent properties, swimming pool plans will be very carefully reviewed and considered in terms of any possible disturbance to others.

A swimming pool and the associated decking and fencing must be planned and designed in conformance with the character of the community.

Conceptual or preliminary plans may be submitted for review and comment before full working construction drawings are undertaken.



## 2. Specifications

Outdoor swimming pools must be approved by the Architectural Committee and may only be located in rear yards. Only in-ground swimming pools may be approved; above ground pools are prohibited.

A 54” high, wrought iron style fence with a black finish is the only fence that is allowed for swimming pools. It can be made from wrought iron, steel, or aluminum materials.

Fencing for a swimming pool is limited to the rear yard and must be installed within the building restriction line. The fence must be stepped in sections to conform generally to grade. No fencing will be permitted in front yards.

Access gates will be allowed only at the front elevations and rear elevations where the rear property line adjoins common area.

Landscaping sufficient to minimize the visual impact on all adjacent property owners shall be required between the property line and building restriction line.

The Architectural Committee must also review requests for hot tubs and spas. Hot tubs and spas must be located in the rear yard. If not in-ground, the hot tub or spa must be architecturally treated with decking and the base must be enclosed to hide the tub from view. The hot tub must be screened both architecturally (lattice) and with landscaping so as to minimize the visual impact from all adjacent property owners.

Equipment for a swimming pool, hot tub, or other water structure (pumps, pipes, etc. - not the tub itself) must be located to avoid interference with neighbors and must be enclosed architecturally or screened from view with evergreen landscaping. Structures to be used to enclose equipment must also be softened with landscaping where visible from other properties.

Landscaped ponds are allowed providing they do not exceed 18” in depth and are not used for swimming. They must be located in the rear lot and appropriate landscaping must surround the pond.

Swimming pools, hot tubs, landscaping ponds, and other water-related structures as well as fences used for barriers must meet all current county and state code requirements.

## 3. Application

Your application should include a completed application form and:

- \* A site/grading plan (minimum scale of 1 “=3 0’) showing the proposed swimming pool, hot tub, or other water structure, equipment, decking, fencing, other lot improvements, building restriction line, and property lines;
- \* Barrier (fencing) plan (See Fencing Guidelines);

- \* Written certification by Fauquier County that the swimming pool, hot tub, or other water structure and the barrier (fencing) meets all current county and state code requirements; and
- \* Landscape plan (See Additional Landscaping and Tree Removal Guidelines) and exterior lighting plan (See Exterior Lighting Guidelines).

O. Security Devices -Security devices must be installed without detracting from the design integrity of the building. Security signage may be placed proximate to the front door with size limit of 1 square foot.

Exterior sirens and speaker boxes must be unobtrusive. Usually, this can be accomplished by locating the device so that it is not readily visible and painted to match the surface behind it.

For security lighting, see section on Lighting.

Security window coating film should be considered in lieu of bars and grillwork.

Bars placed on the outside of windows or barred or ornate metal security doors are prohibited.

P. Clothes Lines — Exterior clothes lines or similar apparatus are prohibited.

Q. Air Conditioning Units - Window air conditioning units are prohibited.

R. Greenhouses - A greenhouse will be treated as a major alteration to a dwelling unit and subject to the same level of review. Only greenhouses which are attached to the dwelling unit are permitted. Greenhouses must meet the following criteria to be approved.

- \* The scale and design must be architecturally compatible with the home and surrounding homes.
- \* There shall be no adverse visual impacts for adjoining properties. The installation of landscape materials to provide a visual screen is encouraged and may be required as a condition of approval.

S. Signs

1. Real Estate Signs - Only one real estate sign, not to exceed four (4) square feet in area, advertising a property for sale or rent may be displayed on a lot. Signs may only be placed in the front yard of available properties. Such signs must be removed within one week following the sale or rental of a home.
2. Election and/or Political Signs (*A type of temporary sign announcing or supporting candidates or issues in connection with any local, state, or national election*) - Signs shall not be erected more than 90 days before a scheduled election and removed within 15 days of announced results. Signs shall be a maximum of 18" high by 24" wide.
3. Sign(s) shall not be illuminated.

T. Exterior Decorative Objects - Approval will be required for all exterior decorative objects, exceeding 30 inches in height and 18 inches in width or depth, including natural and man-made objects. Decorative objects will be considered based on their size, color, scale, appropriateness with the surrounding area, and their visual impact from adjoining lots and open space. Exterior decorative objects include such items as sculptures, fountains, pools, stumps, driftwood, free standing poles of any type, and items attached to an approved structure.

U. Electronic Insect Traps - Electronic insect traps will be regulated based on the same criteria as exterior lighting. In addition, no device shall be installed or maintained in such a way as to cause discomfort to adjacent owners from noise or light, and may only be operated during those times when the immediate area protected by the trap is occupied by the owner or guests.

