

East Stratford Phase A&B
Homeowners Association

Design and Maintenance Standards

A Handbook for all East Stratford Phase A&B Homeowners

Adopted: August 2023

Please visit www.eaststratfordhoa.com for current information about your community.

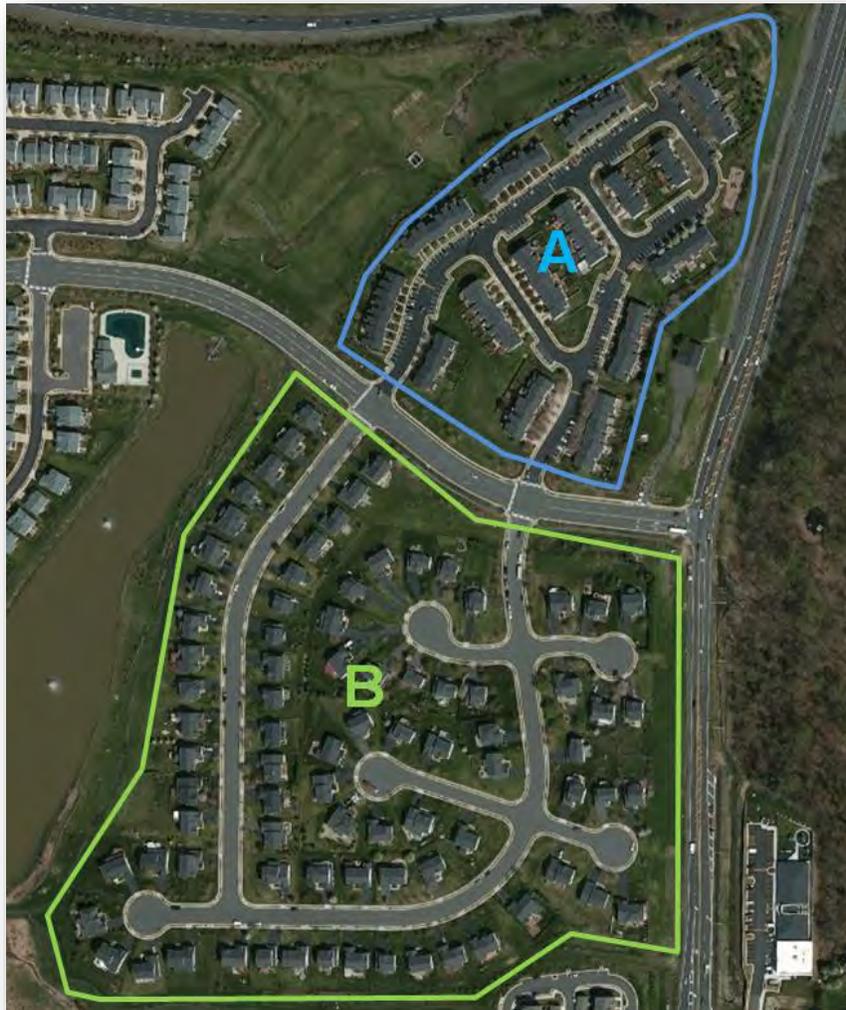


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1. OBJECTIVES AND GENERAL INFORMATION

1.1 OBJECTIVES OF EAST STRATFORD PHASE A&B (“ESAB”) DESIGN AND MAINTENANCE STANDARDS (“STANDARDS”)

This document’s overall objective is to serve as a tool to aid members of the ESAB Covenants Committee ("CC") and residents in maintaining and enhancing ESAB's design scheme and living environment. **The Standards described in this Handbook address improvements for which homeowners most commonly submit Applications to the CC and also describe property maintenance requirements within the Community. These Standards are not intended to be all-inclusive or exclusive, but rather serve as rules and regulations to govern what may be done.** The specific objectives of this Handbook are:

- To increase resident’s awareness and understanding of the Design and Maintenance Standards.
- To describe the organization and procedures involved with the Design and Maintenance Standards adopted by the ESAB Board of Directors (“the Board”).
- To illustrate design principles that will aid residents in maintaining and developing exterior improvements in harmony with the immediate neighborhood and the community as a whole.
- To ensure consistency of exterior improvements with the original design scheme of the ESAB subdivision.
- To assist residents in preparing an acceptable Application for review by the CC; and
- To provide uniform standards to be used by the CC when reviewing Applications.

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1.2 PROTECTIVE COVENANTS

The basic authority for maintaining the quality of design in the East Stratford development is founded in the Declaration for East Stratford A&B (“Declaration”), which sets forth the real covenants ("Covenants") which are binding upon each lot and the common area in East Stratford. The intent of Covenant enforcement is to preserve the property values of the individual lots by preserving the original design scheme of the community and maintaining the "curb appeal" of the overall appearance of the subdivision. Every ESAB property owner should receive at settlement copies of the Declaration, Articles of Incorporation and Bylaws of the East Stratford Homeowners Association (“HOA”) as well as all regulatory/policy resolutions and these Standards.

1.3 ROLE OF THE HOA AND THE COVENANTS COMMITTEE (CC)

The role of the HOA, of which every homeowner is a member, is to not only own and maintain open space, but to preserve the appearance of the community and thereby enhance the property values of the individual lots therein.

The HOA accomplishes these functions in a variety of ways, one of which is by ensuring, through the CC, the continuation of harmonious design qualities within the community.

1.4 LEGAL EFFECT OF THESE STANDARDS

These Standards shall be deemed to be rules and regulations of the HOA approved and adopted by the Board pursuant to Section 8.3 of the Declaration and Va. Code Section 55.1-1819. They shall be deemed to be enforceable by the remedies set forth in Article 12 of the Declaration and the aforementioned statutory provision of the Virginia Property Owners' Association Act (Va. Code 55.1-1819).

1.5 CONFLICTS

These Standards are intended to supplement the Declaration. In the event of any direct conflict between these Standards and the Declaration, the Declaration shall not be violated and therefore in such a case shall take precedence. However, these Standards may establish additional criteria as authorized by the Declaration.

In the event of any conflict between these Standards and any Governmental Regulation, the Governmental Regulation shall not be violated and therefore in such a case shall take precedence. However, these Standards may establish criteria that exceed Governmental Regulation, as authorized by the Declaration.

The CC reviews all Applications for conformance with the standards set forth in this Handbook. The Applicant is responsible to ensure that all Applications submitted for review comply with all Governmental Regulations.

From time to time, these Standards may be amended by the Board at its discretion. It is the responsibility of the Homeowner to make sure he/she is using the most current copy of the Design and Maintenance Standards (see www.eaststratfordhoa.com).

The addition, alteration or improvement which is the subject matter of any Application must conform to both the restrictive covenants set forth in the Declaration (Article 8) as well as these Standards. Projects which require variances from the restrictive covenants of the Declaration and the Standards shall not routinely be approved.

A homeowner will be responsible to restore the property and / or home to its initial state at the homeowner's expense and/or pay any related fine for unapproved alterations or improvements which are not subsequently approved by the CC.

1.6 CHANGES REQUIRING CC APPROVAL

Article 9, Section 9.4(a) (1) of the Declaration expressly states as follows:

Approval. No person shall make any addition, alteration, improvement or change of grade in or to any lot, other than for ordinary and routine repairs and maintenance, without the prior written approval of the Covenants Committee. No person shall paint, affix a sign not specifically permitted by the Declaration or these Standards or alter the exterior of any property to make an improvement, including doors and windows, without the prior written approval of the Covenants Committee.

In essence, any change whatsoever, whether permanent or temporary, to the exterior appearance of one's property must be approved by the CC. Further, once a plan is approved it must be followed precisely, or a modification must be submitted and approved in accordance with Article 9 of the Declaration.

It is important to understand that CC approval is not limited to major alterations such as adding a room or deck to a house, but includes such items as changes in color and materials, etc. Approval is also required when an existing item is to be removed.

Each Application is reviewed on an individual basis. There are no "automatic" approvals, unless provided for specifically in this Handbook.

1.7 CC REVIEW CRITERIA

The CC evaluates all submissions on the individual merits of the Application. Evaluation of the design proposal includes consideration of the characteristics of the housing type and the individual lot. The approval of one Application does not necessarily set a precedent requiring the approval of another same or similar Application. What may be an acceptable design in one instance may not be for another instance. Each Application is reviewed on a case-by-case basis. Design decisions made by the CC in reviewing an Application are based on the language of the Design Standards and Declaration and not on personal opinion or taste.

These Standards cannot envision every type of improvement¹ for which approval is required. There is latitude for the CC to review and approve based on the review criteria listed below. Also, not every requirement made by the Association is specifically set forth in these Standards.

Judgments of acceptable design are based on the following criteria, which represent, in more specific terms, the general intent of the Covenants:

NOTE: The CC are community volunteers, so please be respectful of their time and commitment by NOT solely submitting website links for them to do further research on submitted

¹ In most instances, the terms modification, alteration, and improvement have the same requirements with respect to the Application.

applications. All pertinent information should already be a part of the application package when submitted. Website link information should only be used for reference as needed.

- Relation to the ESAB Open Space - Fencing, in particular, can have damaging effects on Open Space. Other factors such as removal of trees, disruption of the natural topography and changes in rate or direction of storm water run-off may also adversely affect ESAB's Open Space.
- Validity of Concept - The basic idea must be sound and appropriate to its surroundings.
- Design Compatibility - The proposed improvement must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting.
- Location and Impact of Neighbors - The proposed alteration shall be harmonious with its surroundings, the existing structure, and the neighborhood.
- Scale - The size (in three dimensions) of the proposed alteration shall relate well to adjacent structures and its surroundings. For example, a large addition to a small house may be inappropriate.
- Color - Color may be used to soften or intensify visual impact. Parts of the addition that are similar to the existing house (such as sheds, roofs, siding, trim, etc.) must *match* the colors of the existing home. For example, a proposed shed shall include tan siding and white trim to *match* when the existing home has tan siding and white trim.
- Materials - Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house. For instance, vertical wood siding on the original house shall be reflected in an addition. On the other hand, an addition with wood siding may be compatible with a brick house. With the ageing of the community, exact replacement of items such as siding and mailboxes, may not be possible. If this is the case, the homeowner should look for a close replacement and an Architectural Change Form must be prepared for CC approval.
- Workmanship - Workmanship is another standard that is applied to all exterior alterations. The quality of work shall be equal to or better than that of the surrounding area. Poor practices or poor workmanship, besides causing the owner problems, can be visually objectionable to others or create safety hazards. The HOA assumes no responsibility as to the safety of new construction by virtue of design or workmanship.
- Timing - The alteration authority granted by approval of an Application will be revoked automatically if the alteration requested has not been completed within twelve (12) months of the approval date of the Application and/or by a date specified by the CC in the approval letter.

1.8 AMENDMENTS TO THE ARCHITECTURAL STANDARDS

These Standards may be amended to provide clarification, or to reflect changed conditions or technology.

The CC will periodically evaluate the Standards to determine if amendments are required. Owners are encouraged to submit to the Association any suggestions for additions or changes to the Standards. The actual amendment proceedings will involve discussions at an open Board and / or CC meeting with final adoption by the Board.

1.9 APPLICATION

Each section in this Handbook expressly sets forth the content requirements for Applications for each type of change, alteration, or improvement. The Application form requires all information deemed necessary by the CC, for that type of proposal, which will be useful in determining the scope and detail of the proposal.

Signatures for acknowledgement and awareness must be obtained by the two neighbors who are most affected by the change. They are usually the most adjacent and/or have a clear view of the change. Email signatures are also appropriate. The CC may waive this provision, in whole or in part, if those lots affected are vacant or if special circumstances support a waiver as determined by the CC.

The Application must be signed by the homeowner/applicant.

1.10 APPLICATION SUBMISSION MATERIALS

It is the Applicant's responsibility to provide a detailed Application (see Appendix 3 of this Handbook) in order to avoid a delay in the review process or actual return of the Application. An Application must include all materials necessary for the CC to be able to understand and appropriately review an Application. Typical submission materials include, but are not limited to:

- House Location Survey (Plat) – At the time of settlement, all homeowners should have received a House Location Survey from their settlement agent. This is a simple survey showing the location of the home, driveway, walkways, and other existing features such as a deck or patio. It also shows the size of the lot, setbacks to property lines and other information. An Applicant shall submit a copy of the Plat depicting a sketch of the proposed improvement that includes setback distances to adjacent / nearest property lines.
- Site / Construction Plan – A Site / Construction Plan is required as part of most Applications. A Site / Construction Plan is a scaled drawing of your lot, or applicable portion of your lot, which shows exact dimensions of the property, adjacent properties if applicable, and all improvements, including those covered by the Application.

- Grading Plan – A Grading Plan with contour lines and/or spot elevations is required where drainage is a consideration.
- Governmental Regulations and Approvals – Applications that are more complex may require approval by Governmental Agencies and the Applicant shall ensure compliance with all applicable Governmental Regulations. Where submission to a Governmental Agency is required, it is recommended that the Applicant provide the Application to the Community Manager for review by the CC prior to submission to the Governmental Agency. This is so that any comments by the CC may be incorporated into any Governmental Agency submission. If a Governmental Agency disapproves the submission, the Applicant shall notify the CC within 30 days.
- Photographs – In order to assist the CC in the review of an Application, color photographs of the area where the improvement is proposed should be submitted. Photographs of the existing item/structure to be changed is to be included with the Application.
- Construction Documents – As applicable, provide all details, sketches, cross-sections, photographs and / or elevations as necessary to depict the improvement. Documents shall reference sizes, any relevant Standards from this Handbook, dimensions, materials and colors.
- Materials / Products – Submit material samples, representational color photographs and / or brochures. Note that links to a website are not acceptable. All pictures and information must be extracted from the website and included directly in the Application.
- Colors – Submit representational color photographs, color chips and / or brochures. A list of approved colors is found in Appendix 1 (Approved Color Palette) of this Handbook.
- Landscape Plan – Submit a Landscape Plan showing the location of any proposed landscaping including a list of the plant types, quantity, and sizes. A photograph of the existing landscape is helpful to CC decision making.
- Contractor Estimate – Where applicable, the Applicant may include a copy of the Construction Estimate showing information about the improvement. Fees or prices may be deleted, marked out or hidden.
- Lighting – As may be applicable, submit brochures, cut-sheets, pictures, electrical data and locations. A photograph of the existing lighting is helpful to CC decision making.

1.11 REVIEW PROCEDURE

All Applications shall be directed to the Association’s Community Manager or Community Manager Staff (“Community Manager”). Each Application will be checked for complete information by the Community Manager. If information that is pertinent for the review of the Application is missing, the Community Manager will attempt to contact the Applicant in order to obtain supplemental information. If a response to the Community Manager from the

Applicant is not received within 10 (ten) business days, the Application shall be returned to the Applicant as being incomplete and thus not accepted for review.

The CC must act upon an Application within 45 calendar days (“review period”) after it has been accepted (“official acceptance date”) by the Community Manager. Applicants with special cases that require an interpretation will be notified and asked for clarification. If for any reason the CC cannot or has not reached a decision within the 45-day timeframe, the Application shall be referred to the Board for consideration at the next regularly scheduled Board meeting. If this happens, the Applicant shall be notified by the Community Manager. The Applicant will be advised of the Board meeting and will be invited to attend. The Board shall have 15 days after the next regularly scheduled Board meeting in which to render a decision.

The decisions of the CC shall be sent by letter to the address on the Application. The CC decision is binding after 10 working days to allow time for the appeal process.

1.11.1 Decisions Outside the Scope of the CC

Although all Applications must be reviewed by the CC, the CC cannot approve an Application where the proposal is outside the scope of the Standards. When such an Application has been submitted, the CC will refer the Application directly to the Board for their review at the next Board meeting for consideration.

