



Spring Grove Farm Sections B & C
Homeowners Association Architectural
Standards

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Spring Grove Farm Sections B & C Homeowners Association Architectural Standards

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Spring Grove Farm Sections B & C Homeowners Association Architectural Standards

INTRODUCTION

Our architectural standards maintain the appeal of our neighborhood, enhance our enjoyment as residents, and increase the property values of our homes.

The Spring Grove Farm architectural standards maintain the aesthetic consistency of the neighborhood. The Homeowners Association (HOA) strives to serve the best interests overall for the 192 homeowners within the HOA and is empowered to impartially enforce the covenants and bylaws and to maintain the architectural standards of the community in the style of the original construction. The original style is one of the major considerations that influence the decision-making process.

The Spring Grove Farm's Homeowner's Association (SGFHOA) appreciates your decision to purchase a home in this community as motivated in part by the architectural theme of the community, the well-maintained homes and yards, and the common ground. Thus the law of the Commonwealth of Virginia in essence regards your purchase as having "bought" that architectural style or theme which the maintaining of the home and the "builder standard / community standard" is protected by a recorded restrictive covenant which cedes architectural control authority to the association's architectural control committee ("ACC") and/or board of directors.

Accordingly, homeowners' associations have been given by the builder applicability and enforceability, at law or more typically in equity, restrictive covenants which are intended to protect and maintain the "architectural scheme" or "architectural standard" within a residential subdivision. Several terms are used to describe the "architectural standard" of the community, "builder's standard" or "community standard" and ordinarily, the "builder's standard" is the "community standard." Given SGFHOA has two distinct sections (B & C) built by two different builders thus in SGFHOA the mandate for the ACC or the Board of Directors at times sometimes applies a "section standard" rather than a "community standard." Such a standard will recognize, implement and enforce the "builder's standard" in the different sections of the community.

Homeowners are required to obtain prior approval to ensure any planned exact replacement or change to the exterior of their property conforms to the architectural standards established to maintain the visual appeal and harmony of our neighborhood. If a homeowner makes noncompliant changes without obtaining prior approval from the HOA Board of Directors, the homeowner may be required to reverse the changes at their own expense and to restore the property to its previous condition. Homeowners are required to submit an Exterior Improvement Application (EIA) describing the proposed change. The EIA and these Architectural Standards are available on the HOA website Documents page at <http://www.springgrovefarm.org>.

Section 1.18 addresses maintaining our homes as the neighborhood ages. "Spring Grove Farm homeowners are expected to maintain their homes within community architectural standards, guidelines, and in good condition."

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Submit proposed exterior changes in advance to both the Architectural Committee at acc.sgfhoa@gmail.com and the Board of Directors at springgrovefarm@gmail.com. The Board or its appointed Architectural Committee has 30 days to review and respond.

AUTHORITY OF THE HOA TO GOVERN ARCHITECTURAL CHANGES

The Spring Grove Farm Articles of Incorporation established the Homeowners Association on April 24, 1984. Section C was incorporated into Section B on June 24, 1986. This authority of administration and enforcement is further described in APPENDIX A.

Administration and enforcement of the subdivision plan of the architectural standards is one of the chief responsibilities of the Spring Grove Farm Homeowners Association (the Association, or HOA). Failure by the Association or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Any replacement of existing style, material, color, landscaping, etc., or change of existing style, material, color, landscaping, etc., shall require an Exterior Improvement Application (EIA) shall be submitted and approved by the Board of Directors.

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SPRING GROVE FARM ARCHITECTURAL STANDARDS

These Architectural Standards constitute the Rules and Regulations adopted by the Association's Board of Directors and are based on the original Architectural Controls of the Spring Grove Farm Section B.

Any replacement of existing style, material, color, landscaping, etc., or change of existing style, material, color, landscaping, etc., shall require an Exterior Improvement Application (EIA) shall be submitted and approved by the Board of Directors.

1.1 Architectural Committee

The Association Board of Directors (Board, Directors, or BOD) may appoint an Architectural Committee (Architectural Control Committee, or ACC) to assist in reviewing requests for exterior changes and maintaining architectural consistency. The Architectural Committee may assist the Board in investigating complaints of possible violations submitted by HOA members.

The Board or its appointed Architectural Committee must approve exact replacement or any change to the exterior appearance of any house or lot before work is started. Homeowners should request a proposed change by preparing and submitting an Exterior Improvement Application (EIA) for each proposed change. The Architectural Committee is empowered by the Board to approve certain requests. The Board retains final authority to approve or disapprove requests.

1. Each EIA request is considered on an individual basis and should encompass one specific improvement or change. Each request should include:
 - a. Exterior Improvement Application (EIA),
 - b. Pictures of affected area(s) to be improved,
 - c. Drawings of the proposed change(s),
 - d. Property survey if applicable, particularly for fences and sheds,
 - e. Visual pictures of replacement or new material,
 - f. Description of work; color, style, type of board or wood.
2. The Board or Architectural Committee will not approve any alteration that would have an adverse architectural or topographical impact on neighboring property or common areas.
3. As required by the Covenants, the Board or Committee will promptly answer EIA requests within thirty (30) days after plans and specifications have been submitted, received by the ACC or the Board. If the Board or Committee fails to reply to the homeowner thirty (30) after plans and specifications have been submitted, the application is deemed approved. It is understood that the approval process may take longer than thirty (30) days if the initial request lacks information necessary to fully evaluate the request. The only option available to the Board or Committee in this case is to disapprove the request pending clarification.
4. The appeal process: When a homeowner's application for alteration is disapproved by Architectural Committee, the homeowner may:

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- a. Appeal to the Board on the original plan.
 - b. Submit new or additional information that might clarify the original plan and demonstrate its acceptability to the Architectural Committee.
 - c. Appeal in writing within thirty (30) days after final disapproval by the Architectural Committee to the Board for consideration of the original plan or modified plan.
5. The Board or Architectural Committee will investigate written complaints from any Association member describing alleged violations of the Covenants. If the Board or Architectural Committee determines that a violation has occurred, the Board will take the necessary action to rectify the situation. Complaints will be kept in confidence.
- a) The Architectural Committee or Board investigates and resolves complaints of possible violations within the HOA community.
 - b) The Architectural Committee or Board maintains community standards by notifying homeowners of possible architectural violations.
 - c) Should the Association find a violation of the covenants, and such violation has not been corrected or otherwise resolved within a reasonable time, the Board may refer the matter to the HOA's attorney for possible legal action.

1.2 Application Procedures

1. An application describing the proposed project must be sent to the Architectural Committee, P.O. Box 522, Sterling, VA 20167-0522 or emailed to both acc.sgfoa@gmail.com and SpringGroveFarm@gmail.com. Email is encouraged to expedite processing.
2. The description of the project should contain an explanation of the general nature of the project and all information necessary for the Committee to make an informed decision. Necessary information includes height, length, width, shape, type of materials, and colors. Pictures of an area to be improved, illustrations or drawings are required.
3. For house additions or the installation of detached structures, copies of construction plans and specifications must accompany the application. Any necessary county permits are the owner's responsibility. Because county approvals may include permit fees, it is recommended county approvals be obtained after Board approval.
4. Where a project may affect neighboring properties, it is recommended that the applicant discuss the project with their neighbors before submitting the application to the Committee. This is particularly important when the project could have an adverse impact on neighbors by affecting drainage, view, ventilation, or shading.
5. For projects such as fences, screens, retaining walls, driveways, and house additions, the location of the project on the lot and its relation to neighboring lots is an important factor in the Committee's consideration. Applications for such projects should include

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a copy of the plat or similar sketch showing the location of the project and its relation to adjoining properties and common area and pictures of the area to be changed. It is the homeowner's responsibility to ensure compliance with county code.

1.3 Loudoun County Permits

The homeowner is responsible for adhering to Loudoun County building and zoning codes. Approval of a change request by the Architectural Committee or Board does not affect the owner's responsibility to obtain any necessary building permits and to meet code requirements.