V. Trash/Recycling Containers - Trashcans and recycling containers must be stored out of view of the street at all times, except on scheduled pickup days. Containers are to be placed at curbside early in the morning on pickup days, or after dark the evening before. Containers are to be promptly removed from curbside by the end of the day of pickup. Storage of containers in front of homes or garages is not allowed. Containers may be stored along side a home, as long as the side does not front a street, as on some corner lots. Containers are to be placed on a solid, level base or platform, at least ten feet from the front of the house. In keeping with the desired aesthetics of our community, they are also to be discreetly and completely screened from street view by the use of either a natural barrier, such as trees or shrubbery, or a structural screen, in the form of a panel of framed, white lattice made of wood, composite or vinyl materials. Screened areas for trash and recycling container storage may be incorporated into a deck design.

W. Storage of Boats, Trailers, Campers, Mobile Homes or Recreational Vehicles No recreational vehicle may be parked or stored in open view of residential property, residential streets or open space or other common area. Further, the Board of Directors had defined recreational vehicle as follows:

1. Any boat or boat trailer, canoe, jon-boat, paddleboat, jet skis, sailboats, catamarans, rafts or inflatables and the like.
2. Any motor home or other self-contained camper.
3. Any camper slip-ons where the camper backs are 12 inches or higher than the roof line of the cab of the truck.
4. Any mobile home, trailer or fifth-wheel trailer.
5. Any pop-up camper/tent, trailer or other similar recreation oriented portable or transportable facility or conveyance.
6. Any other vehicle not defined above which could not normally or regularly be used for daily transportation, including dune buggies or non-operative automobile collections or other automotive equipment not licensed for use on the highways of Virginia.
7. No commercial truck, commercial bus, taxicabs or other commercial vehicle of any kind, boats, trailers, campers, recreational vehicles and motor homes shall be parked in any visible location on the Property without the prior written approval of the Architectural Committee. Commercial vehicles shall be deemed to include cars and vans in styles normally used for private purposes but painted with or carrying commercial advertising, logos, or business names exceeding five (5) square feet per side or containing visible commercial materials, cargo, tools or equipment on the exterior of the vehicle or that extend beyond the length or width of the vehicle. No oversized/commercial vehicle (a vehicle wider than and/or longer than a standard parking space, 21 feet maximum, any vehicle that has more than two (2) axles, or those vehicles greater than 6,000 pounds) may park on the premises. No disabled vehicle or vehicle on which current registration plates or other required permits such as inspection stickers are not displayed shall be parked on any Lot or on Common Area. The repair or extraordinary maintenance of vehicles shall not be carried out in a manner that is visible from any Lot or on the Common Areas. The Association may enforce the provisions of this Section by towing any non complying vehicle at the vehicle owner's sole risk and expense. This provision shall not preclude commercial vehicles located on the property temporarily (less than 24 hours) to provide services to the Association or a resident.
8. Any private or public school or church bus.

X. Exterior Winter Holiday Decorations - Exterior winter holiday decorations which are attractive, in good taste, and reasonable in size, number, color, and luminosity are permitted so long as such decorations are not displayed before November 15<sup>th</sup> nor remain in view after January 15<sup>th</sup>, and provided that such decorations do not conflict with any applicable design standard.

Y. Flags and Flagpoles

In accordance with the Freedom to Display the American Flag Act of 2005 (HR. 42) signed into law on July 24, 2006, by the President of the United States, Community Associations can make reasonable rules pertaining to time, place and manner of displaying the American Flag. If the Board of Directors receives a written complaint that any other flag displayed in the community is deemed offensive by the owner(s) of any lot(s), the Board shall determine if the complaint is valid and if such validity is determined the offending flag shall be removed. The Vint Hill Manor Homeowners Association Board of Directors hereby establishes the following rules:

(1) Flags

The flags permitted under this section to be displayed in the Community are the American Flag, Armed Forces Flag, the Virginia State Flag, or seasonal or celebratory flags such as holiday, seasonal, birthday, anniversary, etc. The American Flag shall measure 3' by 5'. Seasonal or celebratory flags shall measure no more than 3' by 5'. Only one flag at a time is permitted on a wall mounted flagpole. Seasonal or celebratory flags shall be promptly removed once the occasion is past.

The American Flag shall be flown in accordance with US Code, Title 36, Chapter 10. Flag hours for the American Flag shall be "sunrise to sunset" or "24 hours with low-level lighting".

(2) Wall Mounted Flagpoles

Place of Display: On the front of the house

Manner of Display: A staff projecting horizontally or at an angle from the front of the house.

### (3) Freestanding Flagpoles

- a. All conditions shall apply only to poles on Owner lots.
- b. Height of pole shall be no taller than twelve feet (plus the finial)..
- c. Pole placement shall be in beds (existing beds are acceptable), as close as reasonable to the displaying home and not within 4 feet of the property lines.
- d. Poles must be placed in a ground level sleeve for ease of removal.
- e. Poles must be taken down when not in use for more than ten consecutive days.
- f. If approved, the owner of each pole will receive a written statement that will be effective only until the home is sold.
- g. The person who applies for a pole bears the sole responsibility for purchase, maintenance and keeping the pole and flag in good condition.
- h. Only the American Flag shall be flown from a free standing pole.