1.11.2 Appeal Procedure

An appeals procedure exists for those affected by a CC decision. Appeals will be heard if the Applicant, or those affected by the Application, believes that either of the following criteria occurred regarding the review of the Application:

- Proper procedures were not followed during the administration and review process; or
- The CC decision was not in accordance with the Standards and Handbook.

To initiate the appeals procedure, the Applicant or other affected residents must submit a written request for an appeal within ten (10) days of the Applicant receiving the CC decision. Upon the receipt of an appeal, the CC has thirty (30) days to review the appeal. Written notice to the Applicant of the CC's decision on the appeal is due to the Applicant within seven (7) days of the CC's decision. If the CC's decision on the appeal is averse to the Applicant (or to the appealing party if not the Applicant), then the party aggrieved by the decision must, within ten (10) days thereafter, appeal the CC's decision in writing to the Board. Written notice to the Applicant (or to the appealing party if not the Applicant) of the Board's decision on the appeal is due to the Applicant within seven (7) days of the decision. If an Application (or other appealing party if not the Applicant) is the subject of an appeal, it shall be deemed disapproved during the pendency of the appeal and the Applicant (or other appealing party if not the Applicant) shall not commence any work pursuant thereto.

If the decision made by the Board was required because the Application represented a variance to the Standards and Handbook, the applicant or other affected resident must submit a written

request of an appeal within ten (10) days of the Applicant (or other appealing party if not the Applicant) receiving the Board decision. The Board has thirty (30) days to review the appeal. Written notice to the Applicant or other affected residents of the Board's decision on the appeal is due to the Applicant (or other appealing party if not the Applicant) within (7) days of the Board's decision. If an Application is the subject of an appeal, it shall be deemed disapproved during the pendency of the appeal and the Applicant (or other appealing party if not the Applicant) shall not commence any work pursuant thereto.

The Board's decision on any appeal shall be considered final and shall be deemed to be effective as of the date of the decision.

1.12 MAINTENANCE REQUIREMENTS

Property ownership includes the responsibility for maintenance and upkeep of all structures and grounds that are a part of the property. This includes, but is not limited to, items such as mowing grass, weed control, removal of trash and structural maintenance. Property maintenance affects the visual character and economic value of the individual lot as well as the entire subdivision. Violations of Maintenance Requirements shall be deemed a violation of Section 7.2 of the Declaration.

Dwellings and Structures - Residents are responsible for maintaining the exterior of their dwellings and any other structures on their lot, such as decks, fences, sheds, and play equipment. While it is difficult to provide precise criteria for what the HOA deems to be an unacceptable condition, the following situations would be considered a violation of the Covenants and/or these Standards:

- Peeling or faded paint on exterior trim;
- Failure to power wash and / or clean exterior surfaces which require cleaning;
- Dented garage doors or mailboxes, or mailboxes and/or posts/stands in need of re-painting, or those with rotten wood.
- Playground equipment that is visibly broken or in need of repainting;
- Fences with warped or broken boards or missing parts or parts in need of re-staining or painting;
- Sheds with broken doors or in need of painting or other types of repairs;
- Decks with missing or broken railings or parts, or parts in need of re-staining or painting; or
- Concrete or masonry block foundations and, in attached units, party walls in need of re-painting, or sunken/uneven concrete walkways.
- Leaning/bent post lamps or those without a working light bulb or those missing parts.

Mowing and Yard Maintenance - Turf areas need to be mowed at regular intervals, maintaining a maximum height of 6 (six) inches and a minimum height to 2 (two) inches. Planted beds must be kept in a neat and orderly manner.

Lawn and Garden Fertilization - All soil should be tested before fertilizer is added, especially in areas where drainage will flow into a pond and / or waterways. Special care shall be taken not to over-fertilize or to fertilize lawns and gardens where there is a chance of runoff, especially areas adjacent to ponds and waterways.

Trash Removal - Each resident is responsible for picking up litter on their property and/or debris on the open space that originated from their property and disposing of it properly.

Tree Pruning (Trimming) - Trees should be trimmed regularly to ensure that the limbs and tree debris does not encroach the neighboring property. It is recommended that homeowners do a canopy reduction/trimming. To do the least amount of harm to the tree, pruning should be done in the dormant season (winter – January/February). See Appendix 4 - Tree Pruning (Trimming) and Preservation Requirements.

Erosion Control and Drainage Management - Each resident is responsible to ensure that their lot is protected from erosion and that storm drain structures are not blocked so as to cause additional erosion problems. Each resident is responsible to maintain proper drainage through their property and not block or hinder natural drainage from adjoining properties.

Pesticides and Herbicides – The Association’s preference is to avoid the use of pesticides and herbicides if possible, but when necessary they shall be applied according to label instructions and all applicable instructions for the specified problem. Organic or biodegradable materials are preferred to minimize potential adverse environmental effects. Care in application is extremely important in all areas, including along ponds and waterways, near neighborhood play areas and tot lots, and near adjacent residences.

1.13 ENFORCEMENT OF COVENANTS PROCEDURES

The Covenants require the CC to ensure compliance by all lots (residents) with these Standards. The ESAB Board has requested that the Community Manager perform periodic visual assessments and formal lot reviews annually for the enforcement procedures below:

- All violations will be identified / confirmed by a site visit.
- If confirmed, a compliance notice will be sent to the address on file with the Management Company.
- If the violation is not resolved within the time allotted in the first written notice, a second notice will be sent.
- If the violation requires a third notice, that notice shall be sent by certified mail, return receipt requested and shall inform the lot owner of the time and place of a hearing by

the Board concerning the violation, and shall otherwise comply with the requirements set forth in Article 12 of the Declaration and Va. Code Section 55.1-1819.

1.14 RESALE DISCLOSURE ACT

This law requires that a Property Owners Association (Association) make available to an owner (or his authorized agent) an Association resale certificate within 14 days after having received a written request for same. Upon receipt, the seller or seller's agent shall deliver to the purchaser the association resale certificate. This certificate includes a required statement by the Association as to whether any existing uses, occupancies, alterations, or improvements in or to the lot violate any provision of the governing documents or rules and regulations (which would include the Standards addressed in this Handbook). together with copies of any notices provided.

In order to avoid potential problems during the resale of your home, it is important that homeowners are in complete compliance with these Standards and have obtained approval for all exterior modifications. The Board suggests that any lot owner who anticipates selling his/her lot in the near future should contact the HOA Community Manager to review the compliance status of the lot **prior to** requesting a resale certificate. This will allow the lot owner the time to correct any noted violating conditions so as to avoid the disclosure of violating conditions in the resale certificate which could impact the sale of the property.

2. STANDARDS

The specific Standards detailed below have been adopted by the Board and shall be employed by the CC in reviewing proposed modifications and improvements.

2.1 ADDITIONS / EXTERIOR ALTERATIONS

All Additions / Exterior Alterations require approval of the CC and are generally considered to be those that alter the existing structure or the exterior appearance of the structure or the lot by either subtraction or addition. This does not include exact replacement of existing original or already approved items, i.e., maintenance such as repainting doors and shutters the exact same color.

The following are design considerations:

- Location - The location of additions / exterior alterations shall not impair views or the amount of sunlight and natural ventilation on adjacent properties. They must adhere to all Governmental Regulations including applicable Town and / or County setback requirements and may not be constructed across Building Restriction Lines (BRL).
- Design and Materials - Additions / exterior alterations shall be the same or compatible in design, scale, materials and color with the Applicant's home and adjacent homes. Roof pitches must match or be compatible with the roof slope on the applicant's existing home. Roofing materials must harmonize with that of the existing homes (gray/charcoal/black scale). Siding/brick must match (be the same) existing home in color, material, size, and style.
- Drainage - If changes in grade or other conditions will affect drainage or may be anticipated to affect drainage, such changes must be indicated. Generally, approval will be denied if adjoining properties are adversely affected by changes in drainage.
- Colors - The colors of all improvements must match the colors used on the existing home and must be an approved color listed in Appendix 1.
- Construction Materials - Must be stored so that impairment of views from neighboring properties is minimized. Excess material shall be immediately removed after completion of construction. No debris may be allowed to accumulate during construction.

2.2 AIR CONDITIONER (HVAC) UNITS

Air conditioner (condenser) units do not require approval of the CC if they are installed in the same exact location of the existing base pad or mounting bracket.

If the location, type of pad or mounting is changed, then an Application shall be required. It is preferred that the units remain in their original location. However, the relocation of existing

units will be considered so long as they are placed near existing units and do not have an adverse audible or visual impact on adjoining lots or open spaces.

Window mounted units or those units which protrude through the wall of the home are not permitted.

2.3 ANTENNAS AND SATELLITE DISHES

Antennas and Satellite Dishes do not require approval of the CC, but are subject to compliance standards referenced below:

- Size – Satellite dishes that are larger than 1 (one) meter (39.37 inches) in diameter are prohibited. Satellite dishes that are one meter in diameter or less, television antennas and MMDS (multichannel, multipoint distribution) antennas are permitted.
- Location – Devices are not to be installed in the front of the lot or on the front of a residence so long as another location exists on the lot or residence from which an acceptable quality signal can be received. If they must be installed at roof level, then they shall be situated on the rear side of the roof ridgeline, so as to have no, or minimal, visibility from the front of the home. Overall, they are to be located so as to be as visually unobtrusive as possible, without unreasonably increasing the cost of installation, maintenance and use and without precluding the reception of an acceptable quality signal or causing an unreasonable delay.
- Screening – Whenever possible, the devices should be located in the rear yard, and appropriately screened. To the extent possible, dishes and antennas shall be screened with evergreen plant material so that they are not visible either from the street or to other lot owners. However, this screening requirement shall not unreasonably increase the cost of installation, maintenance, and use, shall not preclude the reception of an acceptable quality signal and shall not cause an unreasonable delay.
- Color – Shall be such as to minimize any adverse visual impact. This requirement shall not void the manufacturer’s warranty, shall not unreasonably increase the cost of installation, maintenance, and use, shall not preclude the reception of an acceptable quality signal, and shall not cause an unreasonable delay.
- Removal – Units and all associated wiring that are no longer in service and / or are not functioning shall be removed.

2.4 ARBOR

Arbors require approval of the CC. An arbor is defined as a walk-thru garden structure typically made of wood, metal or PVC which serves as a framework to support climbing shrubs or vines. See example picture below:



The following standards shall apply:

- Location - The location shall be restricted to rear yards and setback a minimum of 3 (three) feet from any property line. Only one shall be permitted per lot.
- Size - The Arbor shall not exceed 9 (nine) feet in height as measured from its base to the highest part of the structure. The width shall not exceed 5 (five) feet and the depth shall not exceed 5 (five) feet. Width and Depth shall be measured from the outermost part of the structure.
- Material - Acceptable materials are wood, wood composite, white vinyl, aluminum or wrought iron.
- Color - The color shall match and / or be compatible with the color of the home and surroundings and may include black, white, natural wood tones and colors which match the homes siding and / or trim.

2.5 ATTIC VENTILATORS / TURBINES / METAL FLUES

Attic Ventilators, Turbines and Metal Flues require approval of the CC. They must match the siding or trim color on the house if mounted on the side of the home or a gable end or must be painted to match the color of the roof if placed on a roof. Roof location shall be on the least visible side of the roof peak. Large metal flues and any vent through the roof must be painted to match the color of the roof.

2.6 AUDIO / VIDEO SYSTEMS (OUTDOOR)

All audio / video systems (outdoor) require approval of the CC.

- General – Sound levels are subject to the Town and / or County Noise Ordinances as may be applicable. The quantity of outdoor audio / visual systems should be sized appropriately for the space. Only one (1) outdoor television is permitted per lot.

- Location – Outdoor audio/visual systems including stereo sound systems, televisions, video monitors and gaming systems must be located such that they are not intrusive to neighbors, streets, or common Open Spaces. Outdoor audio / visual systems shall be restricted to the rear yard and shall not extend beyond the side plane of the home. These systems must be screened / softened from the view of adjacent properties. The Covenants Committee require additional placement restrictions on lots with highly visible rear yards.
- Size – The size and scale of the project and components must be compatible and harmonious with the home and surroundings.
- Color – Colors must be compatible and harmonious with the home and surroundings.

2.7 AWNINGS (RETRACTABLE)

See also Section 2.51 - Shade panels

All retractable awnings require approval of the CC. Non-retractable awnings will not be permitted. Awnings on individual windows are not permitted. Awnings shall be harmonious with and enhance the architecture of the house as determined by the CC. The style, size, material, and color of the awning must be compatible with the architecture of the house. Retractable awnings must meet the following criteria:

- Location – The location of any awning cannot unreasonably affect views, light, or natural ventilation of adjacent properties. Awnings must be located in the rear yard and may only be incorporated into a deck or patio design.
- Material and Color – Fabrics must be heavy duty and weather resistant. Fabrics must be either solid colors or stripes (two, one of which must be white / off-white), which are compatible with the color scheme of the house. The color scheme of the home must be attached to the Application. Pipe frames and mechanical devices for awnings shall be painted to match the trim or dominant color of the house.
- Maintenance – If awnings are removed for winter storage, frames shall be secured or removed to the extent possible. All awnings must be maintained in good condition. Awnings must be retracted when not in use.
- Size – The size shall not exceed the perimeter of the patio or deck for which it is covering. For example, if a deck is 16 feet wide and 12 feet deep, then the awning shall not exceed 16 feet wide by 12 feet deep.

2.8 BARBECUE GRILLS / OUTDOOR KITCHENS

All permanent barbecue grills and /or outdoor kitchens require approval by the CC.

They may be permitted provided that they are integrated into either an existing or planned deck or patio. The design, architecture, size, and color scheme of the permanent barbecue grill and / or

outdoor kitchen shall be compatible and complement the existing features and architecture of the home. They are restricted to rear yards, and they must be setback a minimum of 2 (two) feet from any property line for Townhomes and a minimum of 5 (five) feet from any property line for Single Family Detached Homes.

Outdoor kitchens and barbecue grills shall not exceed 6 (six) feet in peak height and the color scheme must be compatible and harmonious with the home and surroundings. Permitted colors include stainless steel, black, dark green, natural stone color tones and colors that match the homes siding and / or trim.

Temporary / non-permanent barbeque grills are permitted and shall be covered when not in use and do not require approval if the above guidelines are met.

NOTE: Any device which provides heat, fire, flames, smoke and / or other potentially dangerous emissions should be operated in accordance with all applicable Governmental Regulations and manufacturer instructions. Care should also be taken to make sure smoke or other emissions do not create an annoyance or nuisance to neighbors. The Applicant assumes all responsibility for the safety and maintenance of barbecue grills and / or outdoor kitchens.

2.9 BASKETBALL SYSTEMS

An Application must be submitted to the CC prior to the installation of a permanent or portable basketball system.

Permanent basketball systems are only permitted on Single Family Detached Home lots. They may be attached to the house or may be affixed to permanent or semi-permanent free-standing poles.

All basketball backboards (permanent or portable) shall meet the following standards:

- Poles are painted a solid earth tone, black or gun metal gray.
- Backboards must be acrylic or clear in color.
- No court markings are painted, drawn, or otherwise affixed to the playing surface,
- Poles must be located at least 6 (six) feet from a side lot line and at least 10 (ten) feet from the front lot line. Final determination will be made on a case-by-case basis where an Applicant requests a variance to these setbacks based upon lot specific circumstances or for Townhome Lots.
- At all times, the backboard, hoop, and net must be maintained appropriately.
- Basketball backboards are not to be located in close proximity to an adjacent road or sidewalk such that players will interfere with pedestrian or vehicular traffic or otherwise create an unsafe environment for pedestrians and drivers alike.
- Portable basketball setups shall be removed when not in use. The Applicant shall note

on the Application where the system will be stored when not in use.