The Board reserves that right to disapprove any modification or improvement that contravenes Loudoun County zoning.

1.4 Miscellaneous Requirements

The quality of materials and workmanship on any project should equal that of the surrounding area. The approval process includes potentially reviewing the project during installation and at completion to ensure execution of the approved plan.

1. Complete projects expeditiously to pose the least possible nuisance for neighbors. Project applications for major construction or alterations will include an estimated completion date.
2. Store materials before and during construction in areas not visible from the street whenever possible, and create no safety hazards.
3. Prior to sale or transfer of a property, the Board will conduct an architectural compliance review. A formal report will be provided to the selling (current) owner identifying any architectural violations and a deadline for correcting any non-compliant items. Uncorrected items shall become the responsibility of the new owner.

EXTERIOR CHANGES

Any replacement of existing style, material, color, landscaping, etc., or change of existing style, material, color, landscaping, etc., shall require an Exterior Improvement Application (EIA) shall be submitted and approved by the Board of Directors.

1.5 Play Equipment

Temporary children's play equipment such as sandboxes, swings, slides, playhouses and tents do not require approval of the Committee as long as such equipment is not located forward of the rear house line and is not visible from the street or public right-of-way. Play equipment will generally not be approved if located forward of the rear line of the house. The Board may require temporary children's play equipment to be removed prior to sale.

1.6 Garages and Carports

Any replacement of existing style, material, color of a garage door or change of existing style, material, color of a garage door shall require an Exterior Improvement Application (EIA) shall be submitted and approved by the Board of Directors before replacing garage door(s).

A detached garage or carport must relate appropriately to the house and its environs.

1. Roof construction and ridgelines must relate to those of the applicant's house.
2. Color of doors must white, tan, gray.
3. Garage doors must be straightforward in design and shall feature simple, plain panels and windows. Garage door windows, with or without decorative inserts are required and must be installed in either of the top two rows. Window insets are generally acceptable.

Examples of acceptable garage door(s) below:

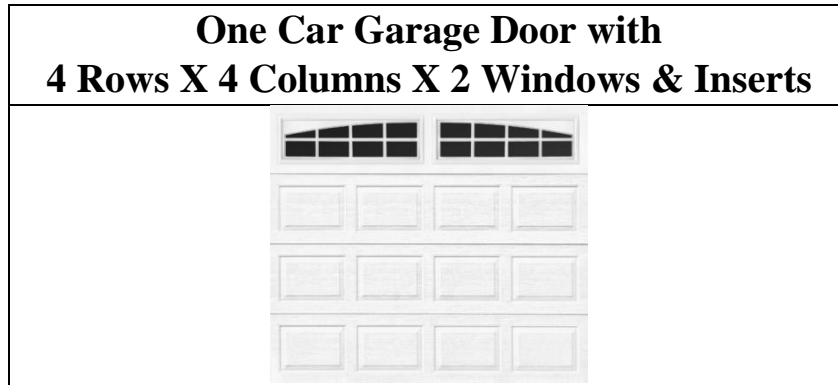
- a. 4 Rows, 4 Columns, 4 Windows (4 X 4 X 4) one car garage door. 4 raised panels across with 4 windows in each door which can be located on the either top two rows of each single door. See Samples Below.



OR

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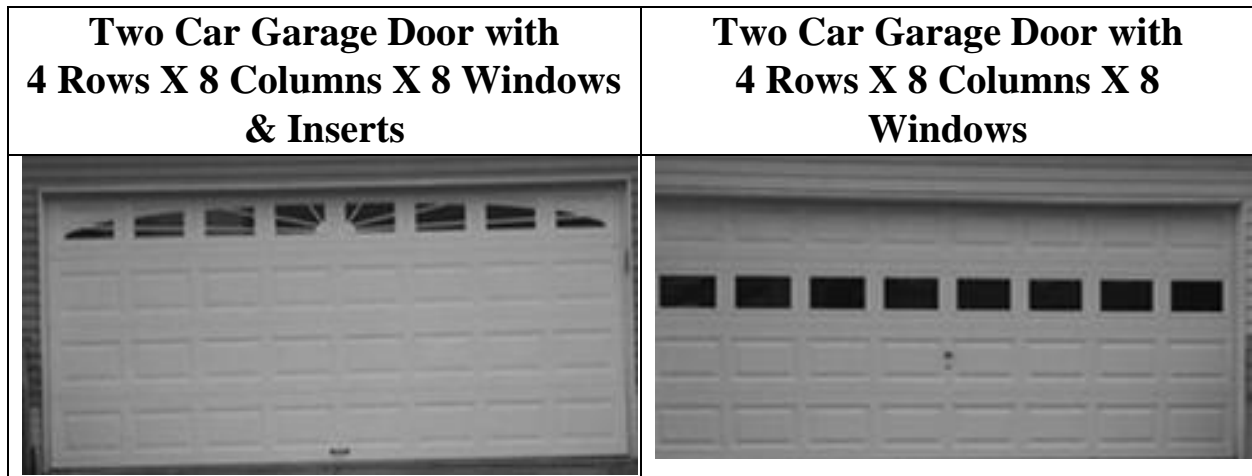
- b. 4 Rows, 4 Columns, 2 Windows (4 X 4 X 2) one car garage door(s). with decorative inserts across with 2 windows in each door which can be located on the either top two rows of each single door with inserts. See Sample below.



OR

Examples of acceptable double (two car) garage door below:

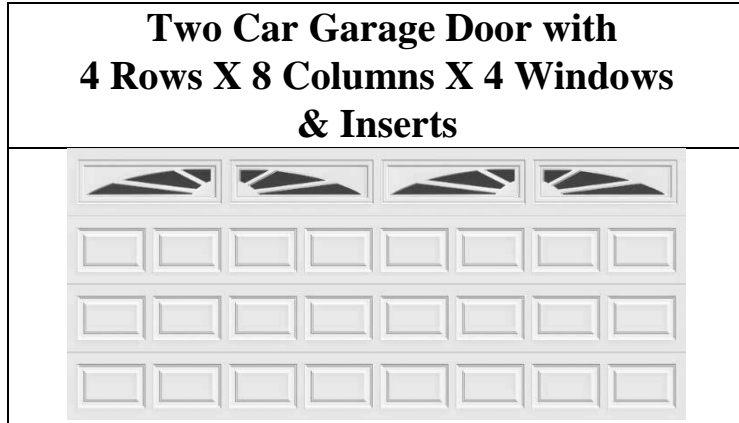
- c. 4 Rows, 8 Columns, 8 Windows (4 X 8 X 8) two car garage door. 8 raised panels across with 8 windows in the door which can be located on the either top two rows of each double door. See Sample below.



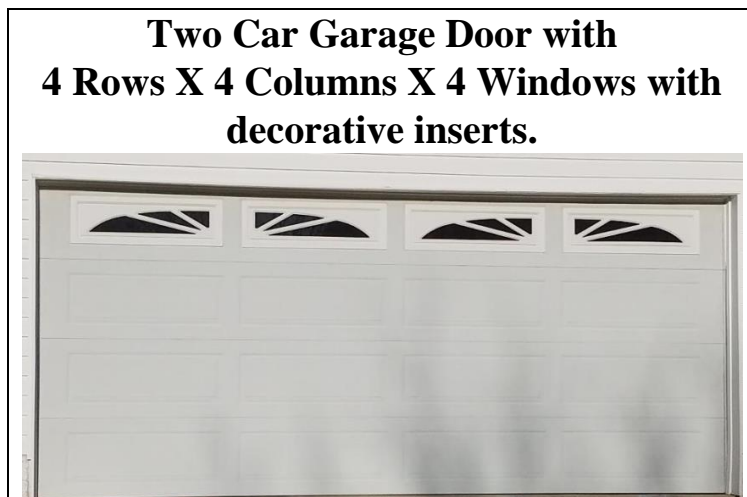
OR

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- d. 4 Rows, 8 Columns, 4 Windows (4 X 8 X 4) two car garage door. 8 raised panels across with 4 windows in the door which can be located on the either top two rows of each double door with inserts. See Sample below.