- Z. Mailboxes must be manufactured and installed to bring a consistency to the streetscape. The standard mailbox is black USPS as manufactured by the Solar Group, size 1-1/2 that sits on a Mainstreet Mailboxes & More, Inc. #MP-215 post. The newspaper boxes shall be “Universal Newspaper Boxes” as manufactured by Janzer. The house numbers are 1¼” and are white in color. The base of the mailbox should generally be 42” above the top of the pavement. Separate rural newspaper receptacles are prohibited. All of the above noted items are available from Mainstreet Mailboxes & More, Inc., 4641-A Sudley Road, Catharpin, VA 20143) phone 703-753-5521.

## AA. Rainwater Collectors

General Considerations – In this section (AA), “containers” refers to above ground, outside containers designed to collect and store rainwater for landscape watering. Below ground containers, “cisterns” are prohibited.

The design, color, and overall appearance of a container will dictate if screening is required. However, all approved containers whether screened, or not, will require adjacent landscape plantings to soften the visual impact of the container.

Size matters. To soften the visual impact to adjacent properties, containers larger than 75 gallons will not be approved. Groupings of smaller containers that present a subjectively large visual impact will also not be approved.

Specifications - Containers shall:

- \* be commercially manufactured and specifically designed and sized to collect and hold residential rainwater, and shall not be a re-purposed unit such as an oil or chemical drum, or trash container.
  - \* be constructed from rigid plastic, resin, or a composite material.
  - \* be sturdy and minimally affected by freezing or other damaging weather.
  - \* have a manufacturer designed mosquito-proof cover or, at a minimum, a manufacturer designed mosquito-limiting built-in screen.
  - \* have an overflow system to direct overflow away from the residence and disperse the overflow within the confines of the homeowner’s lot to avoid unwarranted drainage onto neighboring properties.
- 
- \* be located at the rear corners or at the rear of the home and utilize existing downspouts. Expected minor modifications to existing downspouts that enable a good fit to a container must be documented in the design request. Mid-side, front, or front-corner container locations are not approved.

Your Design Request – Your Request should present pictures or drawings, and catalog or other descriptions relative to the above Considerations and Specifications.

AB. Garage Doors

General Considerations – By action of the Vint Hill Manor Board of Directors at the May 5, 2015 Board of Directors meeting a motion to allow the approval of replacement of the 2 individual garage doors with a single wide garage door, within the ARC guidelines, was passed unanimously. Any interested parties are asked to contact the current Programs Workgroup chairman to coordinate the work as a group project with attendant cost savings.

1. The community has five (5) basic house styles as shown on the following sales brochure covers.
2. The Sequoia, Cottonwood, and Augusta were all originally designed with the wide garage door in mind and it is a distinct possibility that the structural beam above the garage doors is already in place for the larger opening.
3. The Captiva and Sanibel were both originally designed with the two smaller garage doors and the structure above them will be a major structural modification.
4. Any home that has the wide single door installed shall have a final appearance of the Sequoia, Cottonwood, and/or Augusta as shown on the following sales brochure covers.
5. All work shall be done by a licensed, bonded, insured contractor and all required Fauquier County building permits shall be in place prior to start of the project.
6. Your Design Request – Your Request should present pictures or drawings, and catalog or other descriptions relative to the above Considerations and Specifications.





AC. Entrance Doors/Sidelights/Transoms

General Considerations – By action of the Vint Hill Manor Board of Directors at the May 5, 2015 Board of Directors meeting a motion to allow the approval of replacement of the existing 6-panel front door with a door with a large decorative glass insert and glass transom and side light panels, within the ARC guidelines, was passed unanimously.

1. Overall height and width of existing door/sidelight/transom shall not be changed. New elements shall fit into the existing framed opening.
2. Replacement door shall be painted the same color as the old door that was replaced. See the color schedule below:
3. Complete details, catalog cuts, etc., of the proposed decorative glass inserts shall be submitted to the Architectural Review Committee (ARC) for review and approval prior to start of the project.
4. New hardware (such as knobs, pull handles, lock cylinders, if proposed) shall also be submitted to the ARC for review.
5. Your Design Request – Your Request should present pictures or drawings, and catalog or other descriptions relative to the above Considerations and Specifications.

AD. Roof Replacement

Only asphalt shingles (either 3-tab or architectural asphalt shingles similar to "Timberline") shall be acceptable as replacement roofing material. The shingle color shall be as close a match to the existing roof shingles as possible. Cedar shingles, slate shingles, or metal roofing will not be approved. Architectural Review Committee application and/or approval shall not be needed unless there is a deviation from the basic standard of style, color, or material as stated herein.