- Basketball systems of any type shall not be located on common areas, sidewalks or on streets.

2.10 CHIMNEYS

Chimneys (new or modified) require approval by the CC and shall be planned and designed with the same care as initial construction and shall be visually integrated with the architecture of the house. The design and location must be compatible with the house in style, scale, materials, and colors. Metal flues shall be selected, located, and installed to minimize their appearance on the house and visibility from neighboring properties and the street.

Guidelines:

- Chimneys shall be constructed of materials and colors that match, or are harmonious with, the materials and color of the house as determined by the CC.
- A masonry chimney shall be constructed to match stone, brick and/or other masonry materials used elsewhere on the home.
- A rooftop metal flue shall be on the side least visible from neighboring properties (usually the rear roof), be no higher than the minimum required by the applicable building codes and be painted flat black or a flat finish paint to match the roof color.
- Wooden enclosures of flues shall be constructed of the same materials as the house siding, trim, and color.
- Generally, through-the-wall (direct-vent) metal flues are discouraged and will not be approved on an elevation that is visible from the street or is visibly obtrusive.
- Direct-vent metal flues shall be painted a flat finish exterior heat-resistant paint of the same color as the wall through which installed. Any peeling of the metal flue paint will require repainting.

2.11 CLOTHESLINES

Permanent clotheslines or any similar apparatus for the exterior drying of clothes will not be permitted.

2.12 COMPOST BINS

Compost bins require approval of the CC. Small compost bins will be considered on a case-by-case basis and located in a manner to minimize any impact on adjacent homeowners or property. If a compost bin is desired, the use of a pre-manufactured compost bin, which is earth tone in color or black, is required. Bins must be located to the rear of the property and must be fully screened from the street, Open Space and adjoining and affected neighbors.

All active compost must always be treated to prevent odors from escaping. Failure to adequately maintain the appearance of a compost bin or the emanation of objectionable odors from the bin shall result in a rescission of the CC's approval of the bin.

2.13 DECKS

All decks require approval by the CC and must be compliant with all Governmental Regulations. The following standards shall apply:

- Location – Decks must be located in rear yards and shall not break the side plane of the home. Decks shall not be erected forward of the rear plane of a dwelling unit. The side plane is defined as the sidewall without consideration for protrusions to the side wall (i.e., bay windows, HVAC units). The rear plane is defined as the rear wall without consideration for any protrusions to the rear wall (i.e., room extensions, bay windows, HVAC units). The rear plane shall also be defined as the rear-wall closest to the front plane. Side yard locations may be considered as a variance with consideration given to limiting any impact on adjacent homeowners as determined by the CC.
- Scale and Style – Decks, particularly elevated decks, shall be of a scale and style which are compatible with the home to which attached.
- Materials – Pressure treated wood, #2 grade or better or cedar shall be permitted in most cases. Other materials which may be considered by the CC on a case-by-case basis include vinyl and / or composite materials. Round tubular metal balusters (plain, with no decorative element) in white or black will be considered on a case-by-case basis. Metal, glass panel and / or wire-based railing systems are not permitted.
- Color – See Appendix 1.
- Under-deck Storage – Elevated decks that have an under-deck area can have a negative visual impact on adjoining neighbors, particularly when used as an informal storage space. The use of decorative screening or landscaping to minimize adverse visual impacts is encouraged and may be required by the CC.
- Privacy Trellises and Screens - Will be permitted for decks if consistent with the size of the deck and home. Privacy screens shall not extend more than 3 (three) feet above the top rail and comprise not more than 50% of the lateral railing length. For example, a 10' x 20' deck with 40' of railing will not have over 20 feet lateral of lattice screening. All lattice must be box framed - a detailed drawing will be required.
- Above Deck Structures – The following structures which are located above the railing on a deck such as plant hangers, covered (with roof) porches, pergolas, gazebos, etc. are only permitted on Single Family Detached Homes.
- Built-in plant hangers - Must be compatible in design and colors with the deck to which it is attached and shall not exceed 12 feet in total length and 9 (nine) feet in height. See example picture below:



2.14 DOG HOUSES / ANIMAL ENTRY DOORS / DOG RUNS

Dog houses and animal entry doors require approval by the CC. Dog houses must be located in the rear of the property and be screened from view of the street and adjoining lots. The doghouse shall not be closer than 5 (five) feet to any lot line and the placement shall be coordinated with the landscaping of the home.

Doghouses and animal entry doors are required to match the existing home in materials and / or colors. Doghouses shall not exceed 12 square feet or be higher than 4 (four) feet above ground level. Animal entry doors are restricted to the rear of the home.

Dog runs are prohibited. A dog run is defined as an area enclosed on one or more sides by a fence, boards or any other material and intended for holding dogs or other animals for any length of time or restricting the area or space within a yard to limit the movement of a dog or any other animal.

2.15 DOORS

All door modifications, including color changes, require approval by the CC.

Doors shall be compatible in style with the architecture of the house. Doors shall be of high-quality material and workmanship, and shall be consistent in proportion, detailing and style with the existing home. The material, color, and installation of a new or replacement door and hardware must be compatible and complimentary with the existing and adjacent homes. See also Appendix 1.

The following additional standards shall apply:

- Sliding Doors – Sliding glass doors may be allowed on a case-by-case basis for rear or side locations only.

- **Front Doors**
 - Particular emphasis will be applied on the style and color being compatible and complementary with adjacent homes. If the Application is for a change of color, the Applicant shall provide pictures to ensure that the new color is not the same / matching the adjoining / adjacent homes (Townhomes only). The new color should be one of the approved colors found in Appendix 1.
 - Must be of solid wood or with two small windows in the top section of the door similar to those that exist in the community.
 - May include a “kick plate” of gold or silver color consistent with other kick plates in the community.
 - Front doors with decoration are not allowed.
- **Sidelites (sidelights)** – Narrow, vertical windows on one or both sides of an exterior or patio door. Shall be plain but may include minimal ornamentation. However, no exterior etching is permitted. Ornamentation, however minimal, still requires CC approval.
- **Storm / Screen Doors** – Storm / screen doors must not distract from or alter the appearance of the home. They must be clear and full-view or with one (minimal) bar across the middle of the door and may have minimal ornamentation such as etching along the edges of the glass. No imitation gate hinges, or ornamental grillwork is permitted. Doors shall be the color of the surrounding house trim or painted to match the color of the home entrance door. Storm doors with retractable or replaceable full screen inserts will be considered. Such doors can have no more than one cross bar/vertical bar visible on the door at any time and the screen or window that can be raised or lowered must be either raised or lowered in its entirety.

Approved (✓) door styles are pictured below:



- **Garage Doors** – Garage doors require approval. Garage doors must remain substantially similar and consistent with the style and color installed by the builder; white or cameo (off white); must match home decorative trim. See also **Section 2.26 – Garages** for more information on garages.

2.16 DRIVEWAYS / PARKING PADS

Driveways / Parking Pads require approval of the CC.

Extensions, modifications, or additions to driveways will be considered for Single Family Detached Homes and only if there is no adverse aesthetic or drainage impact on adjoining lots. In general, the size of the driveway / parking pad shall be appropriate for the size of the property on which it is located. It shall be constructed on natural grade using a material that is consistent with the existing driveway. Driveway extensions must be of a size and scale which will complement the property, rather than become a focal point. Extended driveways may not be used for parking inoperable, commercial, recreational, or unused vehicles.

In general, driveway / parking pad extensions are discouraged and may only be approved when all of the following criteria are met:

- The location shall minimize the removal of trees and other significant vegetation.
- More than one driveway will not be approved on any one property.
- Driveway access from the street shall be easy and direct. Maximum grade shall relate to the length of the driveway and shall not exceed 12% or that of the existing driveway.
- Overall size shall be minimized.
- Driveways shall only connect to the street where curb cuts have been provided.
- Driveway aprons shall be maintained at a level consistent with the adjacent street.
- A driveway / parking pad in the rear yard is not permitted.
- Landscaping shall be provided to soften and to screen the driveway / parking pad.
- The Applicant must receive Town of Leesburg and/or Loudoun County approval or confirmation of acceptability prior to construction.
- Landscape stones or gravel of any kind is not permitted as a solution to widen driveways.
- For Single Family Detached Homes, a 24" wide or less strip of pavers or stamped concrete may be added to one or both sides of the driveway to provide expanded room for entering / exiting vehicles parked in the driveway. The pavers should be flush with the driveway and the edge where the driveway meets the pavers should be straight and neat. This may require cutting a neat straight line along the edge of the driveway (as shown below). The color and pattern must be compatible with the home and surroundings.

An example of an acceptable design is shown below:



- Extensions, modifications, or additions to driveways will not be considered for Townhomes. However, landscape stones may be proposed adjacent to two Townhome driveways if both homeowners acknowledge acceptance of the proposed design. The use and quantity of stones shall be limited to the extent possible. The proposal must be well designed, logical and compatible with the other Townhomes within the Community, but especially with the Townhomes in the same block. A scaled drawing showing the location, dimensions, type of stone and any edging material is required. The stones shall be neatly maintained and free of weeds.

2.17 EXTERIOR DECORATIVE OBJECTS

Exterior decorative objects require approval of the CC.

Approval will be required for all exterior decorative objects, whether natural or man-made, which were not part of the original construction design, either as a standard or optional feature. Examples include but are not limited to bird houses, bird baths, driftwood, weathervanes, sculptures, water features (i.e., fountains, ponds), free standing poles of all types, house address numerals, and any items attached to an approved structure. These will be evaluated in terms of their general appropriateness, size, location, compatibility with architectural and environmental design qualities and visual impact on neighborhoods and the surrounding area.

Sculpture, garden statues, bird baths, bird houses and similar items are generally restricted to rear yard locations and should not be visible from the front yard or a street. Items placed in a front yard shall generally not exceed 18” in height.

If in the front yard, plant pots less than 24” high and 30” in diameter with healthy maintained plantings require no approval of the CC provided they are generally located to the left and / or right of a front door and / or garage door and do not exceed 8 (eight) pots in total.

2.18 EXTERIOR/OUTDOOR LIGHTING

Exterior or outdoor lighting which is part of the original structure may not be altered without prior approval of the CC. The installation of additional lighting fixtures requires CC approval.

Overview:

- Replacement of existing outdoor lighting fixtures with the same lighting fixture in the same location does not require approval.
- New or replacement of existing outdoor lighting fixtures with a differently styled fixture, increasing the intensity of existing lighting, or revising a fixture location shall not be installed until after the homeowner receives approval from the Association.
- In general, outdoor lighting shall be kept to a minimum. The intent is to produce a low level of light that creates a warm ambiance and provides for safety while maintaining view of the night sky and stars. Lighting which directly illuminates and spills onto Common Areas or other adjacent property is prohibited.
- Safety considerations will be balanced against aesthetic/nuisance considerations in applying these Standards.

General Rules for all lighting:

- The Kelvin Temperature (color) of all lighting shall not exceed 3,000K which is warm white. An exception will be made for floodlights integral to a Security Camera which may have a value up to 4000K. Multi-colored lighting is only appropriate as holiday décor and shall be subject to all standards as outlined in Seasonal Decorations rules and Lighting within this document. If the proposed lighting has the ability to change colors, the lighting shall be set to warm white for all times except during Holidays when used as a decorative feature.
- Lighting should be no brighter than necessary. Unless otherwise noted herein, lighting shall not exceed 800 lumens which is the approximate value of a 60-watt incandescent bulb. An exception will be made for floodlights which may have 1600 lumens per floodlight with a maximum value of 3200 lumens per fixture.
- The minimum lumen value of the bulb for front post lamps must be 450 lumens (40 watts for an incandescent bulb or 6 (six) watts for an LED bulb).
- Any fixture with an exposed bulb shall be shielded or recessed when possible.
- Lighting shall be directed only to where it is needed and shall be pointed downward when possible. Lighting may not be pointed toward adjacent property.
- Lighting should be turned off when not in use.
- Applications for replacement or additional exterior lighting shall include the quantity, wattage, color temperature (kelvin value), height of the fixture above ground, location shown on a survey (plat) as well as on photograph of the home as may be applicable and a description of the fixture(s) to include information provided by the manufacturer's website or brochure.

Specific Rules for each style of outdoor lighting:

- **Deck Stair Tread and Deck Post Bullet lights (downward directed)** - The quantity shall not exceed one per post or two per riser. Does not count toward the lumen value listed above. Wattage and Kelvin rules apply.

- Deck Post Cap lighting (downward directed)** - The quantity of such deck railing post cap lighting shall be minimized to prominent deck corners and railing posts along stairways, however, if a narrow opening and low intensity deck railing post cap light is utilized, then deck railing post cap lighting is permitted on all deck and stair posts. In evaluating deck post lighting, the Review Board shall consider the height of the deck and visibility from adjacent or high visibility locations. The opening (shielding) of the light source and intensity of the lighting shall also be considered. Per the example below, less intense lighting with narrow (7/16" or less) openings is permitted on every deck railing post. Wider openings and/or a bright intensity is not permitted on every deck post (see example below).



Narrow Opening – Permitted

Wide Opening – Not Permitted

- Solar panels to power outdoor lights** - solar panels must be integrated as part of the fixture when possible. When they are separate, they must be inconspicuously mounted and hidden from view or softened with landscaping. The general rules for lighting apply.
- Spotlights and floodlights** - For the purpose of these design standards, a spotlight is referred to as a down light that has one single focused light creating more of a “spot” rather than a “wash” of light. The term floodlight is used when referring to a widespread area of light that washes over an area from one or two bulbs.



Single (1“Bulb”) Spotlight

Cameras with built-in “Spotlights”

Dual (2 “Bulb”) Floodlight with Security Camera

Dual (2 “Bulb”) Floodlight

3 “Bulb” style floodlight is not permitted

As noted in the general rules for lighting, lighting shall be pointed downward and not directed toward neighboring Lots.

Spotlights and floodlights are discouraged due to their glare and intensity and are therefore limited to the quantities referenced below. The maximum quantity of spotlights/floodlights will be based on the following standards:

- Floodlights and spotlights are not permitted on the front elevation and front yard of a home except that up to two (2) security cameras with a built in “spotlight” may be permitted. These fixtures must be sensor activated.
 - One (1) fixture, not to exceed two (2) bulbs and the lumen output indicated above, may be permitted above a garage door on the side elevation of a home with the height not to exceed 15 feet and a minimum setback of 25 feet to the side lot line. These fixtures must be sensor activated.
 - One (1) fixture, not to exceed two (2) bulbs and the lumen output indicated above, be permitted on the opposite side yard (non-garage side of home) when a setback of 25 feet or more can be provided and when the light is installed at a height not to exceed 15 feet. These fixtures must be sensor activated.
 - Two (2) fixtures, not to exceed two (2) bulbs and the lumen output indicated above, may be permitted in the rear yard of any Lot where the fixtures can be setback at least 15 feet from any Lot line for a fixture with an installed height of 15 feet. If any fixture is installed at a height above 15 feet and below 30 feet, the setback must be increased to 25 feet. No light shall be installed above 30 feet. These fixtures shall only be on while in use.
- **Lighting attached to Security Cameras** – shall meet all General Rules for Lighting and shall meet all standards for spotlights and floodlights as referenced above. Lighting attached to Security Cameras shall be motion activated only.
 - **Walkway (path lights)** - shall meet all General Rules for lighting and shall be spaced a minimum of 5 feet apart. They shall not be used to illuminate community paths and walkways. They shall be shielded to direct light downward and not exceed two (2) feet in height. A maximum of one light per 6 linear feet of walkway length, path length, or outer perimeter length of a patio is permitted. **An application is not required for walkway path lights meeting the above requirements.**
 - **Driveway (path lights)** - shall meet all General Rules for lighting and shall be spaced a minimum of 10 feet apart. The overall quantity of such lights shall be limited to the extent possible to avoid an “airport runway” appearance – especially on longer driveways. The fixture must be shielded and directed downward only.
 - **Landscape Up-lighting** - shall meet all General Rules for lighting. They shall be restricted to a maximum quantity of 18 up-lights (a maximum of 4 in the front yard, 13 in the rear

yard and none are permitted in the side yard. For the purpose of these Standards, this includes tree and shrub lighting, boulder lighting and any similar landscape accent up-lighting as determined by the Review Board.