- e. 4 Rows, 4 Columns, 4 Windows (4 X 4 X 4) two car garage door. 4 raised panels across with 4 windows in the door which can be located on the either top two rows of each double door with inserts. See Sample below.



1.7 Woodpiles

Woodpiles should be restricted to the backyard, neatly stacked and should not exceed a height of four (4) feet, keep firewood on a rack off the ground. Consideration should be given the impact that woodpiles will have on views from neighboring houses. If no natural screening is available, appropriate landscaping should be considered. Firewood should not be stacked forward of the back corners of the house.

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1.8 Clothes Line

Clotheslines must be removable, screened from view and taken down when not in use. Clothing, laundry, and wash should not be aired or dried except in rear yards where reasonable effort will be made to screen visibility from the streets.

1.9 Decks

Decks are an extension of the house and thus have significant impact on its appearance. Deck applications must include dimensions, height of deck and elevation drawing. Decks shall meet Loudoun County building codes. Decks may affect the privacy of adjacent properties. All these factors are weighed in the review of any application. Considerations include:

1. Modifications to existing decks shall provide continuity in detailing, such as material, color, and the design of railings and trim.
2. Deck configurations shall relate to the plan outline and window and door openings of the house where possible.
3. Approvals of other exterior modifications, such as new exterior door locations that are a part of the deck application, are contingent upon completion of the deck.
4. Privacy of adjacent homes should be considered when planning decks.
5. Use cantilevering, lattice, and/or plants at post foundations and on low decks to screen other structural elements and to soften visual impact.
6. Shadow patterns created by decks should be considered both as they affect the use of outdoor space and as they affect grass, plant material and view by neighbors.

1.9.1 Material and Color

Deck materials may be wood or wood composite material and color must be compatible with the applicant's house. In many cases, wood left to weather naturally is an acceptable option.

1.9.2 Location

Decks are primarily to be located in the rear of the yard.

1.9.3 Under Deck Storage

When using the under-deck area for informal storage, the impact on neighbors must be kept in mind.

1. Storage must be maintained so as to present a neat, and uncluttered appearance. Under-deck storage is discouraged, but storage of seasonal items likely will be allowed.
2. Acceptable items for storage are at the discretion of the Board.
3. Lattice screening or landscaping will be required to block view of storage area from neighboring properties or street view.

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1.10 Entrance Walks and Replacement

The pavement composition for a new walk leading to an entrance shall be in keeping with the materials in adjacent walks and/or the architecture of the building it will serve. If a material is proposed which does not appear in the building being served or in the adjacent pavements, review of the pavement plan by the ACC will be required.

Replacement of entrance walk materials for aesthetic or maintenance reasons will generally be reviewed favorably if they fall within the requirements set forth above.

Where repair of the existing pavement is required, the newly patched area shall match the adjacent pavement material and color and be installed to form a smooth continuous surface, which will allow storm water to run off without ponding.

1.11 Fencing

Fences have traditionally been used as a physical and visual separation of two pieces of property, a notification that here one person's land begins and another's ends. This tradition continues, but as today's landscape and living styles change, so do the use, location, and design of fences. Fencing is used to separate property, provide security and visual privacy, or architecturally define space. In achieving any of these goals, a barrier is created which has both visual and physical impact on the boundaries of common land and properties of adjacent homeowners. Careful consideration should be given to the basic fencing concept and the manner in which the concept is executed.

It is usually attractive and desirable to visually extend properties beyond the property lines. This should be kept in mind when considering fencing, which by its very nature tends to physically define and separate areas and makes yards appear smaller. There are alternatives to fencing that may achieve the desired objectives. For example, short segments of privacy fence may be combined with landscaping to achieve the desired screening without a severe impact on others. The use of plant materials alone can be an alternative.

Fencing should be compatible with the applicant's house, but it should also be appropriate for its intended purpose. For example, a "privacy fence" has different design considerations than a fence that is used to define property boundaries.

Listed below are suggestions, which may be helpful in selecting a fence style, related to the primary fencing needs:

1. Property Separation – Where the homeowner's goal is property separation, not privacy, an "open" fence is appropriate. Open fences provide visual definition of property boundaries without obstructing views.
2. Security – Many homeowners wish to restrict children or pets to or from their property. Security fences where privacy is not a factor can be the "open" type. Property line fences should not be counted on to provide security for dogs.
3. Privacy – While fencing can be used to create private outdoor spaces, homeowners should also consider ventilation. Solid or board on board will not be approved. To

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avoid this, the homeowner might choose from several fencing designs depending on the amount of privacy desired. A spaced board fence is “semi-open” and allows natural ventilation while affording varying degrees of privacy dependent on the size of the boards and spaces between them. However, in light of the open space concept, privacy fences should be used only where necessary.

4. The height of the fence, the topography of the land and the relative distance of an observer affect both the amount of privacy afforded by a fence and its degree of visual impact. Extending privacy fencing farther from the patio does not necessarily increase privacy, and can adversely affect the concept of open space.
5. Fence height should not be greater than 6 feet. Height restrictions and setbacks depend on lot location and other factors. The corner and the height and design of fences should generally conform to other fencing in the area. It is the homeowner’s responsibility to ensure the fence complies with Loudoun County code.

1.11.1 Style

Fencing must be of an “open” type i.e. split rail, paddock, open space picket or similar design. Solid fencing, i.e. a “stockade” type of fence will not be approved. Chain link fencing and barbed wire fences are never acceptable and woven plastic and/or woven wire fences are unacceptable.

1.11.2 Material

Sealed, stainable wood or a wood composite are the preferred materials. While vinyl or vinyl clad fencing is becoming more common, it will only be considered on a case- by-case basis. Chain link, wrought iron, or a material visually similar to wrought iron is not permitted. Masonry may be part of a fence design but must match any masonry used in the applicant’s house. Masonry pillars may not exceed the height of the fence and must be of an appropriate size and scale in relation to the fence.

1. The tops of most fences, except certain low, open types, such as split-rail, should be maintained horizontal. If the ground slopes, the fence should be stepped. The bottom of the fence should be no more than 6" to 12" above grade at any point, depending on fence type. Vertical members should be trimmed down to correspond to fence height.
2. Gates should match fencing in design, color, material, and height.
3. Fencing which is finished on one side only must be constructed with the finished side facing outward from the lot enclosed by the fence.
4. Long lengths of continuous solid fencing will generally not be approved, “Long” is a function of the size of the property.

1.11.3 Location

Applications must show the proposed fence's exact relationship with the property line and must comply with Loudoun County Guidelines.

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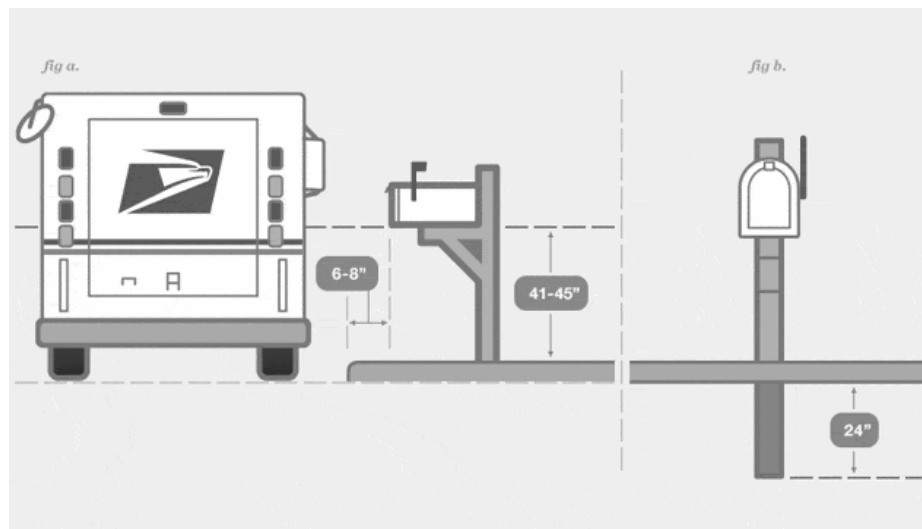
1. Corner lots, the side yard is consider to be a “front” yard and 60’ setback for the fence from the curb is required.
2. An applicant's fence shall not extend forward of a straight line drawn from the nearest rear corner of each adjacent residence to the nearest front corner of the applicant's residence.
3. Where the above-mentioned line passes through a residence, the line will terminate at the nearest rear corner of said residence.
4. In keeping with the above guidelines, fencing should not obstruct an adjacent home's view of the street any more than the applicant's home restricts that view.