Standard 3-Tab Shingles

architectural asphalt shingles similar to  
"Timberline"

AE. Solar Panels

During the 2014 Virginia General Assembly session a law was passed (Senate Bill 222) which removed the grandfathering clause that had previously allowed HOAs in Virginia to restrict solar installation provided these covenants were effective prior to July 1, 2008. With the passage of this law:

*No community association shall prohibit an owner from installing a solar energy collection device on that owner's property unless the recorded declaration for that community association establishes such a prohibition. However a community association may establish reasonable restrictions concerning the size, place, and manner of placement of such solar energy collection devices on property designated and intended for individual ownership and use.*

**REASONABLE RESTRICTIONS UNDER THE LAW**

YES	NO
Size - Limit size to within current net metering code limitations	Restrict system to below a specific size (5 kW)
Place - Prefer rear unless this interferes with collection of energy	System cannot be visible from street
Manner of Placement - Installation parallel to roof line	Panel color must match roof or other construction
Manner of Placement - Wiring and components concealed as much as possible	Wiring and components are not to be visible
Manner of Placement - Design must be in compliance with current building code	Design must blend in with design of the building
Place - Ground mount systems are only allowed in the event that there is sufficient space and property and building are such that a ground mount system is required for collection of energy	Ground mount systems are not allowed
Manner of Placement - For rooftop systems installed on flat roofs a low profile ballasted array is preferred, provided structural limitations of the roof will allow. If the roof structure will not support a low profile ballasted system, a penetrating racking system is acceptable.	Installations on flat roofs must not be visible from street

The Vint Hill Manor Board of Directors adopts these guidelines regarding the use of solar energy to ensure uniform installation and design of solar energy systems.

1. Homeowners should first consider all existing structures and landscaping before selecting a site for any proposed solar system.
2. All plans must be preapproved by the Architectural Review Committee (ARC) prior to installation.

3. Preferred location of solar panels is either a ground-mounted array (on the side or rear of the house) or a rear-facing, roof-mounted array. Flush-mounted panels (i.e.- the plane of the array is parallel to the roof) on a roof facing a street will be allowed if documentation is provided from the solar contractor indicating this is the only feasible location for a solar array. If panels are installed on a side or rear roof, the array may be tilted or raised if a variance is granted.
4. All components of the solar system should be integrated into the design of the home. The color of the solar system components should generally conform to the color of the roof shingles to the extent practical. Solar “shingles” that mimic the look of a composite shingle are acceptable but should match the color of the current roof shingles as much as is practical.
5. Applications submitted to the ARC should include the following:
  - a. A diagram showing where the system will be installed;
  - b. Photos of the roof area where the array will be mounted;
  - c. Material to be used and/or manufacturer’s description of the system, photos and/or pictures of the system and color of the system.
6. Piping and electrical connections will be located directly under and/or within the perimeter of the panels, when possible, and placed as inconspicuously as possible when viewed from all angles.
7. The highest point of a solar panel array will be lower than the ridge of the roof where it is attached.
8. All painted surfaces will be kept in good repair.
9. Changes to adjacent property should not impede an existing or soon-to-be-installed solar system or interfere with any existing solar energy easement.
10. A variance to certain sections of these guidelines may be granted if compliance with these guidelines would significantly decrease its performance or efficiency.

## **Maintenance**

Owners who install or maintain solar panels are responsible for all costs associated with:

1. Placing (or replacing), repairing, maintaining, and moving or removing the solar panels;
2. Repairing damage to any property caused by the Owner's failure to properly install, maintain, or use the solar panels;
3. Owners shall have a continuing duty to prevent their solar panels from falling into disrepair or becoming a safety hazard and shall be responsible for the solar panel maintenance, repair and replacement, and the correction of any safety hazard;
4. Owners shall be responsible for the repainting or replacement of the solar panels if the appearance of the exterior surface of the solar panels deteriorate or are damaged in any way;
5. In the event that the solar panels are permanently removed, the Owner must restore the roof or lawn to its original condition.

## **Enforcement**

The Association reserves the power to grant a variance from any of the Rules expressed herein, but shall endeavor to protect the community from architectural blight to the greatest degree possible and shall strive to ensure that all concerns over safety are satisfied.

1. If these Rules are violated, the Association reserves all of its legal remedies, including, but not limited to, the enactment of special charges, subject to the due process procedures set forth in Virginia Code Section 55-513B.
2. If any solar panel installation is believed to pose a serious, immediate safety hazard or threat to property, the Association shall provide written notice to the Owner of the Board's concerns for safety and its request of the Owner to remove, relocate, or re-secure the solar panels.

## **VI. - REMOVAL OF EXISTING STRUCTURES**

### **A. General Considerations**

The removal of any building, major addition, fence, wall, major landscaping or other natural or structural element which changes the exterior appearance of the property must be approved in writing by the Architectural Committee.

Removal of minor, less substantial additions, will not require Architectural Committee approval so long as the area is restored.

Materials must be properly disposed of outside of the boundaries of any properties of the community.

## **VII - ENFORCEMENT PROCEDURES**

The Declaration of the Association empowers the Association to enforce compliance with the Association's Design Standards, see Article V. The following enforcement procedures will be used to ensure the compliance.