- **House Accent Up-Lighting (outdoor home lighting)** - may include up-lighting that meets all General Rules for Lighting. This does not include or permit spotlights or floodlights positioned away from the home for the purpose of illuminating a large area - except that one (1) spotlight may be positioned close enough to the home to illuminate solely the front entrance way. Therefore, house accent up-lighting (placed within 18" of the home) may be utilized to produce a soft illumination of the home. A maximum quantity of 11 lights may be positioned along the front façade of the home. Minimum spacing between each light is four (4) feet on center. Side yard and rear yard house up-lighting is not permitted. Note: lighting above a porch is limited to a maximum quantity of four (4) lights and shall be limited to four (4) watts each (LED) or the equivalent. No lights are permitted above 12 feet from the ground level.
- **Well Lights and Disc Lights** – shall meet all General Rules for Lighting. They shall be spaced a minimum of three feet apart. The quantity shall be limited to a maximum of 20 lights and the lumens shall not exceed 100. They shall be located in the rear yard and shall be a component of a deck or a patio. They are discouraged from use as landscape accent lighting because they are not shielded from above. However, small quantities will be considered when the light is proposed in low visibility locations.



- **Café String Lights** – do not require an application and may be hung across an open rear patio, private courtyard, or beneath a rear gazebo, pavilion, or pergola structure in the rear yard only. They are not permitted in front or side yards. Lights must not be strung parallel to the house eave or along a wall to resemble holiday lighting, wrapped around a post, wrapped around trees, or above areas maintained by the Association. Lights must not be attached to fences or trees. Lights are not permitted to be attached to siding, fencing, or privacy structures on another owner’s property or Association property. Light bulbs may be clear or frosted and no larger than 4-inches. Electrical wiring must be black, brown, or green only. Any other colors or styles may be temporarily hung for a 72-hour period. Café string lights improperly hung or in disrepair shall be removed. The quantity should be limited to the extent possible, but not exceed

96 bulbs. Excessive crossing and overlapping shall not be permitted. The mounting poles shall be straight, upright, and compatible with the home’s architecture. Lights must be turned off when not in use.

Acceptable styles (and not acceptable styles) are pictured below, and holiday string lights, are also shown as not being acceptable. Mesh or netting style string lights are also not acceptable.



Acceptable

Acceptable

Not Acceptable

- Globes shall be uniformly opaque (e.g., frosted, acid etched, etc.) or otherwise treated to sufficiently obscure the lamp and shall meet all General Rules for lighting.
- Any fixture with an exposed bulb must be shielded or recessed when possible and shall meet all General Rules for lighting.
- Light fixtures on piers shall meet all general rules for lighting. In the side or rear yards, the bulb must be recessed and shielded or proposed landscaping shall be positioned to diffuse / soften light travel to adjacent homes.
- Outdoor ceiling fixtures shall be recessed and meet all General Requirements for lighting.
- Holiday lighting shall not be permanently installed. See Seasonal Decorations section for more information.
- Patio accessory lighting, such as well lighting, floor well lighting, seating wall accent lights etc. shall be limited in quantity to the extent possible, shall be reviewed on a case-by-case basis, and shall be required to meet the general rules for all lighting as referenced above.
- All other types of lighting which are not specified herein shall be reviewed on a case-by-case basis and shall be required to meet the general rules for all lighting as referenced above.

2.19 EXTERIOR PAINTING

An Application is not required in order to re-paint or re-stain an object to match the original color, not faded. However, all exterior color changes must be approved by the CC.

This requirement includes, but is not limited to siding, doors, shutters, trim, roofing, metal tin roofing and other accessory structures such as decks. Change of exterior color shall be harmonious and compatible to the colors of the houses in the immediate area. If the Application is for a change of color, the Applicant shall provide pictures to ensure that the new color is not the same / matching the adjoining / adjacent homes (Townhomes only). Additionally, a color rendering / graphic representation of the home must be submitted and shall accurately depict the proposed color change. A color sample with the name of the color and manufacturer must also be provided. The new color should be one of the approved colors found in Appendix 1.

2.20 EXTERIOR SURFACES

All exterior surface alterations require approval of the CC.

Exterior materials and colors were originally selected by the builder to present a uniform architectural theme for the community. Any partial replacement roofing, siding, trim, etc., must match the existing item(s). In the event a material or color is not available or if there is a problem with any material, the CC may approve a similar alternate material and/or color.

Generally, painted surfaces may only be painted; stained surfaces may only be stained; and unstained surfaces (brick, siding, etc.) may only be replaced with like material and may only be left unpainted or unstained. See Appendix 1 for the colors approved for use within the Community.

2.21 FENCES

All fences require approval of the CC.

Fencing Standards for Single Family Detached Homes:

- The only approved fence style is a spaced picket fence. The spaced picket fence shall have 1(one) inch by 4 (four) inch pickets spaced at approximately 2 (two) inches – 2.5 (two and one-half) inches apart and shall be approximately 48” in height. The 4 (four) by 4 (four) inch posts shall extend from 52 to 56” in height and shall be located approximately every 8 (eight) feet. A post cap shall be provided. There shall be one top and one bottom 2 (two) inch by 4 (four) inch cross rail.
- The fence must match (style and height) any adjoining fence already located upon a property line shared by your lot and an adjacent owner.
- Front yard fences (or fences which appear to be in a neighbor's front yard because of lot configuration) will not be allowed.
- No fences will be permitted in front of the face of the house (in front yards). Lot line fences may not be used to enclose the front yards of Single Family Detached Homes.
- Side yard fencing may not extend forward more than one-half (1/2) the length of the house, measured from the plane of the rear of the house. It may only be approved for

the partial enclosure of side yards if such improvement will not have an adverse visual or functional impact on adjoining lot owners and if such adjoining lot owners are informed and do not object to the improvement.

- Back-to-back fences are not permitted. If an adjacent property owner already constructed a fence on a shared lot line (or portion of the lot line) or has approval for a fence on a shared lot line (or portion of the lot line), then that fence style in that location shall take precedence. You must coordinate with all adjacent lot owners because any prior fence approval takes precedence and removal of your fence will be your responsibility if a conflict or back-to-back condition occurs based upon a prior approval.
- Coated wire mesh (with a grid of 2 [two] inches by 3 ½ [three and one-half] inches approximately) which is installed internally and generally not visible from adjoining properties may be used in conjunction with fences in order to enclose the lot for pets and small children.
- Privacy fences or fences higher than 4 (four) feet will be approved only under special circumstances where the fence is placed at least 4 (four) feet within the property line and is screened from the view of neighbors with landscape materials (which will provide a solid natural hedge, and which will grow to the height of the fence within two [2] years).
- No more than three gates shall be permitted per lot and all gates must be 72" or less in width.
- Gates shall not open into a neighboring lot.
- The gate shall be the same style, materials, and height as the fence to which it is attached. However, the Applicant may include a detail for consideration by the CC showing an alternative design which is compatible and harmonious with the fence to which it will be attached. The color and material must be the same as the rest of the fence.

Fencing Standards for Townhomes:

- Privacy fencing may be used to enclose the rear yards of attached dwellings.
- The only approved fencing for Townhomes is board-on-board privacy in accordance with Appendix 2. Privacy fencing shall be 6 (six) feet in height. The use of fencing for both a privacy screen and property-line boundary shall not be combined except for the rear yards of Townhomes.

Material Standards for all fencing (including Single Family Detached Homes and Townhomes):

- All fences shall be wood.
- Privacy fencing must be constructed with the finished side facing out.
- Fencing shall match or blend with existing adjacent fencing.

- The style of gate shall be the same style, materials, and height as the fence to which it is attached. However, the Applicant may include a detail for consideration by the CC showing an alternative design which is compatible and harmonious with the fence to which it will be attached. The color and material must be the same as the rest of the fence.
- Fences must be painted, stained, treated with a clear preservative, or left to weather naturally. White, off-white, traditional redwood, orange, and yellow tones are discouraged. All colors must complement the existing house colors. Color/stain samples must be submitted for CC review and approval. Color Standards for all fencing: See Appendix 1 – Approved Colors.
- Pictures of the home where the fence will be located shall be submitted to facilitate review by the CC.

2.22 FIRE PITS

See also Section 2.23 - FIREPLACES (OUTDOOR)

NOTE: Any device which provides heat, fire, flames, smoke and / or other potentially dangerous emissions should be operated in accordance with all applicable Governmental Regulations, and manufacturer instructions.

All Permanent (permanently located in one spot, fixed in place and / or not readily mobile) Fire Pits require approval of the CC. Permanent Fire Pits are not permitted for Townhome Lots due to safety issues.

The following standards shall apply:

- General – Fire pits must be fully contained or enclosed by a non - combustible hardscape element such as metal or stone to prevent accidental spread of fire. All fires must be put out when not in use; fires may not be left unattended. Applicant assumes all responsibility for the proper use, safety, and maintenance of the Fire Pit.
- Location – Fire pits are permitted in rear yard locations only and shall be part of a patio design. They shall be setback at least 8 (eight) feet from the nearest property line. It is highly recommended that a setback of 15 feet (or more depending upon the current Governmental Regulations) be maintained from any dwelling.
- Applicants must verify all Governmental Regulations, setbacks, and safety precautions (including Loudoun County and the Town of Leesburg) which may be greater than 8 (eight) feet and may change from time to time.
- Size – They shall not exceed 2 (two) feet in height or 6 (six) feet in length or diameter.
- Materials – Acceptable materials include metal, brick, natural stone, and high-quality concrete products specifically made for Fire Pit applications.

- **Color** – The color scheme must be compatible and harmonious with the home and surroundings. Permitted colors include natural stone color tones and colors that match the homes siding and / or trim.

2.23 FIREPLACES (OUTDOOR)

See also Section 2.22 - FIREPITS

NOTE: Any device which provides heat, fire, flames, smoke and / or other potentially dangerous emissions should be operated in accordance with all applicable Governmental Regulations, and manufacturer instructions.

All Outdoor Fireplaces (permanently located in one spot, fixed in place and / or not readily mobile) including fire bowls and / or Chimeneas) require approval of the CC. Fireplaces are not permitted for Townhome Lots due to safety issues.

The following standards shall apply:

- General – Fireplaces must be fully contained by a non-combustible hardscape element such as metal or stone to prevent accidental spread of fire. All fires must be put out when not in use, fires may not be left unattended. Applicant assumes all responsibility for the proper use, safety, and maintenance of the Outdoor Fireplace.

Location – Fireplaces are permitted in rear yard locations only. They shall be setback at least 8 (eight) feet from the nearest property line or more if required by any governmental agency. It is highly recommended that a setback of 15 feet (or more depending upon the current Governmental Regulations) be maintained from any dwelling.

Applicants must verify all Governmental Regulations, setbacks, and safety precautions (including Loudoun County and the Town of Leesburg) which may be greater than 8 feet and may change from time to time.

- Size – They shall not exceed 12 feet in height or as may be required by building code or other Governmental Regulation. The maximum width (not including a potential adjacent sitting wall) shall not exceed 11 feet (including wood boxes) and the depth shall not exceed 3.5 (three and one-half) feet (not including a grade level hearth).
- Materials – Acceptable materials include metal, brick, natural stone, and high-quality concrete products specifically made for outdoor fireplace applications.
- Color – The color scheme must be compatible and harmonious with the home and surroundings. Permitted colors include natural stone color tones and colors that match the homes siding and / or trim.

2.24 FIREWOOD STORAGE

Firewood storage does not require approval by the CC if the following Standards are met:

- Firewood shall be kept neatly stacked and is restricted to the least visible portion of the rear yards.
- Other than a limited quantity of firewood intended for immediate use, firewood shall not be stacked on patios or decks. It shall be stored in such a manner as to avoid adverse visual impacts for adjoining properties and shall not be stored on HOA common area.
- Screening may be required to limit visibility of the firewood.
- For stability and safety, firewood piles may be no larger than 4 (four) feet wide x 8 (eight) feet long x 4 (four) feet high.
- The use of brightly colored tarps or covers will not be permitted. Where such a cover is required, the color shall be a muted brown or tan and shall be securely affixed to the woodpile.

2.25 FLAG POLES AND MASTS

All flag poles and masts require approval of the CC.

Installation of free-standing flag poles and / or stationary masts or similar structures is not permitted. Commemorative or decorative banners, or the flag of (i) the United States, (ii) the Commonwealth, (iii) any active branch of the armed forces of the United States, or (iv) any military valor or service award of the United States may be displayed from a flag pole, no longer than 6 (six) feet, attached to the side of the home at an angle.

2.26 GARAGES

See also Section 2.15 – Doors

Garages may not be converted from use as vehicle storage to any other use. Plans for structural and or aesthetic alteration of a garage must be submitted to and approved by the CC under pursuant to Section 2.1 – Additions / Exterior Alterations.

2.27 TEMPORARY GAZEBOS (INCLUDING TENTS, PERGOLAS, PAVILIONS & SIMILAR STRUCTURES)

Temporary Gazebos, Tents, Cabanas, Pergolas, Pavilions, and similar structures may be used in yards on a temporary basis (birthday parties or other similar events for example) without approval of the CC. However, any such structure must be removed within 4 (four) calendar days of installation, otherwise it is considered permanent. Permanent installations require CC approval – See Section 2.28 below.

Examples:



When used to provide shade for a deck (like an umbrella), they shall be removed when not in regular use. Also see Section 2.28 - Permanent Gazebos (Including Tents, Pergolas, Pavilions & Similar Structures).

NOTE: These must also be anchored down while in use to prevent the wind taking them aloft and causing property damage.

2.28 PERMANENT GAZEBOS (INCLUDING TENTS, PERGOLAS, PAVILIONS & SIMILAR STRUCTURES)

Permanent Gazebos (including Tents, Pergolas, Pavilions & similar structures) require approval of the CC.

The structures listed above are only permitted on Single Family Detached Home Lots. However, smaller prefabricated models with canvas tops may be considered for use on Townhome decks during the seasonally warmer months from April 1st to October 1st each year. Beyond that time, they must be removed and stored.

The following standards shall apply:

- **General** – They shall be associated with (located on top of) a patio or deck. However, a free-standing structure (such as a Gazebo with floor) may be considered on a case-by-case basis when found to be compatible and harmonious with the lot and surroundings.

All associated curtains must be tied to the posts in an open position when not in use. All associated screening must be removed or retracted to not be visible when not in immediate use. These must also be anchored down while in use to prevent the wind taking them aloft and causing property damage.

- **Size and Scale** – They shall be appropriate to the size of the home as sited on the lot but shall not exceed 16 feet wide by 16 feet deep and 12 feet peak height.

- Location and Style – They are restricted to the rear yards. Free-standing structures (when not located on a deck or a patio) shall be setback a minimum of 10 (ten) feet to any property line. Landscaped screening may be required for highly visible locations as determined by the CC.
- Materials and Color – They shall be constructed of metal, wood, wood composite, or PVC and the colors shall match and / or be compatible and harmonious with the color of the home and surroundings. Colors may include black, white, natural wood tones and colors which match the homes siding and / or trim.
- Shades – Shades which are an integral part of a pergola will be considered on a case-by-case basis. The shade must be a solid neutral tone (white, tan, and beige tones) and must be maintained in a state of good repair. Excessively faded or torn shades must be replaced. Shades showing dirt and / or mold must be cleaned. See example picture below showing a white pergola with tan shade.