1.12 Mailbox and Post

1.12.1 Mailbox

The mailbox shall meet United States Postal box regulation, should be metal, and meet standard postal regulations for type and size. Below are the current guidelines to follow when installing your mailbox:

- Position your mailbox 41" to 45" from the road surface to the bottom of the mailbox or point of mail entry.
- Place your mailbox 6" to 8" back from the curb.
- For picture below: <https://www.usps.com/manage/mailboxes.htm>



The mailbox shall be non-decorative and straightforward in design and mounted on simple wooden post. The mailbox shall be unobtrusive and shall be located so as not to obstruct any traffic sight lines and shall blend with other mailboxes in the surrounding area. Mailbox colors and posts should be black, white or earth tone. See Sample Below.

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1.12.2 Mailbox Post

Mailbox posts must be constructed of wood. See Sample Below. Posts may be painted, stained, natural wood color, or properly treated to protect from weathering (e.g., anodized). The Board may consider alternative post materials other than wood. Metal or composite will be considered on a case-by-case basis.



1.13 House Numbers

Homeowners are encouraged to place appropriate house numbers where fire & rescue may see them from the street. The Board would like to see numbers placed above or below the front door, to the opening side of the door front door or on the porch post. The numbers may be brass, black, white, or reflective to contrast with their background.

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Loudoun County Code Section 304: Exterior Structure, 304.3 (F) Premises Identification states:

1. Homes, **not mailbox post**, shall have approved address numbers placed in a position on the home to be plainly legible and visible from the street or road fronting the property.
2. These numbers shall contrast with their background.
3. Address numbers shall be Arabic numerals or alphabet letters.
4. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

1.14 Professional Offices

No owner residence shall be used for any non-residential business, commercial, manufacturing, mercantile, storage, vending, daycare, or other nonresidential purpose without Board approval. An exception is that an owner may maintain an office or home business in the dwelling constructed on such owner's lot if:

1. Such office or business generates no significant number of visits (as determined by the Board of Directors) by clients, customers, neighbors, or other persons related to the business.
2. No equipment or other items related to the business are to be stored, parked or otherwise kept on such owner's lot outside of the home (except in an enclosure approved by the Board or Architectural Committee).
3. Use of such office is limited to the persons occupying the lot.
4. No exterior signage is displayed.
5. Such owner has obtained approvals for such use as may be required by the appropriate local governmental agencies.

1.15 County Zoning Complaints

Any homeowner wishing to report or initiate an investigation into an alleged zoning violation should contact the Loudoun County Department of Building and Development Zoning.

1.16 Gutters and Downspouts

Gutters and downspouts should match those existing in color, design, and must not adversely affect drainage or adjacent properties.

EXTERIOR MAINTENANCE

Any replacement of existing style, material, color, trees, shrubs, etc., or change of existing style, material, color, trees, shrubs, etc., shall require an Exterior Improvement Application (EIA) shall be submitted and approved by the Board of Directors before replacing garage door(s).

1.17 Painting

Repainting or staining to match original colors is not subject to the approval process. Color changes apply not only to house siding, but also to doors, shutters, trim, roofing, and other structures requiring prior Board approval.

1.18 Maintenance

As the Spring Grove Farm community and homes become older, residents are responsible for maintaining the exterior of their dwellings and any other structures on their lots, such as decks, fences, sheds, and playground equipment. Spring Grove Farm homeowners are expected to maintain their homes within community architectural standards, guidelines, and in good condition.

1.18.1 Property Owner's Responsibility For Maintenance

Property ownership includes the responsibility for maintenance of all structures and grounds, which are a part of the property. This includes, but is not limited to items such as mowing grass, removing trash, and structural maintenance. Maintenance affects the visual character and economic values of the property and neighborhood, and may also affect safety. Yards, plants, flowers (perennials or annuals) and bushes shall be maintained and trimmed.

Most reasonable residents, undoubtedly, would not allow any of the below conditions to exist, as residents/owners seek to preserve and protect their investment in their homes and to limit their personal liability by keeping all improvements on their lots in good condition.

While it is difficult to provide precise criteria for what the Association deems as unacceptable condition, the following are examples that would be considered a violation of the architectural guidelines:

1. Peeling paint on exterior trim.
2. Concrete or masonry block foundations in need of repair / paint.
3. Missing or deteriorating shutters.
4. Missing or damaged window(s), lattice panels (grids), window screen(s) and door screen(s) if so equipped.
5. Damaged mailbox or mailbox post in need of repainting.
6. Visible playground equipment that is broken or in need of repainting.

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7. Deteriorating fences, decks, or porch railings with broken or missing parts or parts in need of re-staining or painting.
8. Sheds with broken doors or in need of painting or other types of repair.
9. Open storage and/or accumulation of assorted items in areas visible to neighboring properties, including:
 - a. Seasonal equipment.
 - b. Household furnishings.
 - c. Tools and equipment.
 - d. Power equipment etc.
 - e. Construction materials.
10. Lawn and gardens are homeowners' responsibility for mowing, trimming maintaining.
 - a. Grass in excess of six (6) inches.
 - b. Unkempt lawn with excessive weeds.
 - c. Un-edged sidewalks, curbs and driveways.
 - d. Overgrown bushes / shrubbery.
 - e. Trees and shrubs that impede use of the sidewalk.
 - f. Dead bushes, trees and shrubs.
 - g. Excessive leaves in yard and clogged gutters.

1.18.2 Rental Property Owner Responsibility

Rental property in Spring Grove Farm has historically accounted for less than 8% of the Association. Rental property. The property remains the responsibility of the landlord (property owner) to ensure tenant is aware of the exterior maintenance requirements and compliance to these Standards. Per Commonwealth of Virginia, it is the property owner's responsibility to provide the tenant(s) the Spring Grove Farm Homeowners Association Architectural Standards.

MINOR EXTERIOR ALTERATIONS

Any replacement of existing style, material, color, landscaping, etc., or change of existing style, material, color, landscaping, etc., shall require an Exterior Improvement Application (EIA) shall be submitted and approved by the Board of Directors.

There are numerous exterior modifications of smaller scale than the previously noted items, which shall require ACC approval. The same basic principles of compatibility of scale, materials, and color apply. Consideration must also be given to impact on neighboring properties.

Those alterations requiring that the homeowner make application to the ACC include but are not limited the following:

1.19 Attic Ventilators and Air Conditioning Units

Attic ventilators or other mechanical apparatus requiring penetration of the roof shall be as small as functionally required and should be painted to match the roof. They shall be located on the least visible side of the roof and shall not extend above the roofline.

No window air conditioning units are allowed.

1.20 Permanent Barbeques

Permanent barbecues shall not be a dominant feature on the landscape and shall be located so they will blend as much as possible with the natural background. Supplemental planting should be provided to soften the visual impact of the barbecue, particularly when little or no natural background is available.