1. A violation may be observed and reported in writing to the Conservancy by a member of the Architectural Committee, the Conservancy, the managing agent, or a homeowner. In the case of a homeowner wishing to report a potential violation, written notification may be transmitted to the Architectural Committee or managing agent.
2. The alleged violation will be confirmed by a site visit by a member of the Conservancy, a member of the Architectural Committee and/or the managing agent. Photographs of the violation will be taken and shall be kept in the Association's records, along with a written statement by the person making the site visit.
3. The Association will contact the owner in violation by letter, advising them of the violation and requesting appropriate action to remedy the violation. Notice will be sent by regular mail or be hand delivered. In the event the violation is deemed to involve an immediate emergency or where such violation, if not remedied, will increase or enhance with the passage of time, the Association shall have the right to take immediate action to correct the violation and the cost of such correction shall be borne by the owner.
4. If the violation continues for thirty days after notification to the owner in violation (or if not substantial progress is made in curing the violation, where such remedy would require more than thirty days) a second letter will be sent by regular mail or hand delivery to the owner in violation. This letter will provide notice that the violation must be remedied within fifteen (15) days from the date of mailing of the letter or alternatively, that the owner in violation must submit to the Association a written plan, including timing, for the abatement of the violation within a reasonable period of time, where such violation cannot be cured within the fifteen day period.
5. If the violation is not abated within fifteen (15) days from the date of mailing or delivery of the letter or if progress is not being made to abate such violation in accordance with a plan agreed to by the owner in violation and the Board of Directors; the Board of Directors will send the owner in violation a certified mailing informing the owner of the time and place of a formal hearing by the Board of Directors.
6. As a result of this hearing, the Association may take appropriate enforcement action permitted by the Association's Declaration or pursue its remedies at law or in equity and may proceed to refer the matter to legal counsel for appropriate action to secure compliance with the Association's legal instruments.
7. The above procedures do not preclude the Association from taking accelerated measures in the case of a violation which constitutes an emergency situation, provided that the owner in violation has been properly notified by certified mailing and that the action is consistent with the provisions of the Association's legal documents. Likewise, the Association may establish shorter notification periods for the correction of violations of the Design Standards where the homeowners shall not be disadvantaged by a shorter notification period for compliance.

## **VIII - DUE PROCESS AND ENFORCEMENT PROCEDURES**

### **VINT HILL MANOR HOMEOWNERS ASSOCIATION, INC.**

#### **DUE PROCESS AND ENFORCEMENT PROCEDURES**

*(Policies and Procedures Relating to Violations of the Governing Documents)*

#### **I. GENERAL PROVISIONS**

A. Notices. All written notices required to be sent pursuant to this Resolution shall be sent to the Lot Owner at the Lot Owner's address on file with the Association or to the Lot address if no other address has been provided. A copy may be sent to the Lot Owner's tenant at the Lot Address, if applicable. A copy of any notice sent in accordance with this Resolution shall be maintained in the Association's files.

B. Correspondence with Lot Owner. If the alleged violator is not a Lot Owner, the Lot Owner shall be provided copies of all correspondence pertaining to the violation for which the Lot Owner is responsible, including notices of any hearings conducted by the Association and any ensuing sanctions imposed. The Lot Owner is ultimately responsible for compliance with the Governing Documents and all rules and regulations by all family members, guests, tenants, agents, and invitees and is, therefore, responsible for all assessments of charges and the abatement/correction of violations and any costs incurred by the Association pursuant thereto.

#### **II. COMPLAINT**

##### **For Violations of the Association's Governing Documents:**

A. Written Complaint. Any Lot Owner, tenant, management agent, Architectural Review and Covenants Committee ("Architectural Committee") member or Board member who wishes that the Board take action to enforce the Association's Governing Documents as to another Lot Owner, resident or tenant may submit a written complaint ("Complaint") to the Association's management agent ("Managing Agent") that includes the date, a brief description of the violation, and signature of the complainant. Alternatively, the Board or the Managing Agent, acting on behalf of the Association and within its discretion, may unilaterally initiate action to enforce the Governing Documents without said formal written Complaint form.

B. Preliminary Investigation. Complaints shall be sent to and filed with the Managing Agent, who shall review the Complaint to ensure that it has merit and is appropriate under the Association's Governing Documents and this Resolution. Once the Managing Agent has verified that the Complaint contains the requisite information and has merit, the Complaint shall then be forwarded to Board of Directors for review, consideration, and a determination as to whether a violation has occurred. Notwithstanding this provision, if the violation is sufficiently severe and the alleged violator is clearly in violation of the Governing Documents such that immediate action is needed, the Managing Agent, in consultation with the Board of Directors, may take more immediate action by: 1) filing a lawsuit; or 2) issuing a cease-and-desist letter or other appropriate communication to the violating Lot Owner while the complaint is pending, which letter shall indicate that the Owner may be assessed violation charges, subject to the hearing and notice requirements set forth herein. Such communication shall be deemed a Notice of Violation for purposes of this Resolution.

C. Action on Violation. If after review of a Complaint, the Board of Directors believes that a violation has occurred, the Board shall then direct that appropriate action be taken, including but not limited to: (1) directing that an Initial Written Notice or Notice of Violation, as appropriate, be sent to the Lot Owner; (2) referring the matter to legal counsel; and/or (3) referring the matter to local authorities, Nothing herein shall be construed to mean that the Managing Agent cannot, on behalf of the Association, send a Notice of Violation to a Lot Owner based upon clear violations of the Governing Documents upon the discovery of said violation. In the discretion of the Managing Agent or Board, and depending on the nature of the violation, the Association may issue a courtesy notice to an alleged violator before initiating the formal notice procedures described below.