Examples of permissible structures:





2.29 GENERATORS (PERMANENT)

All generators require approval of the CC.

Approved devices must be kept in the location as shown on the plat of the approved Application. The desired location is the backyard along the edge of the home or in an area that locates the generator so as to minimize the noise and visibility to neighbors. The Applicant must provide a plan to minimize the noise and visibility impacts to adjacent neighbors.

If the Applicant proposes an enclosure or screen to minimize the noise or visibility, the design, scale, and materials shall complement the existing home.

2.30 GREENHOUSES

Greenhouses require approval from the CC.

The following Standards shall apply:

- Location – Greenhouses shall be located in the rear yard, and they shall be setback a minimum of 10 (ten) feet to any property line.
- Size and Scale – Greenhouses shall be appropriate to the scale of the home as sited on the lot but shall not exceed a maximum dimension of 8 (eight) feet x 8 (eight) feet. The

height shall not exceed 12 feet.

- **Material and Color** – Greenhouses shall be a glass or plexiglass enclosure. The structure framing shall be white, black, brown, or dark green.

2.31 GUTTERS AND DOWNSPOUTS

No Application is required for the replacement of existing approved gutters and downspouts of a similar size and appearance as installed by the original construction. No Application is required for a short downspout extension so long as the redirected water does not detrimentally impact any adjacent property. All other gutter and downspout systems which include caps/hoods/rain guards require approval of the CC and will be reviewed on a case-by-case basis.

The following Standards shall apply:

- The design, color and location of gutters and downspouts must be compatible with the architecture and colors of the house.
- Gutter caps shall have a simple design with a low profile and be finished in the same colors as the gutters and downspouts.
- Gutters and downspouts shall be painted to match existing gutters and downspouts or may be painted the color of the surface to which they are attached, or the existing trim color.
- Downspouts must be brought to grade and splash blocks, or ground spreaders must be provided.
- Downspout extensions, including underground drainpipe, shall not create or exacerbate any drainage issue on adjacent property.

2.32 HEATING DEVICES (OUTDOOR)

Outdoor heating devices do not require approval of the CC.

The design, scale and materials must be compatible with the existing house and lot. Devices must be kept in a rear yard location on a deck or patio. They shall be removed and stored during the offseason. They shall be operated in accordance with Governmental Regulations and Manufacturer instructions.



2.33 HOT TUBS, SPAS AND JACUZZIS

Hot tubs, Spas and Jacuzzis (exterior installations) require approval of the CC.

The following standards shall apply:

- General – The Application must include the manufacturer’s specifications including size, dimensions, color, etc. Information provided by the manufacturer’s website or brochure is preferred. All hot tubs and spas shall be softened from public view, including adjacent neighbors and street frontage. This can be accomplished via landscape screening and/or construction of privacy screening to match deck or patio. For Townhomes, a privacy fence shall be required. All chemicals and maintenance equipment for spas and hot tubs shall be hidden from view and properly stored in accordance with manufacturer specifications.
- Location – They must be located in the rear yard and shall not break the side plane of the home. They should be integrated into a deck or a patio – except that hot tubs and spas shall not be permitted on elevated Townhome Decks. They must be setback a minimum of 5 (five) feet for Single Family Detached Homes and 2 (two) feet for Townhomes from any adjacent property lines.
- Size – They must be in scale with the home, the lot, and adjacent properties, but shall not exceed 8 (eight) feet in any dimension (or 64 square feet) and 3 (three) feet in height.
- Materials – a They must be compatible with the materials of the home and surrounding features.
- Color – They must be compatible with the colors of the home and surrounding features.

2.34 HOUSE NUMBERS (ATTACHED TO THE HOME)

House numbers do not require approval and shall complement the architectural style of the house. House numbers within a project or street shall be compatible in design and located to be clearly visible. The installation of house/unit numbers shall be in accordance with the following Standards:

- House numbers shall be located immediately adjacent to the front entrance or door.
- House numbers shall be located near or under a light for nighttime visibility. Internally lit numbers are not permitted.
- House numbers must be legible, Arabic numerals, no taller than 5 (five) inches and shall contrast with the color of the attached background.
- Custom designed house numbers may be permitted if they are simple, appropriate, and relate to the architecture of the house.
- House numbers should be properly maintained.
- For information on house numbers on mailboxes see Section 2.40 - Mailboxes.

2.35 HOME BUSINESS

In addition to County and / or Town control, ESAB is concerned about the external impacts of in-home business on the residential character of the neighborhood and on adjacent neighbors.

Approval of the CC is not required, but the following Standards must be met:

- Such office or home business is operated by a member of the Owner's household residing on the lot.
- There are no displays or signs indicating that the lot is being used other than as a residence.
- Such office or business does not impede traffic, generate significant traffic or parking usage (as determined by the Board of Directors) by clients, customers or other persons related to the business.
- No equipment or other items related to the business are stored, parked or otherwise kept on such Owner's Lot or the Property outside of an approved enclosure.
- Such Owner has obtained any required approvals for such use from the appropriate local governmental agency. All local governmental agency standards must be followed.
- The activity is consistent with the residential nature of the Property and complies with local ordinances.

The Board in its sole discretion shall determine whether the vehicular traffic generated by the home-based business is appropriate for the community/neighborhood.

2.36 LANDSCAPING

(See Section 2.47 – Retaining Walls (Including Landscape Bed Edging And Garden Walls)).

An Application is not required for the following modifications:

- Planting of annuals or perennials in existing beds.
- Installation of new beds less than 4 (four) feet wide and at the existing grade around the perimeter of the house foundation (and deck, patio, or fence if present) and perimeter of the rear of the lot, provided that plants installed have a mature height maintained to be less than 8 (eight) feet.
- Installation of new beds less than 3 (three) feet wide and at the existing grade adjacent to walks from the driveway to the front of the home, provided that plants have a mature height maintained to be less than 3 (three) feet.
- Installation of new beds less than 2 (two) feet wide and at the existing grade around a mailbox post and around transformer/utility boxes, provided that plants have a mature height maintained to be less than 3 (three) feet, and maintenance access is allowed. Applicant will be responsible for obtaining permission from the appropriate utility company for any planting around transformers and existing utility easements as well as

permission to plant in any right-of-way.

- A one-time installation of one individual tree on the lot, provided that such planting at maturity is in scale with the home and lot, is adequately setback from adjacent lot lines to allow for growth and maintenance and does not interrupt designed drainage patterns and swales. Subsequent tree planting requires approval.

NOTE: For landscaping modifications, including the following, require an Application and review by the CC:

- Removal of grass and replacement with another substance such as flowers, gravel and stone, mulch and/or other landscape ground cover, except in the case of the pre-approved locations above. (This will be considered on limited areas including steep slopes, for example.)
- Approval is required for any shrubs or trees, which are intended to form a hedge or natural screen, which will be more than 3 (three) feet in height. Landscape screens or barriers may be approvable in order to define private space or block undesirable views. However, the CC will consider any adverse impacts on adjoining lots, including the disruption of sight lines for adjoining properties and interruption of designed drainage patterns. Landscape screens or barriers are not permitted on front yard lot lines.
- Any proposed improvement which is of such a scale or type as to be potentially inconsistent with the scale and design features of the home, adjacent homes and the surrounding area.

Garden Walls and Retaining Walls. See Section 2.47 – Retaining Walls (Including Landscape Bed Edging And Garden Walls).

General Standards for all landscaping:

- There shall be no adverse drainage impact to adjacent neighbors and/or common area.
- Landscape plantings shall not interfere with any site distance easements along VDOT maintained streets.
- Plantings shall not impact ingress and egress to any driveway and/or entrance.
- Artificial Plants are not permitted except for use with flowerpots.
- All trees and shrubs shall be setback an adequate distance from neighboring lots to allow for room to grow on the Applicant's property without unreasonably impacting adjacent neighbors.

Please also see Section 2.16 - Driveways / Parking Pads and Section 2.60 - Stone Ground Cover.

2.37 LANDSCAPE SCREENING (SOFTENING)

The CC at their discretion may require landscaping or screening to soften the impact of any proposed improvement for which approval is required. When landscaping is specified to soften

a proposed improvement, the landscaping is not specifically required to be a full screen, but rather it is intended to lessen (soften) the visual impacts.

2.38 LAWN FURNITURE (OUTDOORS)

Permanent Lawn Furniture does not require approval provided it meets the following Standards:

- Lawn Furniture left outdoors shall be maintained in a neat and attractive manner and must be of a scale, color and style which does not detract from the appearance of the area.
- Hammocks are permitted in rear yards only and must not be in a highly visible location.
- All Lawn Furniture must be consistent with furniture that is intended for outdoor use.
- All Lawn Furniture must be located on a deck or patio in the rear of the home or may be located on a front porch in a limited, neat, and attractive manner.
- Storage of furniture must be hidden from view.

2.39 MAILBOXES

Approval is required for a mailbox and post replacement and the following Standards shall apply:

- Single-Family Detached Homes - mailboxes must be straightforward in design and mounted on posts and conform to the standard post images shown below. No modifications to mailboxes or posts will be allowed. The mailbox post shall be painted or stained dark brown. Wood must be maintained and with no rot. Mailboxes shall be black.



- Address numbers must be placed on all curbside mailboxes. They shall be no larger than 3 (three) inches and should be visible at night. In order to maintain consistency, the style must match the predominantly approved address numbers on the adjacent mailboxes in the immediate vicinity. Please contact the Community Manager if any

help in selecting the proper style is desired.

- Attached Townhomes - Mailbox structures are provided by the Association and are located on Association property. No other structures are permitted.

2.40 PATIOS

All patios require approval of the CC.

The following guidelines shall apply:

- General – Any adverse drainage impacts, which might result from the construction of a patio should be considered and a proposed remedy indicated on the plans. When a patio is retained or there is a step down to grade, the vertical facing material must complement the overall patio design. The height of the exposed vertical face may not exceed 3 (three) feet and must be noted on the layout plan. If the patio is not being retained, then it should be noted that the patio is flush (even) with the existing or proposed grade.
- Location – Patios must be located within rear yards and shall not extend forward of the rear plane of the home. Patios shall be setback a minimum of 5 (five) feet from the nearest property line with Single Family Detached Homes. For Townhome Lots, the patio must be setback a minimum of 6 (six) inches from the adjacent lot to allow for maintenance of the privacy fencing. On a corner lot Single Family Detached Home, the patio may not extend more than 5 (five) feet past the side plane of the home closest to the adjacent roadway.
- Size – Must be in scale with the home, the subject property, and adjacent properties.
- Materials – Patios shall be constructed with quality materials including concrete, concrete pavers, brick pavers, stone pavers, stamped or exposed aggregate concrete. Other materials will be considered on a case-by-case basis and approved where the CC finds that said material is of a high quality and will match the architecture of the home.
- Color – Natural Stone and manufactured landscaping grade paver colors are preferred.
- Walls – Seating and or Decorative Walls shall maintain same setbacks as the patio and be constructed with high quality materials including concrete masonry units, brick, or stone. Where applicable, a matching or compatible top cap shall be provided. Other materials will be considered on a case-by-case basis and approved where the CC finds that said materials are of a high quality and will match the architecture of the home. Seating or Decorative walls should generally not exceed 2 (two) feet in height from the surface of the patio and 3 (three) feet from the proposed grade on the backside of the wall.

2.41 PONDS

Decorative garden ponds require approval of the CC.

Garden ponds must be located in rear yards. All garden ponds shall be set back 5 (five) feet or more (as may be determined by the CC) from the nearest property line on Single Family Detached Home lots to allow for adequate separation from adjacent property and to provide room for landscaping and / or screening. A 1 (one) foot setback is required for Townhomes. Ponds shall not create a noise nuisance to adjacent properties. Prefabricated molded pond basins shall be decorated with natural stones and the basins shall not be seen from adjacent properties. The height of any waterfall shall not exceed 2 (two) feet and the size of the pond shall not exceed 8 (eight) feet long by 8 (eight) feet wide.

Any adverse drainage impacts, which might result from the construction of a garden pond, shall be considered and remedied – this includes draining of the pond. The water in the pond shall be maintained and kept clean. Failure to keep the water clean and fish healthy (if applicable) shall be considered a violation of the terms of approval and removal of the pond may be required.

All ponds must meet Town and / or County standards for free standing bodies of water and the homeowner assumes all liability related to the presence of such a feature on the lot.

2.42 POOLS

(See swimming pools Section 2.61)

2.43 PORCHES

Porches require approval of the CC. They are not permitted on Townhomes. See also **Section 2.12 – Decks**.

For the purposes of these standards, a Porch is considered to be a solid and impervious covered structure which is attached directly to the home and shall include Porticos and Covered Decks (often called a “Screened Porch”). A Patio or Deck which is not covered is not considered a Porch. See examples below:



Portico



Covered front Porch (No screen)



Covered Deck / Screened Porch

The following standards apply:

- General – Porches shall be designed to complement, be architecturally similar and compatible with the existing home both in style and material selections. In addition, trim, gutters, downspouts and shingles shall match that of the house. However, for “Covered Decks” the trim may also match the deck to which it is attached.
- The design and location shall be considered by the CC to ensure there isn’t any adverse impact on neighboring properties, including changes in grade or drainage. Any adverse effects to the neighboring properties shall be the responsibility of the owner to correct.
- Porches must be attached directly to the home and will match the existing architecture of the home.
- Supplemental landscaping may be required to compensate for any removal of vegetation and to visually soften the addition.
- Location – Unscreened Porches including Porticos may be located in any yard. Screened Porches are only permitted in the rear yard. The Applicant must ensure that the size and setbacks are compliant with all Governmental Regulations including, but not limited to, Loudoun County and the Town of Leesburg.
- Size – Must be in scale with the home and adjacent properties. The size and location of the porch shall be appropriate to the space available on the property.
- Materials / Colors – Front Porch railings shall be constructed of wood, wood composite, and / or PVC and must be painted or stained white or to match the trim of the house. All other materials and colors must be consistent and compatible with the existing home. See – Appendix One – Approved Color Palette.
- Specific standards for “Covered Decks” (Screened and Unscreened Porches):
The lower railing shall be the same as that for decks, or it may have a solid ‘knee-wall’ that is consistent with the enclosure and matches or is compatible with the house

siding in materials and color. All posts shall have a minimum finished dimension of 6 (six) inches by 6 (six) inches. The posts may be built up and wrapped to achieve the final 6 (six) inches by 6 (six) inches dimension. Ornamentation and trim work on the posts and structure are required to be consistent with the existing home.

2.44 RAIN BARRELS

Rain barrels and other similar rainwater harvesting systems including buried catch receptacles must be approved by the CC.

Rain barrels and other similar rainwater harvesting systems must be located in an inconspicuous location and take advantage of less visible areas of the side or rear yards. They may not be located in front yards. Acceptable colors include black, brown, tan and colors which match the homes siding or trim color.

The overflow shall discharge in the same location as the downspout to which the system is connected and shall not create adverse drainage conditions to neighbors or association property.