1.21 Freestanding Flagpoles for Displaying the Flag of the United States

Flagpole kits are sold with general instructions for setting the base in concrete at ground level and ensuring proper alignment. Design for base construction should be sound, simple, and not overly elaborate or distracting in use of materials or colors (for example, no memorials, shrines, or any other structure rising above ground level).

1. Several manufacturers sell “non-commercial” gauge flagpole kits for residential lots. The flagpole should be telescopic in style to allow adjustment for raising and lowering. The pole should be constructed of stainless steel, aluminum, or other strong, weatherproofed metal alloy. Extended height from base level shall not exceed 20 feet.
2. Permanent flagpoles shall only be used to display the Flag of the United States of America in standard size no larger than 5 x 3 ½ feet.
3. Federal regulations for flying the US Flag at night from a permanent flagpole require appropriate illumination on the flag. In the absence of illumination, the US Flag shall not be displayed during hours of darkness.
4. The US Flag should remain in good repair and shall be replaced when faded or tattered. Similarly, the flagpole itself may require refurbishment after several years of exposure to the

Spring Grove Farm Sections B & C Homeowners Association Architectural Standards

elements. Approval of an application for flagpole on a lot and the lot owner's subsequent installation of the flagpole structure on the lot shall be deemed to constitute the lot owner's agreement, enforceable at law or in equity by the Association, to maintain the flagpole in an attractive and serviceable condition.

1.22 Other Exterior Objects

Approval will be required for all exterior decorative objects exceeding 5'x2'x5', including natural and man-made. Decorative objects will be considered based on their size, color, scale, appropriateness with the surrounding area, and their visual impact of adjoining lots and open space. Exterior decorative objects include such representative items as bird baths, wagon wheels, sculptures, fountains, pools, stumps, driftwood piles, free standing poles of any type, and items attached to approved structures.

MAJOR EXTERIOR ALTERATIONS

Any replacement of existing style, material, color, landscaping, etc., or change of existing style, material, color, landscaping, etc., shall require an Exterior Improvement Application (EIA) shall be submitted and approved by the Board of Directors.

Major building alterations include, but are not limited to, construction of driveways, carports, garages, porches, greenhouses, rooms, and other additions to a house.

1. The proposed structure must be compatible with the original structure and in keeping with the lot size.
2. The design of major alterations shall be compatible in scale, materials and color with the applicant's house and adjacent houses.
3. The location of major alterations shall not impair the views or the amount of sunlight and natural ventilation reaching adjacent properties.
4. New pitched roofs shall match the slope of the roof on the applicant's house, or meet a 3:12 pitch. If a 3:12 pitch is not possible then new structure must have a gable roof type tied in perpendicular to existing house.
5. As a rule, extending or enlarging basement windows will not be approved.
6. New and replacement windows and doors shall match whenever practical the size and type used in the existing house, and should be located in a manner suitable to the original appearance of the house. The Board has authority to consider variations when deemed reasonable and appropriate.
 - a As a general rule, the Andersen double pane window options (which included removable snap in style lattice panels) was available in sections B-1, B-2, B-3. but as an owner upgrade option. Not all original construction owners within Sections B-1, B-2, B-3 opted for the window upgrade in their original construction package from Ryland over the single pane Rollyson windows that were base or entry level window options. Homes in Sections B-1, B-2, and B-3 still have the option to add lattice/grids/mutins when purchasing new windows.
 - b Homes in Sections C-1, C-2, C-3 windows with lattice/grids/mutins were installed as part of the original builder "section" standards for windows in a house. The windows shall be replaced with the same or similar lattice/grids/mutins, or modern simulated double-pane window mutins whenever practical to sustain the general standard appearance. The Board retains the authority to consider variations and exceptions when reasonable and appropriate.

Spring Grove Farm Sections B & C Homeowners Association Architectural Standards

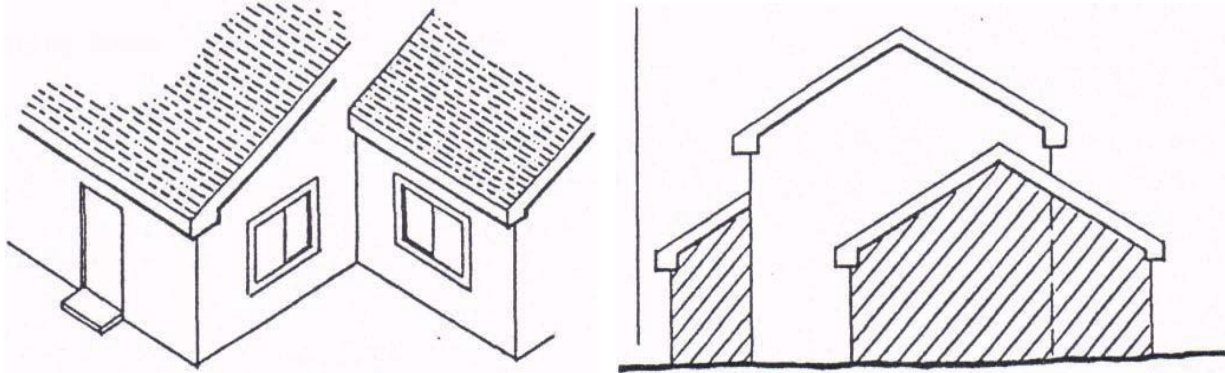
7. If changes in grading or other conditions that will affect drainage are anticipated, they must be indicated. Generally, approval will be denied if adjoining properties would be adversely affected by changes in drainage.
8. Excess construction material and debris shall be immediately removed after the completion of project.

1.23 Greenhouses

Greenhouses will be attached to the rear of the house, although in special instances side yard locations will be given consideration. The greenhouse will maintain a continuity of building lines, materials, etc., with the primary structure.

1.24 Additional Rooms

Major features of the house must be reflected in the design of the addition. Such features include vertical and horizontal lines, projections and trim details. Major features of the house, such as vertical and horizontal lines, projections, and trim details shall be reflected in the design of the addition. Roof slope, siding, bricks, trim and all other materials on additions should match existing construction materials. Care must be exercised in any drainage changes. See sample below.



1.25 Porches

1. Screens shall match the color of existing window and door screens.
2. Screened porches will be considered for the back of the house and as part of a deck.
 - a. Screened porches shall follow all requirements as outlined for decks.
 - b. Screened porches shall follow all requirements outlined for an addition.
 - c. Screened porches shall follow Loudoun County Building Code.

1.26 Patios and Ground Level Decks

Patios provide a means for ground level extensions of indoor space with less visual impact than elevated decks. When a patio or deck schemes include extensions other exterior changes may be

Spring Grove Farm Sections B & C Homeowners Association Architectural Standards

necessary such as fencing, decks, lights, plantings, etc. Please refer to other appropriate sections of these guidelines prior to application.

1.26.1 Location of Patios

Patios shall be located in rear yards only.

1.26.2 Materials and Color

Materials should have natural weathering qualities such as brick, wood, stone, and concrete.

1.27 Drainage

If any change in grade or other conditions that will affect drainage are anticipated, and then such possible condition must be indicated on the application. Any changes that divert surface water to adjoining lots or common ground or otherwise change drainage patterns will ordinarily not be approved. Also, approval will be denied if adjoining properties are adversely affected. Affected homeowners must be consulted before submission and approval.

1.28 Shutters

Shutters shall be compatible with the style of the house and the community. Shutters shall be of proper proportions to match the window to which they relate. Colors shall be compatible with the colors of the house and neighborhood, and of the same color as the originally installed, unless approved otherwise by the Board.

1.29 Signs

With the exception of signs advertising the sale or rental of property (and then only one sign per lot), no sign shall be erected on any property.

1.30 Storage Sheds

Storage sheds may serve to conceal cluttering objects such as garden tools, trashcans, bicycles, etc. However, if not well planned and maintained, sheds may become neighborhood eyesores.