### III. INITIAL NOTICE

#### For Violations of a Continuing or On-Going Nature Only:

A. Initial Written Notice of Violation. For violations of a continuing nature that are reasonably able to be corrected the Association shall issue an initial written notice of violation to the Lot Owner. The initial written notice may be delivered by hand, email or by registered or certified U.S. mail, return receipt requested, to the Lot Owner in accordance with the Notice provision provided in Part I (A) of this Resolution.

B. Contents of Notice. The initial written notice shall advise the alleged violator of the nature of the alleged violation, the action required to be taken by the Lot Owner to abate the violation, and shall provide the Lot Owner with a reasonable opportunity to correct the alleged violation (e.g. fifteen (15) days or such other reasonable period of time as the Board may determine), provided, however, if the violation constitutes a health, safety or fire hazard, demand may be made to remedy the situation immediately and/or may require action by the Association at the Lot Owner's expense.

### IV. NOTICE OF VIOLATION

#### For Single Offense Violations and/or Second Notice for Violations of a Continuing Nature:

A. Notice of Violation. For single offense violations that cannot be cured and/or violations of a continuing nature that remain uncorrected after written notice and a reasonable opportunity to cure has been provided, as set forth in Part III, the Association shall issue a Notice of Violation, in writing, to the Lot Owner. The Notice of Violation shall be delivered by hand or by registered or certified U.S. mail, return receipt requested, to the Lot Owner in accordance with the Notice provision provided in Part I (A) of this Resolution and Section 55-513 of the Act.

B. Contents of Notice. the Notice of Violation shall advise the accused of the nature of the alleged violation and, in addition, shall state that the Lot Owner may request a hearing before the Board regarding the violation before any charges are assessed. The Notice of Violation shall provide the Lot Owner with no less than fourteen (14) days to request a hearing before the Board and state that any such request shall be made in writing to the Association. The Notice of Violation shall also state that if no hearing is requested, rules violation charges of Fifty Dollars (\$50.00) for a single offense violation, or Ten Dollars (\$10.00) per day for up to ninety (90) days for violations of a continuing nature (or such other maximum amounts as may be permitted by the Act, as amended) may be assessed and/or the Lot Owner's right to use facilities or services provided by or through the Association may be suspended beginning on the day after expiration of the grace period if the violation is not remedied.



## V. NOTICE OF HEARING

A. Notice of Hearing. In the event that a violation is not abated as required in the Notice of Violation and the Lot Owner requests a hearing, or the Board otherwise determines that a hearing is necessary, a Notice of Hearing shall be sent to the Lot Owner in accordance with the Notice provision provided in Part I (A) of this Resolution. The Notice of Hearing shall be delivered by hand or by registered or certified U.S. mail, return receipt requested, at least fourteen (14) days in advance thereof, or within such other time as may be required by the Act.

B. Contents of Notice. The Notice of Hearing shall include the following information:

1. The time, date and place of the hearing;
2. A description of the alleged violation, citing pertinent provisions of the Governing Documents or rules and regulations;
3. That the Lot Owner has the right to be represented by counsel during the hearing; and
4. That charges for a violation of the Governing Documents or rules and regulations of the Association may be assessed, up to Fifty Dollars (\$50.00) for a single offense violation, or Ten Dollars (\$10.00) per day for up to 90 days for violations of a continuing nature (or such greater amounts as may be authorized by the Act) and/or the Lot Owner's right to use facilities or services provided by or through the Association may be suspended.

## VI. HEARING

A. Scheduling. The hearing shall be scheduled at a reasonable and convenient time and place within the discretion of the Board of Directors. The Board, within its discretion, may grant a continuance to a Lot Owner upon request for good cause shown. If the Lot Owner for whom the hearing is scheduled requests a continuance to a different time or date and such request is granted by the Board, no further notice shall be required from the Association.

B. Conduct of Hearing. The Board shall designate a person to serve as the hearing officer and preside over the hearing. Such hearing officer need not be a Member or a Board Director. The hearing need not be overly formal or conducted in accordance with any technical procedural rules or rules of evidence applied in a court of law. The hearing shall provide the alleged violator with an opportunity to be heard and to be represented by counsel.

C. Privacy. The hearing shall be conducted in closed session unless the alleged violator (Lot Owner, Resident, or Tenant) requests, in writing, that the hearing be open to all Lot Owners and residents. The chair of the hearing body may impose a reasonable limit on the number of such persons who can be accommodated in the hearing room. During the course of any hearing, the Board of Directors, within its discretion, may afford those residents involved in the dispute or violation an opportunity to be heard within reasonable time limits.

D. Rights of the Complainant and Respondent. The Complainant (i.e. the person or entity who has brought forth the complaint) must attend the hearing. At the hearing, the Complainant and the Respondent (i.e. the Lot Owner, Resident, or Tenant against whom the complaint has been filed), the Managing Agent and members of the hearing panel, shall have the right to: (1) call, examine, and cross-examine witnesses; (2) introduce testimony and evidence; and (3) rebut testimony and evidence, all within reasonable time limits imposed by the Board of Directors.



E. Failure to Appear at or Request a Hearing. After proper notice has been given, if the Lot Owner, Resident or Tenant for whom a hearing has been scheduled fails to appear at the hearing, or if no hearing is requested, the hearing may continue as scheduled and the Board of Directors may assess charges from the final date of compliance as stated in the Notice of Violation or suspend right of use privileges or take such other action as may be authorized by the Governing Documents or the Act.