2.45 RECREATION AND PLAY EQUIPMENT

Permanent or semi-permanent play equipment which constitutes a structure, such as swing sets, playhouses, sand boxes, trampolines, tree swings, etc., require approval of the CC and are subject to the Standards listed below:

- Location – All play equipment must be located in the rear yard and shall be set back a minimum of 5 (five) feet from the rear and side property lines. The play area resulting from this equipment shall not encroach onto other properties.
- Size and Scale – The size of any play equipment shall be compatible with the size of the lot.
- Screening – Play equipment shall be situated so as to have the minimum visual and noise impacts on adjoining lots. The CC may require landscape screening to minimize any adverse impacts.
- Material and Colors – The use of wooden play equipment is encouraged. The use of bright colors on play equipment shall be minimized. However, most play structures available for purchase have bright colored plastic and/or fabric elements and will generally be acceptable if the basic structure itself is wood or metal.
- Applications shall include the number and type of prior play equipment approvals for that lot. The CC may limit the total number of structures per lot.
- Equipment shall be well maintained, kept in operable condition, and shall not become visually obtrusive.

2.46 RETAINING WALLS

See also 2.36 - Landscaping

This section also includes Landscape Bed Edging and Garden Walls.

General definition and examples:

Type of Wall	Height	Retaining Soil	CC Approval Required
Landscape Bed Edging	Less than 6 (six) inches.	No (or minimal)	No
Garden Wall	Greater than 6 (six) inches and less than 18 inches. 18 inches is the maximum.	Yes or No	Yes
Retaining Wall	Greater than 18 inches to a maximum of 36 inches. 36 inches is the maximum.	Yes	Yes

Landscape Bed Edging – is a decorative definition for the edge of a garden bed or tree ring:



Garden Wall – typically defines a landscape bed or tree ring and may also be a freestanding wall with no retention on either side. When retaining soils, the purpose is typically decorative – not structural.



Retaining Wall – they can be decorative, but their purpose is typically structural and for the purpose of retaining steep slopes.



The following standards shall apply:

- **Location** – They may be located in any yard within the lot. However, all garden walls shall be setback a minimum of 18 inches to any adjacent lot line and all retaining walls shall be setback a minimum of 2 (two) feet to any adjacent lot line.
- **Size** – See table above.
- **Material** – They shall be constructed with high quality materials including pressure treated wood, brick, natural stone, or landscaping quality concrete products. Other materials will be considered on a case-by-case basis and approved where the CC finds that said materials are of high quality and will be compatible with the architecture of the home.
- **Color** – Natural Stone Colors such as browns, greys and tans are preferred. However, other colors be considered on a case-by-case basis and approved where the CC finds that said colors are compatible with the existing home. Bright and non-natural appearing colors are not permitted.
- **Landscape Bed Edging** – May be installed around existing or approved beds, provided that it is installed flush or within 6 (six) inches of ground level. It must be installed and maintained in a neat and orderly fashion. Roll type edging is not permitted.

2.47 ROOFING

All roofing projects require approval of the CC.

The following Standards shall apply:

- The roofing material and color must be compatible with other approved roofing in the neighborhood. See Appendix 1.
- Roofs must be solid in color. Checkerboard (multi-colored) roofs are not allowed.
- When replacing roofing, the entire structure should be re-roofed at one time. Partial re-roofing is generally not allowed unless the additional / replacement roofing exactly

matches the existing roofing.

- Replacement roofing material and associated elements (such as trim or vents) shall be similar in appearance, color, and quality to the existing approved roofing.
- BAY WINDOW ROOFING: The materials must remain metal and painted as originally provided by the Builder. See Appendix 1.

NOTE: The original builder (Ryan Homes) did not install copper, but rather sheet metal tin, so it must be maintained and painted when needed.

2.48 SEASONAL DECORATIONS

Seasonal decorations do not require approval. They may be erected up to 4 (four) weeks before and must be removed 2 (two) weeks after the holiday for which they are intended. Minor (as determined by the CC) seasonal decorations (such as wreaths) that do not correspond with a holiday may be erected for the season to which they are applicable, but may not be displayed longer than 3 (three) months.

2.49 SECURITY CAMERAS & DEVICES

Security devices require approval of the CC except that Doorbell Cameras (for example Ring, Nest & Vivint) do not require approval as long as they are placed on the door frame or in a standard doorbell location next to the door.

The following Standards shall apply:

- All exterior security equipment including cameras, fixtures and conduits shall be designed, located, and installed to be an integral part of the architecture of the home and not detract from the home's design and appearance.
- Small Solar panels to power outdoor security cameras may be implemented provided the solar panels are inconspicuously designed as part of the fixture when possible. If the solar panels are separate, they must be inconspicuously mounted and hidden from view or softened with landscaping. These accessory panels may not exceed 1 square foot approximately. This is not to be confused with Solar Panels to power a home.
- All exterior security equipment including cameras, fixtures and conduits should be placed in as unobtrusive a location as possible.
- Lighting attached to Security Cameras – shall meet all General Rules for Lighting and shall meet all standards for spotlights and floodlights as referenced in the Outdoor Lighting section of these standards.
- Lighting attached to Security Cameras shall be motion activated only.
- Barred or ornate metal security doors, windows or grilles are prohibited.
- Two security signs are permitted, one in the front yard and one in the rear yard.

- Security cameras should not interfere with the proper functioning of the property’s post lamp.
- Security cameras shall be directed downward, aimed to view the subject property, and should not be directly aimed toward offsite property. They shall be installed and utilized in accordance with all applicable Governmental Regulations.
- The color shall be compatible with the siding or trim to which it is attached to the extent possible, or if not, a color which is as inconspicuous as possible should be utilized.
- All wiring must be secured and concealed. All security devices and elements must be maintained in good condition at all times.
- There shall not be more than four (4) security cameras on a home; typical configuration of two (2) on the front and two (2) on the rear of the home. However, a doorbell camera shall not be included in this total. Exceptions for more than four (4) cameras will be reviewed by the CC on a case-by-case basis.
- Security Cameras are generally discouraged on the sides of a property to prevent views into neighboring homes but will be reviewed by the CC on a case-by-case basis.

2.50 SHADE PANELS

See also Section 2.7 – Awnings (Retractable).

Shade Panels require approval of the CC.

Shade Panels shall be harmonious with and enhance the architecture of the home as determined by the CC. The style, size, material, and color of the shade panel must be compatible with the architecture of the house. See picture examples below:



The following standards shall apply:

- **Location** – The location of any shade panel cannot unreasonably adversely affect views, light, or natural ventilation of adjacent properties. Shade Panels must be located in the rear yard and may only be incorporated into a deck or patio design.
- **Material and Color** – Fabrics must be heavy duty and weather resistant. Fabrics must be solid colors which are compatible with the color scheme of the house. The color scheme of the home must be attached to the Application. Frames or poles shall be painted to match the trim or dominant color of the house.
- **Maintenance** – Shade panels should be removed for winter (Nov through Mar) storage; the frames or poles shall also be removed to the extent possible. All shade panels must be maintained in good condition with no fading, dirt, or mold.
- **Size** – The size shall not exceed the perimeter of the patio or deck for which it is covering. For example, if a deck is 16 feet wide and 12 feet deep, then the awning shall not exceed 16 feet wide by 12 feet deep.

NOTE: All lighting must conform with Section 2.18 - EXTERIOR/OUTDOOR LIGHTING

2.51 SHEDS (DETACHED)

For permanently attached sheds – see Section 1.1 - Additions / Exterior Alterations.

Detached Sheds require approval of the CC.

The following Standards shall apply:

- The detached shed shall be a free-standing / stand-alone structure.
- The architectural design of a detached shed shall be compatible with the design of the home, (i.e., the same or similar materials, same color scheme, similar roof pitch /slope and similar detailing).
- The type and color of the roofing material (shingles, etc.) must be consistent with those of the home.
- No metal sheds will be permitted.
- The location shall be in the side or rear yard for Single Family Detached Homes and only in the rear yard of Townhomes.
- The size shall not exceed 10 (ten) feet by 12 (twelve) in size.
- The shed must be designed to appear as part of the overall house-landscape-fence theme and may be part of the underside of a deck. When integrated with the underside of a deck, the shed may be made of the same materials and color as the deck.
- On Townhome Lots, sheds may not extend above the top of fence level of 6 (six) feet

unless a waiver is approved. The height for sheds on Single Family Detached Home lots will be considered on a case-by-case basis but shall not exceed 12 feet to the highest point / peak.

- The shed must be designed to respect the "visual rights" and aesthetic interests of neighboring properties. The structure and the location of Sheds will be considered on a case-by-case basis.
- Plastic, composite, vinyl, or resin type sheds (for example Rubbermaid) will be considered on a case-by-case basis. The shed must be in a low visibility location. The colors must be neutral colors including browns, greys and tans which are compatible with homes and the adjacent homes.

2.52 SHUTTERS

No Application is required for the replacement of existing approved shutters with shutters that are the same in location, style, or color. Permanent removal is prohibited. Change in the shutter location, style or color will require approval of the CC. See Appendix 1.

The following Standards shall apply:

- Shutters shall be harmonious with the architecture of the existing house regarding the style, size, material, and color of the shutters.
- New shutters shall be applied to all windows (currently with shutters) on both sides of the window, matching the size and configuration of the window. All windows with shutters must remain with shutters.
- On Townhomes, if the color is being changed, it shall not match adjacent units.

2.53 SIDING

Siding style, material and color shall be compatible with that of the existing house. No Application is required for the replacement of existing siding with siding that is identical in style, size, material, and color. Any replacement that differs in any respect from the siding that is being replaced requires CC approval.

The following Standards shall apply:

- When replacing siding, all existing siding on the house should be replaced at one time. However, consideration will be given to replacing only one full side (an entire elevation) if it can be demonstrated that the new siding will match the current siding. This will involve comparing an actual test sample against the existing siding. The concern is that siding typically fades or the color is discontinued and thus finding matching siding is not possible.
- The proposed siding material and trim details shall be the same or as close as possible to the existing approved siding.

- The proposed siding color shall be the same as the existing approved siding color or alternative color found in Appendix 1.
- Changes to the siding color of the house should be similar to the color scheme of the homes in the community.

2.54 SIGNS / TEMPORARY SIGNAGE

Signs shall be selected, designed, and located so as to provide effective communication while minimizing their visual impact on neighboring properties and the neighborhood. All signage must comply with local ordinances and regulations.

Signs do not require approval if the following Standards are met.

The following Standards shall apply:

- Small window signs or decals for no soliciting or emergency pet rescue (save our pet) do not require approval if they are generally unobtrusive.
- One temporary sign advertising the property for sale or rent is allowed.
- 1 (one) "open house" sign may also be used the day of an open house.
- Signs may not exceed 4 (four) square feet in size.
- All real estate signs must be removed after 3 (three) days from the date of conveyance of the home, or the execution of the lease agreement, as applicable.
- No more than two political campaign election signs (not to exceed 18 x 24 inches and not higher than 4 (four) feet in total height of the ground) are allowed per property. These signs may be displayed not more than 30 days prior to the election date and must be removed within one (1) day after the election date.
- Signs shall not obstruct any traffic or street sign sight lines.
- Signs must be well constructed with good quality materials and must be maintained in an orderly manner at all times.
- Construction / Vendor signage may be placed in the homeowner's yard for a period not to exceed 7 (seven) days.

2.55 SKYLIGHTS

Skylights require approval by the CC.

Skylights shall be visually integrated with the architecture of the house regarding style, location, size, and color. No Application is required for the replacement of existing approved skylights of the same size and appearance in the currently approved location. New skylights shall match existing skylights.

The following Standards shall apply:

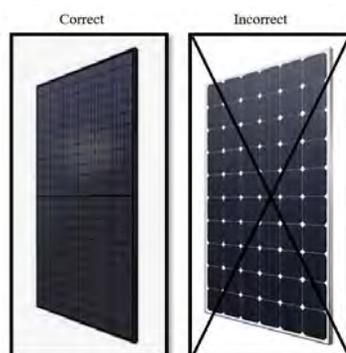
- Skylights shall have a low profile and lie flat on the roof.
- Skylights shall be installed parallel with the roof ridge and edges.
- The frame color shall match or be compatible with the roof color.
- Skylights shall be located on the rear roofline of the dwelling.

2.56 SOLAR ENERGY COLLECTION DEVICES

Solar Energy Collection Devices, including but not limited to solar panels, require approval by the CC.

The following Standards shall apply:

- Only roof-mounted solar energy collection devices will be approved.
- Solar energy collection devices may only be installed on the plane of a roof facing the back or back side of a home.
- Solar energy collection devices shall be installed parallel or perpendicular to the plane of the roof and must not break the roof ridge line. A full size and legible layout drawing is required. The drawing must indicate what side is the “front” of the home.
- Solar energy collection devices must be set back at least 6 (six) inches from the perimeter edges of the roof.
- Solar energy collection devices must be flush mounted so that the total height from the are roof to the top of the solar panels and brackets shall not exceed 6 (six) inches.
- The supportive structure, fixtures, conduits, plumbing, and electrical lines shall be concealed in the attic of the home wherever possible. If in any case the attic is not a possible location for such structures, they shall be concealed by other means. Any exposed fixtures, conduits, plumbing, or wiring organizers must match the color of the surface to which it is attached.
- Solar energy collections devices shall be all black in color. Solar Panels shall be black (monocrystalline) with black grids and black frames.



- Devices that are part of the installation, such as inverters, must be placed inside the home whenever possible.
- The Contractor must carefully determine in advance where the conduit will be run from the electric meter, up the side of the home and into the attic. Any exposed conduit or other materials installed on the side of the home must be concealed in a conduit cover or wiring organizer (2" diameter maximum) that blends in with the surface to which it is attached. Therefore, confirmation that the conduit will be colored to match the surface to which it is attached shall be provided. All conduit mounted on the sides of the home shall be discreetly tucked under roof overhangs and / or run along trim or adjacent to existing downspouts. The proposed location must be as unobtrusive as possible.
- A photograph of the side elevation of the home must graphically define the path of the conduit using a thin line to represent the proposed alignment and color of the conduit. This must be included with the Application submission.
- Failure to install the conduit as approved may result in disapproval of the installation and a revision to the conduit location may be required.
- Solar energy collection devices must not produce an amount of reflective heat or glare that would cause harm or annoyance to adjacent homes.
- No solar energy collection device for individual homeowner use may encroach on the common areas of the Association.
- All solar energy collection device installations must be performed by licensed solar energy collection contractors and must comply with all applicable laws including net metering limitations.

2.57 SPRINKLER / IRRIGATION SYSTEMS

Permanent underground sprinkler / irrigation systems require approval by the CC.

The Application shall include a house location survey / plat or other drawing showing the property boundaries and existing features. The Applicant shall provide highlighting or similar graphics to indicate where the water/irrigation is to be provided. The Applicant shall also provide the following statements:

- "I shall be responsible to remedy and / or repair any adverse drainage conditions onsite or on any offsite properties caused by the sprinkler / irrigation system."
- "I shall maintain the sprinkler / irrigation system so that it shall not spray or distribute water on adjacent property."
- "I shall promptly remove at my own cost any part of the sprinkler / irrigation system found to be installed in any easements, adjacent property, right-of-way or other encumbrances which have been determined to prohibit said system."

2.58 STONE GROUND COVER

Stone Ground Cover requires approval of the CC.

Removal of grass and replacement with stone ground cover will be only considered for limited areas in front yards and in low visibility locations such as the side and rear yards of homes. In all cases, the area of coverage should be complimentary and in scale with the size of the lot as determined by the CC. Removal of grass in excess of 75% of the front yard is not permitted.

River Jack Stones or other natural appearing stones will be reviewed on a case-by-case basis and is limited to small accent areas.

All stones used for landscaping shall be a high-quality landscape grade. Construction grade materials, such as transportation grade rip rap or aggregates are highly discouraged unless hidden from view.

NOTE: Stones ground cover will not be considered along driveways to account for vehicular tire rutting of grassy areas.