1. Locate sheds in rear yards only.
2. It is the homeowner's responsibility to ensure that sheds comply with Loudoun County Code. Current Loudoun County Code is five (5) foot setback from the property lines and Loudoun County Code has other setback requirements of 60' from the front of the street to the back and restrictions on side yards, 60' from the curb for corner lots.
3. Storage sheds shall not be placed upon a permanent foundation, e.g., concrete. A wooden platform or free-standing foundation blocks are acceptable.
4. Storage sheds should be also securely anchored to the ground to ensure stability in the event of high winds or other natural storm disasters.

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1.30.1 Materials and Colors of Sheds

Materials and color shall match or generally be compatible with the house or fence to which it is most visually related or physically attached. In most instances, this includes matching major materials such as siding and roofing, and dominant colors and construction details such as trim and pitch of roof.

1.30.2 Size of Sheds

While sheds must provide sufficient volume for their intended use, they must be of a size that is appropriate for the size of the property and that is architecturally compatible with the applicant's house and with adjacent houses.

1.31 Sun Control Devices

Canvas and metal awnings are discouraged, but may be considered by the Board on an exception basis. Any such exception considered will be for backyard use only and must not be visible from the front street view.

1.32 Retaining Walls

Retaining walls that divert surface water to adjoining lots or common ground or otherwise substantially change drainage patterns will ordinarily not be approved.

For retaining walls higher than three feet, the Committee will require the applicant to provide a professional's written assurance of the wall's stability and structural adequacy.

1.33 Swimming Pools

In addition to meeting Loudoun County requirements for pool security fences, the applicant's plan for the fence must be architecturally acceptable to the Committee. Above grade pools exceeding 18" above grade will rarely, if ever, be approved.

1.34 Hot Tubs/Spas and Jacuzzis

As with swimming pools, applications for installation of hot tubs, spas, etc. must be submitted to the Architectural Committee well in advance of planned installation/construction. The application must contain complete descriptions, dimensions and proposed location with the following requirements:

1. Hot tubs and Jacuzzis should be incorporated into an existing/planned deck or patio.
2. Privacy fencing and/or year-round landscaping must be provided as screening from adjacent properties and from the street.
3. Free standing hot tubs and Jacuzzis are generally discouraged; however, they may be allowed when appropriate screening is provided.

1.35 Solar Energy Devices

Solar energy devices will be considered on the basis of their aesthetic harmony with the structure and surroundings.

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1.35.1 Placement of Solar Devices

Solar collectors should be placed so as to cause minimum visual impact on surrounding residences.

1. Unless major considerations of shade prevent it, collectors should be placed on the rear roof of a home.
2. Collectors should be centered laterally on the highest roof area and located near the ridgeline. Collectors should be far enough from the ridgeline so that they do not protrude above the house outline when viewed from adjacent properties and collectors should be parallel to roof edges.
3. Multiple collectors should be of the same size, shape and placed together to avoid gaps between individual panels.
4. The collector surface should be parallel to the roof (flat against) and as close as mounting hardware permits.
5. Pipes, wires and mounting hardware must not be obtrusive.
6. Collectors must be sized so as not to dominate the roof area where they are placed. Large collector systems must be given special treatment to integrate them into the surface of the roof.

1.35.2 Appearance

Collector frames, piping and mounting hardware should match the roof tone. The color should be as close to that of the roof as possible. Generally, collectors not mounted on roof areas will not be considered.

Application for Solar Panels Applications to the ACC should include:

1. Site plan showing relation to adjacent houses and roads.
2. Roof plan showing all roof areas, placement and dimensions of collectors, mounting hardware and piping.
3. Photograph of solar collectors showing colors of materials and roof color.
4. Statement of compliance with state utility and Loudoun County Code, as applicable.

1.35.3 Removal of Non-Functional Solar Devices

Solar collectors no longer functional shall be removed. Any roof or other modifications made at the time of installation shall be restored to pre-installation appearance.

1.36 Expanding Driveways and Patios

Extending, widening, or re-routing of existing driveways requires approval before work is started. Generally, only hard-stabilized surfaces, such as asphalt or concrete will be approved. Because

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most homes in Spring Grove Farm have concrete driveways, concrete is preferred. Materials other than concrete or asphalt will be considered if they are compatible with the surroundings.

Matching material must be used when constructing, replacing, extending, widening, or re-routing existing driveways. Reasonable extensions and widening of driveways will ordinarily be approved provided drainage patterns are not changed to affect neighboring lots, and driveway enlargement is within approved Loudoun County maximum paved coverage guidelines and restrictions.

If a patio is being considered or expanded, attention should be given to making ground level surfaces of porous materials or providing mulched beds that will absorb runoff from impervious deck or patio areas. Reasonable extensions and widening of patios will ordinarily be approved provided drainage patterns are not changed to affect neighboring lots. Patios and extensions must comply with Loudoun County Building Codes.

1.37 Chimney and Metal Flues

Chimneys must be masonry or enclosed in the same material as the exterior of the building. Chimney caps are required.

1.38 Exterior Antennas

The following types of antennas will be permitted:

Exterior antennas of any type and for any purpose shall be approved by the Board before installation. Exterior antennas generally will not be approved. In those unusual cases where an exterior antenna is required and its installation is approved, the following requirements should be met.

1. The antenna shall be unobtrusive and located on the back of the house.
2. The antenna shall be firmly anchored, as inconspicuously as possible, on or near the lower rear slope of the roof.
3. Antenna masts shall not extend above the roof ridge and should be constructed of galvanized steel.
4. Antenna booms should not exceed 12 feet in length.
5. Straps and other fastenings should be of non-corrosive material.
6. Removal of satellite dish, analog TV antenna or any other type of antenna is required when any such dish or antenna is no longer being used; either to receive over the air broadcast of provider signals or to transmit.

Direct Broadcast Satellite (DBS) Receive Only (RO) satellite dishes and antennas to receive multi-channel multipoint distribution (wireless cable) signals (MMDS) if/when such systems are available. Generally, such antennas are restricted to a maximum of one meter (approx. 39.37 inches) in diameter or diagonal measurement.

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Satellite dishes and antennas are to be installed with consideration to minimize the impact on the existing architectural plan of the community. Dish receivers should be located on the back of the roof and below the roof peak, safely away from electrical lines and other utilities. This includes not attached to the house, chimney or porch unless absolutely necessary, if located at ground level, the receiver should not be located such as to obscure safe visibility to pedestrians or vehicular traffic. Ground level installations should be screened with landscaping and cables buried in a location cleared by “Miss Utility” and off of utility easements, if possible.

An application is not required for antenna dishes if the antenna is less than one meter (39.37”) in diameter and complies with these Standards 1 – 6 above. Installation of satellite dishes or antennas over one meter must be submitted to the Architectural Committee for approval, as well as Loudoun County approval, as required.

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PARKING

This section covers Motor Homes, Mobile Homes, Camping Trailers, Cargo Trailers, Boats and Related Equipment.

Permanent or temporary (other than overnight) parking or storage of motor homes, mobile homes, trailers, and boats, and related equipment outside the garage or house of any homeowner requires the prior approval of the Committee. The Association prohibits parking or storage on its common areas.

Where application is made for such exterior storage, it should be accompanied by a plan for screening the item from view from any of the streets and neighboring lots. As screening and fencing is limited to a height of six feet above grade, applications for storage of equipment exceeding six feet in height will ordinarily not be approved. In the case of trailer-borne equipment, for example such as boats, this six-foot height limitation includes the heights of the trailer and equipment.

Storage locations and screening plans will be carefully assessed by the Committee and as to the effect upon neighboring lots.

1.39 Parking / Storage of Inoperative and Junk Vehicles and Parking On Lawns

Lots and driveways should not be used for storage of inoperative vehicles or major repair or rebuilding of vehicles for more than 72 hours. This in no way precludes homeowners from using their driveways for routine maintenance and minor repair of their vehicle. Vehicles that are not currently registered in the county and state or are not state-inspected are considered inoperative and not allowed to be stored on the property.