F. Notification of Decision. The Association will notify the alleged violator of the Board's decision in writing, including any sanctions levied by the Board and the date when those sanctions, such as violation charges or a suspension of privileges, shall take effect. Notice of the decision shall be delivered by hand or by registered or certified U.S. mail, return receipt requested, to the Lot Owner within seven (7) days of the hearing (or as otherwise specified by the Act).

G. Collection of Violation Charges. Any charges assessed for a violation of the Governing Documents or rules and regulations are due and payable to the Association immediately upon assessment unless otherwise specified in writing by the Association and will be treated as an assessment against the Lot Owner's Lot. In the event violation charges are not paid in full within thirty (30) days of when such charges became due and payable, the violation charge assessment shall be subject to collection in accordance with the Association's collection policies charges became due and payable, the violation charge assessment shall be subject to collection in accordance with the Association's collection policies.

## **VII. SANCTIONS**

For any violation of the Governing Documents or the Association's rules and regulations, after due process is issued in accordance with this Resolution, the Board of Directors may impose certain sanctions against the violating Lot Owner, which may include, but are not limited to, the assessment of violation charges ("Charges"). Any Charges assessed for violations shall be in accordance with Section 55-513.B of the Act and shall be in amounts not in excess of those authorized by the Act and shall be treated as an assessment against such Owner's Lot for the purpose of Section 55-516 of the Act. Such Charges shall also be a personal obligation of the Lot Owner.

## **VIII. OTHER REMEDIES**

This Resolution shall not be deemed to require a hearing prior to the assessment of charges if a hearing is not requested by the Lot Owner. The election of any remedy stated herein shall not prevent the Association from exercising any other remedies authorized or available under the Act, the Governing Documents, or by law, including, but not limited to, the initiation of appropriate legal proceedings for money damages and/or injunctive relief.

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DESIGN REVIEW APPLICATION  
VINT HILL MANOR HOMEOWNERS ASSOCIATION

1. NAME: \_\_\_\_\_
2. PROPERTY ADDRESS: \_\_\_\_\_
3. PARCEL/LOT NO: \_\_\_\_\_
4. HOME TELEPHONE: \_\_\_\_\_ e-mail: \_\_\_\_\_  
WORK TELEPHONE: \_\_\_\_\_ CELL TELEPHONE: \_\_\_\_\_

5. GENERAL DESCRIPTION OF PROPOSED CHANGE:

Provide a description of the proposed change, including the proposed reason for the change, the type and colors of materials to be used, location on the property, and any other pertinent information required to evaluate the proposed change including the name of any contractor being used and their county number. (Additional pages may be attached if needed.)

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6. REQUIRED EXHIBITS AND SUPPORTING DOCUMENTATION:

The supporting exhibits or supporting documentation listed below must accompany this design review application, as applicable for the proposed change. An application submitted without all required submissions will be considered incomplete. In such case, the Architectural Committee's forty-five (45) day review period will not commence until all required submissions have been provided. In general an applicant should provide all documents and exhibits required by Fauquier County.

- i. Paint or Stain Colors - A sample and model number of the color(s) to be used must be provided, both for repainting or retaining existing improvements and for structural additions, together with a list of existing paint colors on the house or appurtenant structures which will remain unchanged.
- ii. Finish materials - A description and/or sample of all finish materials to be used for the exterior surface of proposed improvements must be provided.

- iii. Site Plan - A site plan, drawn to scale, showing the location and dimensions of the proposed improvement, including orientation with respect to property lines, unit, and adjacent dwellings units must be provided for decks, patios, storage sheds, fences, major landscape changes which require approval, and structural additions to the home.
- iv. Architectural Drawings and landscape - Detailed architectural drawings or plans must be approved for decks, storage sheds, and structural additions to the home and major landscape improvements which would change the topography of the lot or landscape plan originally provided by the builder.
- v. Photographs - The inclusion of photographs is appropriate for exterior lighting fixtures, landscaping, decorative objects and similar cosmetic additions to the unit or lot.
- vi. Other Exhibits - Other exhibits may be required to permit adequate evaluation of the proposed change. Homeowners are advised to seek guidance from the Architectural Review Committee prior to the submission of an application.

7. NOTIFICATION OF ADJACENT LOT OWNERS

A homeowner submitting a design review application is required to provide notice of the application to all owners (other than builders) whose lots immediately abut the applicant's lot or are separated from the applicant's lot by a street or common area and for whom the proposed improvement will be visible from the adjacent lots.

Proof of notice is required through the signing of the design review application by the adjacent lot owners.

8. ESTIMATED STARTING DATE OF CONSTRUCTION:  
 \_\_\_\_\_ (After Approval)

9. ESTIMATED COMPLETION DATE: \_\_\_\_\_

10. Owner acknowledges that he is familiar with the design review requirements and procedures for the Vint Hill Manor Homeowners Association.

11. Owner understands that the authority to perform an alteration granted by this application will automatically expire if the work is not commenced within 180 days following approval and completed within 360 day, or other time frame authorized by the architectural Committee.