2.59 STORAGE CONTAINERS

Storage containers do not require approval by the CC if the following standards are met:



- A total of two containers will be allowed per home to be located either on the deck or patio in the rear yard.
- Color of containers must be compatible and compliment the color of the home and deck / patio furniture.
- The size of containers is not to exceed 5 (five) feet wide by 2.5 (two and one-half) feet deep by 3 (three) feet high.

2.60 SUNROOMS

Sunrooms require an approval of the CC. They are not permitted on Townhomes.

While they may be similar, for the purpose of these Standards, the difference between a Sunroom and a Porch shall be that the Sunroom has permanent windows and is designed to

match the architecture of the home to which it is attached. It shall have the same style and color of siding and shall look like it was built with the original construction of the home.

Sunroom additions shall be planned and designed with the same care and consideration as initial house construction and shall be submitted and reviewed for approval. See examples below:



The following Standards shall apply:

- Sunroom additions shall be attached directly to the house. Freestanding structures are prohibited.
- The location for placement is on the rear of the house.
- The new roof pitch shall be compatible with the existing roof.
- New windows and doors shall (when applicable) be the same or compatible with those of the existing house.

2.61 SWIMMING POOLS AND TEMPORARY POOLS

All pools must be approved by the CC. Applications for temporary pools must be submitted each year.

The following Standards apply for Swimming Pools:

- In-ground pools are permitted for Single Family Detached Homes only. Permanent free-standing pools (above-ground) are not permitted.
- Swimming Pools and associated decking must be set back a minimum of 10 (ten) feet from a property line. Within the 10 (ten) feet setback, landscaping shall be provided to adequately screen the pool from adjacent view.
- Decking and coping materials shall be reviewed on a case-by-case basis. If plain (uncolored or colored) concrete is used, the view from external properties shall be minimized by landscape screening.

- Accessories (such as rock features and slides) shall be reviewed on a case-by-case basis and may require screening as determined by the CC. Bright colors are discouraged.
- Pool equipment must be located in the rear yard or in the side yard adjacent to A/C units, but no closer than 15 feet from the front corner of the home on the side where the equipment is to be located. The equipment shall be architecturally screened to create a solid enclosure with either wood or masonry to match the home. Boxed in lattice shall not be considered an effective solution due to its transparency and lack of noise mitigation qualities. The height of the pool equipment, including separate electrical and control boxes, shall be kept to a minimum where possible and the height of the enclosure shall match the height of the tallest piece of equipment. When the enclosure is constructed of wood, it shall be painted to match the light trim color of the home, or, alternatively, darker colors may be considered on a case-by-case basis.
- Swimming pools shall not be more than 50% of the back yard.

The following standards apply for Temporary Pools:

- They may not exceed 15 feet in any one direction in length. Additionally, they may not exceed 42 inches in height. See examples below:



- One above ground temporary pool shall be restricted to the rear yard (behind the rear plane of the home) of any house type and shall be setback a minimum of 6 (six) feet to any property line adjacent to another home and 3 (three) feet when adjacent to Open Space. To the extent possible, they shall be located on the least visible location on the property.

For a corner lot, they shall not extend past the corner of the home closest to the side street.

- They may be installed on May 1st and must be removed by September 30th. Once removed, all damaged turf must be immediately repaired to take advantage of the fall weather which is ideal for turfgrass establishment.
- The Applicant shall be responsible for researching and abiding by all jurisdictional (Town, County, Local, State, Federal and International) rules and regulations for the safe use of the pool. This includes any cover and fencing requirements that may apply.
- The pool must not create or exacerbate any poor drainage condition.
- No type of pool decking (patio or deck) around the temporary pool is permitted. However, an Application for a permanent patio or deck may be submitted for approval. Such a patio or deck installation would require adherence to all applicable Standards.
- The temporary pool must not create an unreasonable nuisance for neighboring homeowners.
- The temporary pool, its water, and surrounding surfaces, must be well maintained while in use.
- The Homeowner shall be asked to stop use and immediately remove the temporary pool if any of the above Standards are not being followed.

2.62 TRASH & RECYCLING TOTERS (CONTAINERS/RECEPTACLES)

Trash and Recycling Containers (Receptacles/Toters) do not require approval.

Trash cans and recycling toters shall be collected and stored in covered trash containers. The storage of trash cans and/or recycling bins in the front or side of any house is prohibited. An exception will be made for the side of a Single Family Detached Home if the toters are not in public view by being contained in a Trash or Recycling Enclosure or “Trash Hide” (see Section 2.63).

Homeowners are encouraged to use the trash and recycling toters provided by the Town of Leesburg. Toters shall be placed out at curbside very early in the morning on pick-up days, or after 6:00 pm the evening before, and must be returned to the storage location by the end of the pick-up day. Trash is to be placed for pickup in appropriate containers manufactured for trash storage purposes only. All trash must be stored in closed receptacles or those with lids. On non-trash days, all trash containers must be stored out of view at all times.

2.63 TRASH & RECYCLING ENCLOSURES/TRASH HIDES

Trash & Recycling Enclosures and Trash Hides must be approved by the CC.



The following Standards shall apply:

- General – The style, size, material, and color of the enclosure must be compatible with the architecture of the house. The structure shall be solid, stable, and substantial in appearance. Posts, if applicable, should be anchored to the ground in concrete where necessary to create a rigid and stable enclosure. Lightweight structures with stakes or similar anchoring devices are not acceptable as they typically become warped, unstable, and flimsy in appearance.
- Landscaping - Softening with landscaping may be required when needed to soften the view from the adjacent street.
- Base pad - If a base pad (concrete, pavers, etc.) is desired, then it shall be the same size as the enclosure and details must be provided with the application.
- Location – The location of an enclosure shall be in the rear yard of a Townhome or up against the edge of a Single Family Detached Home. For a Single Family Detached Home, an enclosure may be located in a side yard when setback at least 2 (two) feet from the front corner of the home and must be setback at least 3 (three) feet from any lot line.

- **Material and Color** – Acceptable materials are wood, composite and vinyl. The siding shall be opaque (not see-through). However, 1 (one) inch lattice will also be considered. The permitted colors are white, or colors which match the homes siding or trim.
- **Type** - “Plastic” (vinyl / resin) type enclosure (for example Rubbermaid) will be considered on a case-by-case basis. The colors of the enclosure must be neutral colors including browns, greys and tans which are compatible with the adjacent home.
- **Size** – The size shall not exceed the 8 (eight) feet long by 4 (four) feet wide by 5 (five) feet in height.

2.64 TREE REMOVAL

Removal of any of the following requires prior approval of the CC:

- Shade Trees and Large Evergreen Trees which have a diameter in excess of 4 (four) inches, measured 12 inches above ground.
- Flowering Trees and Small Broadleaf Evergreen Trees in excess of 2 (two) inches in diameter, measured 12 inches above ground.

The Applicant shall provide a plan for replacement of any removed trees with an appropriate selection at the size referenced above.

Replacement trees are required and require the CC approval. Tree replacements may require a location adjustment to ensure no interference with utilities. If a different species of tree is requested, applicants are encouraged to utilize a native species and share the same canopy type as the removed tree.

Live vegetation located on slopes greater than 20% or marked "conservation" areas on original plans may not be permitted to be removed. The Applicant is advised to consult with the Town’s Urban Forester for compliance with Town ordinances on tree cutting and tree removal.

2.65 TRELLISES

Trellises require approval by the CC.

A Trellis should not be confused with a Pergola or Arbor. A Trellis is an architectural structure consisting of an open framework or lattice to support and display climbing plants. See example picture below:



The following Standards shall apply:

- Location – The preferred location is integrated with a patio landscape in the rear yard. They should be located in a rear yard and setback a minimum of five (5) feet to the nearest property line. However, a side yard location may be considered when the side yard is large enough to accommodate the five (5) feet setback.
- Size - The height shall not exceed eight (8) feet and the width shall not exceed five (5) feet.
- Material - Acceptable materials are wood, wood composite, white vinyl, aluminum or wrought iron.
- Color - The color should match or be compatible with the color of the home and may include, but shall not be limited to black, white, natural wood tones and colors which match the homes siding and / or trim.

2.66 VEGETABLE GARDENS

Vegetable gardens that meet the following Standards do not require approval by the CC:

- The garden is located between the rear line of the house and the rear property line and side lines of the house.
- Its size does not exceed $\frac{1}{4}$ of the area(s) described in the first bullet above.
- It is not planted on a grade steeper than a ratio of 10 (ten) feet per 100 feet.
- Any flow of water onto or from the garden does not damage other property.
- The garden is neatly maintained throughout the growing season, including removal of all unused stakes, trellises, weeds, and dead growth in the off season.

Any proposed garden which will not meet the above Standards requires CC review and approval. Any garden that is not maintained as described is subject to the CC's authority to require the removal thereof.

2.67 WALK-UP / WALK-OUT / EGRESS WINDOWS (BASEMENT EGRESS)

Walk-up/outs and Egress Windows require approval by the CC.

In general, they are restricted to the side and rear yards. The location must meet applicable building codes and shall not cross building restriction lines. Particular attention shall be given to minimize the visual impact to neighbors.

Egress window wells shall be as flush to the ground as possible or be composed of a material that is compatible with the home. Well covers shall also be as flush as possible and / or screened with plant material.

Walkouts (areaways) shall be similar in construction to those provided by the original builder, including the style of any railing.

2.68 WALKWAYS (INCLUDING RAMPS AND RAILINGS)

Walkways (including Ramps and Railings) require approval of the CC.

Accessibility walkway: All walkways will be permitted as required to enable access in accordance with Governmental Regulations. To the extent reasonable, said access should be designed to be compatible with the architecture of the home and the Standards listed below.

The following Standards shall apply:

- General – Walkways must be flush to the ground except when elevation changes are involved. For stepping-stones, each step must be counter-sunk into the grass and installed in a professional manner. The design should be simple, minimal, and attractive.

Walkway applications must address grading to demonstrate that drainage is not restricted or blocked. Changes in grade or drainage pattern must not adversely affect adjoining properties. Owner will be responsible for correcting drainage problems when created by construction.

- Modifications and additions to existing walkways must incorporate the same material, color and detailing as other approved walkways.
- Walkways shall be maintained in good condition and free of trip hazards.
- Location - For stepping-stones, the submission must include the exact number of steps to be provided, the spacing between each step, a plan view drawing showing the location and setback from the side property line.

- Walkways may be located in any yard but must be setback a minimum of 18 inches from any adjacent lot lines. They must not extend and connect directly to any street.
- Walkways from the front yard to the rear yard for the purpose of providing access to a separate “suite” or “room” are highly discouraged. Should this be proposed, it is required that the Application include a plan to landscape and disguise the walkway to appear more as a garden path using upgraded materials.
- Size – For stepping stones, they should be limited in size any may not exceed 24” in diameter round or 24” x 24” square. Other walkways may be up to five (5) wide, however, wider sections due to design or use may be considered.
- Material – Asphalt is not permitted. Approved walkway materials include, but are not limited to, brick, concrete pavers, slate, flagstone, stone (gravel, pebbles or crushed stone), or concrete which can be stained, stamped or plain. If using stone or colored concrete, the color must be compatible with the home and surroundings.
- Color - Permitted colors for walkways may include the color of natural stones or shall be limited to tones of brown, tan and grey for non-natural stone products. However, walkways should not be painted.

Wrought iron or aluminum hand railings:

The following Standards apply:

- Scrolled handles are preferred with no ornamentation on the balusters.
- PVC will only be considered when compatible with ex railings on the home. Proposed railings should be consistent with other railings in the community.
- Color--Wrought iron or aluminum hand railings should be black. PVC railings shall match the trim color of the home.

2.69 WATERSLIDES, SLIP AND SLIDES, ETC. (TEMPORARY)

Temporary Waterslides, slip and slides, and other such water-related recreational items do not require approval of the CC.

However, the visual, noise and drainage impact to neighbors shall be considered. Any such use that is found to cause an excessive visual, noise and / or drainage impact to adjacent neighbors or property shall be prohibited.

For the purpose of this guideline, temporary shall be defined as 72 hours or less and not permanently anchored to the ground.

2.70 WEATHER MONITORING STATIONS (INCLUDING RAIN AND WIND MEASUREMENT DEVICES)

Weather monitoring stations (including rain and wind measurement devices) require approval of the CC.

The following Standards shall apply:

- **General** – Weather Monitoring Stations shall be designed to be residential in nature and harmonious with the home and surroundings.
- **Location** – Weather Monitoring Stations are restricted to rear yards and shall be setback a minimum of 2 (two) feet to any lot line. They should be screened / softened from adjacent view when located in highly visible rear yards as seen from a street when possible.
- **Size** – The size and scale of the project and components must be compatible and harmonious with the home and surroundings.
- **Color** – Colors must be compatible and harmonious with the home and surroundings.

2.71 WIND TURBINES, WIND-MILLS AND OTHER GREEN TECHNOLOGIES

Wind Turbines, Windmills and Other Green Technologies require approval by the CC.

Green Technology Products should be inconspicuous from the street, public areas, neighboring properties and generally located in rear yards or roofs when possible. They should be well integrated into the architecture and landscaping. The scale must be small and residential in nature.

When mounted to a home, they should be compatible in color and located as flush as possible (low profile) on the rear or least visible roofline – hidden from adjacent view to the extent possible. No equipment shall be placed within 6 inches of the edge of a roof.

Any exposed, vertical conduit, wires or other materials installed vertically on the home must be concealed in a conduit cover or wiring organizer that matches (in color) the surfaces such materials will be affixed to and must be neatly run and installed. All conduit & control devices mounted on the sides of the house must be discreetly tucked under roof overhangs and/or run along vertical brick or trim edges, gutter downspouts, and must be camouflaged (same color) as the surface, siding or molding onto which it is mounted.

Control equipment should be mounted in the least visible manner / location.

Applications should include pictures of the home and supporting information to show exactly what is to be installed and where.

2.72 WINDOWS

All new and replacement Windows require approval by the CC.

The following Standards shall apply:

- All windows (new or replacement) must be harmonious with the architecture of the home and compatible with the style of other windows in the neighborhood.

- The color of all window frames and trim must match the home’s existing windows.
- All trim detailing must be duplicated.
- Windows (glass) which are frosted, colored or of glass blocks is not permitted.
- When only replacing one individual window or replacing just a few, the replacement window(s) must match and be compatible in appearance (dimensions, configuration, frame color and profile) with the other existing windows on the home.
- For additions or new window locations, all windows must be compatible in appearance (dimensions, configuration, frame color and profile) with the existing windows on the home and the proposed location must be architecturally appropriate for the window.
- The size of the window trim and frame must match that of the other windows as closely as possible.
- If the frames are not in good condition, then full replacement windows will be required. These include the frame, sill, jambs, and the nailing flange, which attaches the window to the outside wall around the opening.
- If the existing frames and sills are still in good condition, then it may be possible to purchase replacement windows (“pocket replacements”) that fit into existing frames. In the case of pocket replacements, the Association will require the frame width to match as closely as possible and will generally accept a difference of 1" or less. The Applicant must provide this measurement in the Application.
- Storm windows are not permitted.
- Window dividers (also called grids, mullions, or muntins) installed in original windows must be retained and replaced with a comparable divider if damaged or missing.

Materials

The following types of windows are permitted:

- Wood with Cladding: These window frames are made of solid wood with the exterior covered in aluminum or vinyl to protect the wood from the elements and reduce maintenance.
- Vinyl Windows: Typically, these are less expensive and do not need to be painted or stained. They are most typically white, and most can’t be painted. The color of all window frames and trim must match the home’s existing windows.
- Composite Windows: These frames are made from fiberglass or from a combination of materials and typically do not need to be painted or stained—though you may have limited color choices.
- Wood Windows: Traditional all-wood windows are discouraged.