No cars or other motorized vehicles are permitted to be parked on lawns within the community, to have routine maintenance performed, repairs conducted, or for other purposes.

1.40 Parking Rules

Any bus, taxi cab, boat, trailer, mobile home, motor home or other camper of any type is prohibited from parking in open view within the Community and may be towed after seventy-two (72) hours' notice.

1. Any vehicle which exceeds seven (7) feet-six (6) inches in height, six (6) feet-eight (8) inches in width or eighteen (18) feet-six (6) inches in length is prohibited from parking in open view within the Community and may be towed after seventy-two (72) hours' notice.
2. Any vehicle that could not normally be used for daily transportation or is not licensed for use on the roads or highways of Virginia is prohibited from parking in open view within the Community and may be towed after seventy-two (72) hours' notice.

Spring Grove Farm Sections B & C Homeowners Association Architectural Standards

3. Any vehicle that has commercial signs or advertising or visible commercial equipment is prohibited from parking in open view within the Community and may be towed after seventy-two (72) hours' notice. Signs must be covered by flexible magnetic covers that are the same color as the vehicle.
4. Any inoperable vehicle is prohibited from parking in open view within the Community and may be towed after seventy-two (72) hours' notice. Any vehicle that does not display current license plates or state inspection or county stickers may be considered inoperable. The inoperable vehicle cannot simply be covered, but must be properly stored, i.e., in the garage or at a proper storage facility.
5. All expenses of towing to include vehicle storage will be the sole responsibility of the vehicle's rightful owner.
6. Homeowners and residents are responsible for ensuring that their visitors or guests are made fully aware of all parking restrictions and regulations.

LANDSCAPING AND PLANTING

In general, landscaping and planting do not constitute structures as defined by the covenants and hence do not require the approval of the Committee. Conspicuous fruit and vegetable gardens should be restricted to rear yards and should not be visible from the streets. Corner lots generally require screening of gardens and approval by the Committee.

The HOA encourages and supports homeowners to care for their trees, hedges, shrubs, and gardens just as it encourages and supports caring for our homes.

Cutting down and removing small trees and shrubs is discouraged. Live trees over four inches in diameter as measured two feet above ground may not be cut or removed without approval and usually are expected to be replaced.

Trees, hedges, and shrubs are to be properly maintained and not allowed to become overgrown and unkempt or impede pedestrian traffic on the sidewalk. An EIA and approval is required before removing bushes and hedges, and they usually are expected to be replaced. Landscaping that restricts sight lines for traffic, for safety considerations, should be cut back or removed.

MISCELLANEOUS

1.41 Exterior lighting

Exterior lighting should not be directed in such a manner as to create an annoyance to neighbors.

1.42 Trash and Garbage Containers

When possible, homeowners should avoid placing garbage containers in front of their home facing the street. Screens, fences and bushes can be used as cover. Trash and recycling bins should be stored in garages whenever possible.

Spring Grove Farm Sections B & C Homeowners Association Architectural Standards

1.43 Exceptions

Only the Board can approve an EIA that is not compliant with these Architectural Standards. The Board may issue a “temporary waiver” for medical, safety, or other contingent reasons on a selective basis. Architectural waivers, when approved, will be for a limited time with an expiration date written on the EIA, or become null at time of property sale or transfer of ownership.

COMMITTEE OR BOARD MEMBER ADVICE

Committee and Board members are available to advise applicants regarding the appropriateness of proposed projects. Such advice, however, must not be construed as permission to proceed with a change. Final member EIA request approval is determined by a majority vote of the Board.

Any governing body has the benefit of differing opinions among sitting members; there may also be a majority and a minority view on standards interpretations and enforcement. Final approval by the Board of any member request will be a majority consensus.

ASSOCIATION FORMAL COMPLAINT PROCEDURES

(For resolving certain complaints from members and others)

WHEREAS, pursuant to Section 55-530(E) of the Virginia Code, the Virginia Common Interest Community Board (“CICB”) has promulgated final regulations imposing a requirement that each common interest community (including condominiums, property owners’ associations and cooperatives) adopt a reasonable procedure for the resolution of certain written complaints from the members of such association and other citizens; and

WHEREAS, within 90 days of the effective date of the CICB regulations, all common interest communities must adopt a complaint procedure that is compliant with the CICB regulations;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT Section B Spring Grove Farm Homeowners Association (the “Association”), acting through its Board of Directors (the “Board”), hereby adopts and establishes the following CICB-mandated Association complaint procedure **for handling written complaints concerning actions or inactions allegedly inconsistent with state laws and regulations governing common interest communities:**

A. **Definitions.** Unless otherwise defined in this Resolution, the words, terms or phrases used in this Resolution shall have the same meanings as defined in the CICB regulations and/or in the Association’s recorded covenants.

B. **Complaint Form.** If a member of the Association, a resident or other individual alleges that an action, inaction, or decision of the Association is inconsistent with state laws or regulations governing common interest communities, then that individual must submit a formal written complaint (“Complaint”) to the Board using the attached Complaint Form (Attachment A) in order to trigger the formal procedures described below. If the individual wishes to avoid triggering these formal procedures, then the individual should submit his or her questions, concerns, or issues to the Board without using the attached form.

1. **Complaint Form Instructions and Attachments.** A completed Complaint Form must include a description of the specific facts and circumstances relevant to the individual’s Complaint, and the specific action, result, or resolution that it requests. The individual submitting the Complaint Form (the “Complainant”) must provide a reference in the Complaint to the law or regulation that has allegedly been violated. The Complainant must also attach to the Complaint Form a copy of any documents that Complainant believes support the validity of the Complaint (not including laws, regulations or the Association’s governing documents).

A copy of these complaint procedures (including the required Complaint Form) will be available on the Association website.

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- C. **Mailing or Delivering Complaint to Board of Directors.** The fully completed, signed, and dated Complaint (including the Complaint Form and all attachments thereto) shall be scanned and emailed to ACC.SGFHOA@gmail.com and to springgrovefamr@gmail.com, or mailed to:

Spring Grove Farm Homeowners Association
Section B & C
Attn: Board of Directors
P.O. Box 522
Sterling, Virginia 20167

- D. **Means of Providing Notices to Complainant.** All written acknowledgments or other notices required by these procedures to be provided by the Association to the Complainant shall be hand-delivered or mailed by registered or certified mail, return receipt requested, to the Complainant at the address provided on the Complaint Form, or by facsimile transmission or email if the Complainant has previously provided the Association with the Complainant's written consent to communicate with him or her by electronic transmission. The Board shall retain in the Association's records proof of the mailing, delivery or electronic transmission of the acknowledgments and notices per Section H below.

- E. **Acknowledging Receipt of Complaint.** Within seven (7) days of receipt of a Complainant's Complaint Form, the Secretary and / or Architectural Control Committee shall provide the Complainant with written acknowledgement of the Association's receipt of the Complaint.

1. Incomplete Complaint. If it appears to the Secretary and / or Architectural Control Committee that the submitted Complaint is missing the required minimum information, then the acknowledgment of receipt shall include notice to the Complainant of the identified problem(s) with the Complaint and advise the Complainant that he or she will need to submit a corrected Complaint before it can be accepted and forwarded to the Board for consideration.
2. Forwarding to the Board. If it appears to the Secretary and / or Architectural Control Committee that the submitted complaint includes the required minimum information and the Architectural Control Committee cannot resolve the complaint, then the Secretary and / or Architectural Control Committee shall present the Board with a copy of the Complaint for consideration at its next regular meeting.

- F. **Formal Action – Consideration of Complaint by Board.** All completed, signed, and dated Complaints forwarded to the Board shall be considered by the Board at a meeting, and the Board shall decide what action, if any, to take in response to the Complaint.

1. Meeting at which Complaint will be Considered. Complaints shall be considered by the Board and / or Architectural Committee meeting or at a regular or special Board meeting

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held within 60 days from the date on which the Complaint was forwarded to the Board for consideration.