**NOTES**

1. Owner understands that it is his sole responsibility to insure that any exterior improvement project complies with all state and county building codes; that approval of this application by the Architectural Committee in no way deals with, guarantees, or warrants that the improvements comply with such building codes, governmental regulations, or sound engineering practices; and that the Architectural Committee expressly disclaims any responsibility to bring, update or otherwise keep its Design Standards current and in conformity with pertinent building codes, regulations, or practices.
2. Before any application is considered by the Architectural Committee, the owner must submit in writing to the Committee a statement that the proposed project is consistent with state and county building codes as evidenced by his confirmation with a certified engineer or the County Building Inspections Office and that he has or will obtain all necessary permits and approvals related to the proposed project prior to commencement of work.
3. Owner understands and agrees that no work on this request will commence until written approval has been obtained from the Architectural Committee.
4. Owner further understands and agrees that any exterior alterations undertaken before written approval has been obtained is not permitted and that the owner may be required to restore property to its former condition at Owners expense if such alterations are made and subsequently disapproved in whole or in part. Further, Owner understands that any legal expense associated therewith may be the responsibility of the Owner.
5. Owner agrees to give the Architectural Committee and or Managing Agent, express permission to enter onto the Owners property at a reasonable time to inspect the proposed project, the project in progress and the complete project.
6. Owner understands that the approval is contingent upon the completion of alterations in a workmanlike manner and in accordance with the approved scope and specifications for said alterations.

Please Mail or Deliver to:

Vint Hill Manor Homeowners' Association  
Austin Realty Management (ARMI)  
H.O.A. Department:

hoaassistant@armiva.com  
Phone: (540) 347-1901 x 113  
Fax: (540) 347-1900

Warrenton Office  
PO Box 3413  
10 Rock Pointe Lane Warrenton,  
VA 20186

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

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

**ADJACENT LOT OWNERS**  
signature does not construe approval

1.	NAME		
	Please Print		Signature
	Section	Lot	Street Address
2.	NAME		
	Please Print		Signature
	Section	Lot	Street Address
3.	NAME		
	Please Print		Signature
	Section	Lot	Street Address
4.	NAME		
	Please Print		Signature
	Section	Lot	Street Address
5.	NAME		
	Please Print		Signature
	Section	Lot	Street Address
6.	NAME		
	Please Print		Signature
	Section	Lot	Street Address

**APPENDIX A**  
**Vint Hill Manor Design Standards**

***Master Plant List***

***Botanical Name*** \_\_\_\_\_ ***Common Name*** \_\_\_\_\_

**Shade Trees**

Acer rubrum “October Glory”	Red Maple
Acer saccharum	Sugar Maple
Fraxinus Americana	White Ash
Gleditsia triacanthos var, inermis ‘Skyline	Skyline Honeylocust
<del>Platanus x acerifolia</del>	<del>London Plane Tree</del>
Quercus palustris	Pin Oak
Quercus phellos	Willow Oak
Quercus rubras	Red Oak
<del>Salix babylonica</del>	<del>Weeping Willow</del>

**Evergreen Trees**

X Cupressocyparis leylandii	Leyland Cypress
Ilex spp.	Evergreen Holly
Juniperus virginiana	Eastern Red Cedar
Picea abies	Norway Spruce
Pseudotsuga menziesii	Douglas Fir

**Ornamental Trees**

Cercis Canadensis	Redbud
Cornus kousa	Kousa Dogwood
Prunus yedoensis	Yoshino Flowering Cherry
Magnolia soulangiana	Saucer Magnolia
Mains ‘Sugar Tyme’	Sugar Tyme Crabapple

**Shrubs**

Azalea spp.	Evergreen Azalea
Berberis spp.	Barberry
Cotoneaster spp.	Cotoneaster
Euonymus alatus ‘Compactus’	Burning Bush
Ilex crenata ‘Green Lustre’	Green Lustre Holly
Juniperus spp.	Juniper
Prunus laurocerasus	Cherry Laurel
Rhododendron spp.	Rhododendron
Taxus spp.	Yew
Viburnum spp.	Viburnum

**Minimum Tree Sizes (at installation)**

Shade Trees	14-16’ tall	3-3.5” caliper
Evergreen Trees	7-8’	
Ornamental Trees	10-12’ (multi-stern)	2-2.5” (single stem)

*NOTE: Trees ~~struck out~~ are not allowed in Vint Hill Manor!*

**CONTINUED NEXT PAGE**

# APPENDIX A

## Trees added to List by Vint Hill Manor HOA

<u>Botanical Name</u>	<u>Common Name</u>	<u>..</u>
Lagerstroemia	Crepe Myrtle	
Cercis Canadensis	Redbud	
Prunus Serrulata	Kwansan Cherry	
Prunus Subhitella var. Pendula	Weeping Cherry	
Acer Palmatum	Japanese Maple	
Ilex Opaca	American Holly	

*Trees ~~struck out~~ are not allowed in Vint Hill Manor!*

<del>Pyrus Calleryana</del>	<del>Bradford Pear</del>
<del>Platanus Occidentalis</del>	<del>Sycamore</del>