2. Notice to the Complainant. If such complaint is brought before the Board, then at least ten (10) days prior to the Board meeting at which the Complaint will be considered, the Secretary or designate shall provide the Complainant with notice of the date, time, and location of the Board meeting at which the matter will be considered by the Board. This Notice may be combined with the acknowledgment of receipt referenced in Section E above.
3. Board's Decision on Complaint. The Board shall make a decision on the Complaint by an appropriate vote of the members of the Board at the meeting pursuant to the Association's governing documents. The Board's decision at the meeting shall fall into one of the following two categories:
 - (a) A decision that there is *insufficient information* on which to make a final determination on the Complaint *or that additional time is otherwise required* to make a final determination, in which case the Board shall postpone making a final determination on the Complaint until a later scheduled Board meeting (announced at the meeting or by giving at least 10 days notice to the Complainant) and, if needed, make a written request for additional information from the applicable party(s), specifying a deadline by which time the additional information must be received by the Secretary for forwarding to the Board; or
 - (b) A *final determination* on the Complaint, indicating whether the Complainant's requested action or resolution is, or is not, being granted, approved or implemented by the Board. A final determination may include, for example, a decision that no action will be taken on the Complaint due to the Complainant failing to timely provide additional information that was requested by the Board. No appeal process is available; the Board's rendered decision is final.

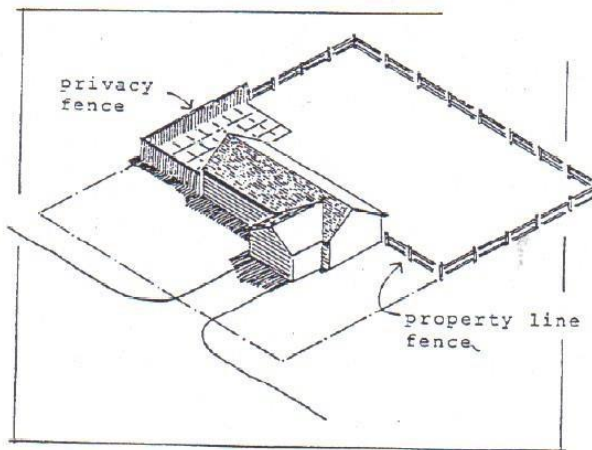
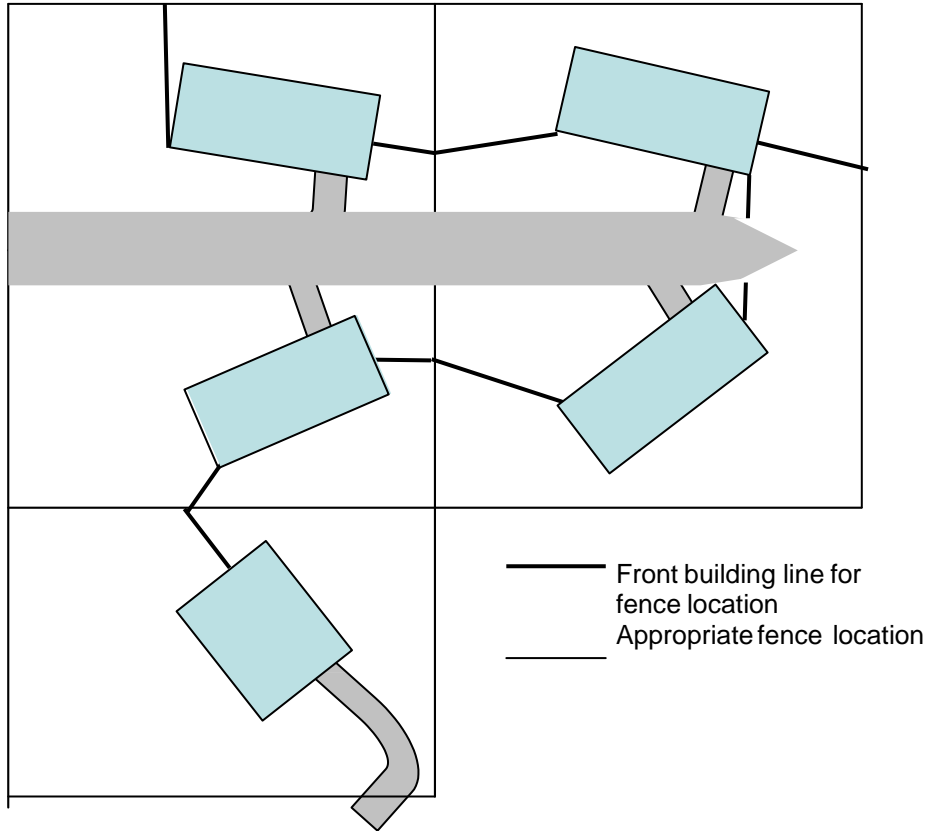
G. Notice of Final Determination. Within seven (7) days after the final determination is made (per subsection F.3.b. above), the Secretary shall provide the Complainant with written notice of the Board's final determination. The notice of final determination shall be dated as of the date of issuance and shall include

1. Specific citations to applicable provisions of the Association's governing documents, or laws or regulations that led to the final determination;
2. The Association's registration number as assigned by the CICB; and
3. Notice of the Complainant's right to file a "Notice of Final Adverse Decision" with the CICB via the CIC Ombudsman (providing the applicable contact information).

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H. **Records.** The Managing Agent shall retain, as part of the Association's records, a record of each Complaint (including the Complaint Form and attachments, related acknowledgments and notices, and any action taken by the Board in response to such Complaint) for a period of at least one (1) year from the date of the Association's final action on the Complaint.

ATTACHMENT 1 – FENCING ALIGNMENT



APPENDIX A

**“ARTICLES OF INCORPORATION
OF
SECTION B, SPRING GROVE FARM
HOMEOWNERS ASSOCIATION, INC.**

...

ARTICLE III

PURPOSE AND POWERS OF THE ASSOCIATION

This Association does not contemplate pecuniary gain or profit the members thereof and the specific purposes for which it is formed are to provide the maintenance, preservation and architectural control of the residence lots and common areas within that certain tract of property described as:

SECTION B, SPRING GROVE FARM Subdivision...”

...

**“DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS**

SECTION B SPRING GROVE FARM

...

NOW, THEREFORE, Declarant hereby declares that all of the properties described above shall be held, sold, and conveyed subject to the following easements, restrictions, covenants and conditions, which are for the propose [sic] of protecting the value and desirability [sic] of, and which shall run with, the real estate property and be binding on all parties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

...

ARTICLE V

ARCHITECTURAL CONTROL

No building, fence, wall or other structure shall be commenced, erected or maintained upon the properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of

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Directors of the Association, or by an architectural committee composed of three (3) or more representatives appointed by the board. In the event said Board, or its designated committee, fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with. The Declarant does not have to meet the requirements of the Architectural Control provisions.

ARTICLE VI

GENERAL PROVISIONS

Section 1. Enforcement. The Association or any owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by the Association or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. ...”

The Standards set forth herein shall be considered rules and regulations of the Association pursuant to Virginia Code § 55-513, and such standards shall be enforceable as the rules/regulations of this association.

Property Owners' Association Act

§ 55-508. Applicability.

A. This chapter shall apply to developments subject to a declaration, as defined herein, initially recorded after January 1, 1959, associations incorporated or otherwise organized after such date, and all subdivisions created under the former Subdivided Land Sales Act (§ 55-336 et seq.). ...

§ 55-513. Adoption and enforcement of rules.

A. Except as otherwise provided in this chapter, the board of directors shall have the power to establish, adopt, and enforce rules and regulations with respect to use of the common areas and with respect to such other areas of responsibility assigned to the association by the declaration, except where expressly reserved by the declaration to the members. Rules and regulations may be adopted by resolution and shall be reasonably published or distributed throughout the development. ...

...

END