2.73 WIRES AND CABLES (OUTDOOR)

Exterior items that require outdoor wires and cables shall require approval by the CC.

Any exposed, vertical conduit, wires, or other materials, including but not limited to those installed to convey radio or television signals, installed vertically on the home must be concealed in a conduit cover or wiring organizer that matches (in color) the surfaces such materials will be affixed to and must be neatly run and installed. All conduit & control devices mounted on the sides of the house must be discreetly tucked under roof overhangs and/or run along vertical brick or trim edges, gutter downspouts, and must be camouflaged (same color) as the surface, siding, or molding onto which it is mounted.

3. DEFINITIONS (AS APPLIED TO THIS HANDBOOK)

The following terms have the following meanings as used herein unless their use in context requires a differing interpretation:

“APPROPRIATE” – A modification which will be suitable or fitting on a particular lot.

“BOARD” – The Board of Directors of ESAB.

“COMPATIBLE” - The proposed project must be able to exist or occur together with the existing home, adjacent homes, and all surroundings without conflict.

“COMPLEMENTARY” – A modification which will form a satisfactory or balanced addition to the existing environment where it will be located.

“CONTINUITY” - The qualities of the proposed project such as materials, colors, dimensions, and details must have a continuous theme and lack interruption as compared with the existing home, adjacent homes, and all surroundings.

“COVENANT” – A specific affirmative duty or negative restriction recorded in land records that affects or limits the use of specific property; herein used to describe the covenants found in the Declaration.

“COVENANTS COMMITTEE” – The volunteer group of ESAB homeowners appointed by the Board who have volunteered to assist in the preservation and enforcement of the Covenants and these Standards.

“CASE-BY-CASE” – decisions which are made separately, each according to the facts of a particular situation. When a design is proposed, there may not always be specific standards to evaluate the proposal and as such review criteria listed found in Section 1.7 will be used.

“DECLARATION” – The Declaration for East Stratford Phase A&B, recorded among the land records of Loudoun County in Deed Book 1610, Page 0001, *et seq.*

“DETRACT” – A modification which may reduce or takes away the worth or value of the existing environment where it will be located.

“GOVERNMENTAL AGENCIES” – Those agencies, including but not limited to, the Town of Leesburg, Loudoun County, State of Virginia (including VDOT), U.S. (Federal including the Fair Housing Act, and International Agencies which may have jurisdiction and / or regulating authority.

“GOVERNMENTAL REGULATIONS” – Regulations of Governmental Agencies.

“GRADING PLAN” – A plan with the purpose of showing contours and grade elevations for existing and proposed ground surface elevations for a given modification.

“HARMONIOUS” – The proposed project must form a pleasing or consistent relationship with the existing home, adjacent homes, and all surroundings.

“HIGHLY VISIBLE” – Those areas which can be seen from an adjacent street.

“HOME” or “HOUSE” – The physical architectural structure within which one lives.

“HOUSE LOCATION SURVEY” – A map of an individual lot showing its boundaries and other physical features. The survey also shows the relative location of a house, shed, other buildings and fences on the property, and it usually includes the position of any public or municipal easements.

“INCONSPICUOUS” – An improvement that will not be readily noticeable.

“LANDSCAPE PLAN” – A plan showing the proposed location of landscape and hardscape improvement on a lot. A landscape plan contains a complete plant and materials listing.

“LOT” – That portion of land which contains a home which is bounded by property lines and has its own address.

“PROTECTIVE COVENANTS” – In development, covenants regarding nature and / or use of structures and land.

“PUBLIC VIEW” – That portion of a lot which can be seen from street and / or publicly accessible land.

“REAR PLANE” - Is defined as the rear-wall without consideration for any protrusions to the rear-wall (i.e., room extensions, bay windows, HVAC units). The rear plane shall be defined as the rear-wall closest to the front plane.

“SIDE PLANE” - Is defined as the sidewall without consideration for protrusions to the sidewall (i.e., bay windows, HVAC units, chimney, etc.).

“SINGLE FAMILY DETACHED HOME” – A home which is located within a lot and is not architecturally attached to another home.

“SITE PLAN” - A site or layout plan is a bird’s-eye view detailed drawing of proposed improvements to a given lot. A site plan will label all proposed materials, provide dimensions, and label setbacks to property lines.

“STANDARDS” - Design Standards are a set of criteria and requirements intended to guide the development of proposed modifications toward a desired level of quality.

“TOWNHOME LOT” – The parcel (or lot) of real estate upon which a Townhome has been constructed. A Townhome is typically physically attached to another Townhome on the immediately adjacent lot.

“VARIANCE” – A variance is a request to authorize a criterion not normally permitted by the Design Standards. A variance request may be justified only if special conditions exist on the lot and the Applicant can demonstrate that granting of the variance will not have a negative impact.

“VISUALLY OBTRUSIVE” – An improvement which may be seen as sticking out, noticeable and / or offensive.

Appendix 1: APPROVED PAINT/STAIN COLORS

The following are the original Duron Paint (now Sherwin-Williams) colors selected for your homes along with other colors approved by the Board of Directors. These paints can be tinted to match at painting stores and other retailers. Always submit color choice as part of the ARC application, as not all colors match from vendor to vendor. Colors tend to fade over time, so be sure to review before purchasing your paint.

Exterior Colors

Front Door	Garage Door	Shutters	Outside Trim / Gutters
- Black	- Alcoa Cameo (Off White)	- Black	- Alcoa Cameo (Off White)
- Hearthstone	- Alcoa White (Bright White)	- Hearthstone	- Alcoa White (Bright White)
- Carolina Slate		- Carolina Slate	
- Brush Grey		- Brush Grey	
- Cobblestone Grey		- Cobblestone Grey	
- Quarry Grey		- Quarry Grey	
- Foxhall Green		- Foxhall Green	
- Georgetown Green		- Georgetown Green	
- Farm House Red		- Farm House Red	
- Old Colonial Red		- Old Colonial Red	
- Chestnut Brown		- Chestnut Brown	
- Fairfax Brown		- Fairfax Brown	
Deck	Fence **	Bay/Tin Roof	Roofing Shingles
- Chestnut Brown	- Chestnut Brown	- Chestnut Brown	- Black (Charcoal)
- Fairfax Brown	- Fairfax Brown		- Pewter Gray
- Woodchip Brown	- Woodchip Brown		
- Cedar Brown	- Cedar Brown		
- Chocolate Brown	- Chocolate Brown		

** White painted wood fencing is not permitted.

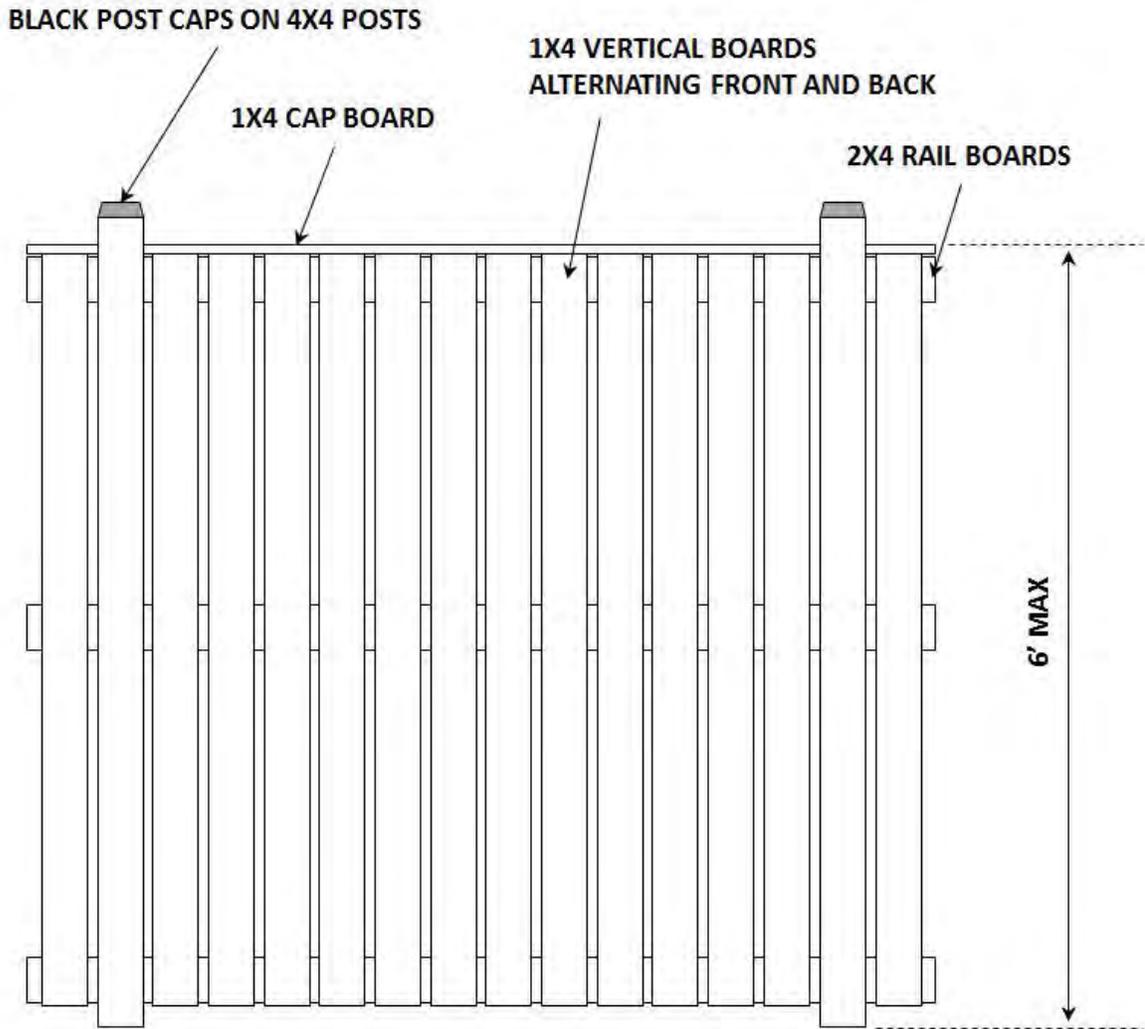
NOTE: Front door and shutter colors can now be coordinated to match. However, for Townhomes, exact same color schemes cannot match next-door neighbor.

The following page highlights the color palette from the original builder, Ryan Homes, with some of the approved colors outlined in black.

Original color palette used by builder (Ryan Homes) for East Stratford A/B.



Appendix 2: BOARD ON BOARD FENCE



Appendix 3: ARCHITECTURAL CHANGE FORM

East Stratford Phase A&B Homeowners Association, Inc.
c/o Sequoia Management Company
13998 Parkcrest Circle - Chantilly, Virginia 20151-2283
(703) 803-9641 Fax: (703) 968-0936

ARCHITECTURAL CHANGE FORM

Instruction: Consult the East Stratford Phase A&B Declaration of Covenants, Conditions, and Restrictions and the Association’s Design Standards for detailed information concerning permitted exterior alterations and the architectural review process. Submit one (1) copy of this application, along with a site plan showing the location of the proposed change and sufficiently detailed plans to permit the Covenants Committee to evaluate the proposed change(s) to the above address. **APPLICATIONS WILL NOT BE REVIEWED WITHOUT COMPLETE INFORMATION AND/OR PLANS PROVIDED.** The Covenants Committee has (45) days after receipt of the completed Application to review and make a decision on each application.

Owner’s Name: _____ Property Address: _____
Home Phone: _____ Work Phone: _____ Email: _____
START DATE: _____ COMPLETION DATE: _____

NOTE: The CC evaluates all submissions on the individual merits of the Application. Evaluation of the design proposal includes consideration of the characteristics of the housing type and the individual lot. What may be an acceptable design in one instance may not be for another.

Homeowner wishes to present completed application to the CC at the next meeting

DESCRIPTION OF EXTERIOR CHANGE

Please provide a full description of the proposed exterior change as indicated below:

- Description of exterior change to be made: _____
- Plat/survey of your property/lot. Indicate location of the proposed change(s) on the plat
- Manufacture’s brochure, sketch, (overhead and side view) and/or photograph showing design/style of the proposed change(s)
- Indicate color/finish. Include color samples, if applicable
- Architectural plans/drawings (for major additions/improvements)
- Grading plan, if applicable
- Describe the improvement(s) on an additional sheet(s) of paper. Incomplete information will delay the processing of the application

=====ACKNOWLEDGMENTS=====

Please obtain the signatures, addresses, and phone numbers of two (2) neighbors who will be most affected by this proposed improvement. Please show the completed application to neighbors in its entirety.

The signature below does not indicate approval or disapproval of the proposed improvement – it merely indicates the awareness of the application. If there are any **OBJECTIONS** to this application, please contact the Architectural Review Board Chairperson immediately.

Signature	Printed Name and Address	Signature	Printed Name and Address
_____	_____	_____	_____

Applicant hereby warrants that Applicant shall assume full responsibility for:

- (1) All landscaping, grading, and/or drainage issues relating to the improvements (including replacing bonds or escrows posted by developer currently in place affecting the lot).
- (2) Obtaining all required City, Town, or County approvals related to said improvements.
- (3) Complying with all applicable City, Town, or County ordinances.
- (4) Any damage to adjoining property (including common area) or injury to third person associated with improvement.
- (5) Applicant hereby states that they have read the Architectural Standards and agrees that all work performed will be in compliance with those standards.

Signature of Applicant: _____ Date: _____

- APPROVED AS SUBMITTED**
- APPROVED SUBJECT TO:** _____
- SUSPENDED PENDING SUBMISSION OF:** _____
- DISAPPROVED DUE TO:** _____

Signature of CC Member _____ Date _____

Appendix 4: GUIDELINES FOR PROPER CARES OF TREES AND SHRUBBERY

Guidelines for Proper Care of Trees and Shrubbery

As homeowners, you are required to maintain your trees and shrubbery. It is especially critical to keep them within your property lines (including the invisible vertical) and have a raised canopy above sidewalks and driveways. Before you decide to trim or prune, read through these guidelines and tips on thinning, trimming, and preservation. They will help you improve your curb appeal and meet HOA standards.

To stay healthy and promote future growth, trees and shrubs require regular pruning of dead limbs and broken branches. When homeowners fail to have trees regularly pruned, this can lead to violations of HOA property maintenance by-laws. In addition, property owners can be held liable for property damages or personal injuries caused by their poorly maintained trees or fallen tree branches. This includes overreaching branches that hang over the neighbor’s driveway, sidewalk, etc. During the winter months, ice and snow accumulation on branches can also cause property damage or personal injuries to you, your neighbors and visitors to the community.

The Loudoun County Government website has helpful information, “Tree Owner Information” which is linked to Treesaregood.org. See the figures below for helpful examples of BEFORE and AFTER tree trimming. Be sure to check out page 2 for an ‘Easy Tree Trimming Guide’ article. Don’t forget to also visit the Town of Leesburg Do and Don’t [Yard Waste](#) and [Brush Collection](#) sites.



Easy Tree Trimming Guide¹

Tree trimming or pruning, when involving all but very large limbs and branches, is a task that can be handled by the average homeowner. When to prune is important. While it can technically be done at any time of the year, arborists recommend trimming trees in the late winter or early spring while they are dormant (i.e. not growing). This helps reduce or eliminate the amount of sap flow from the stump, allowing the tree to retain more of its nutrients.

When to Call in an Expert

If you're inexperienced using the tools needed for the job that must be done, it's time to call a professional arborist, especially with power tools, such as chainsaws or others that harbor the chance for serious injury.

Also, if the limbs you need to remove are especially heavy. When it's possible for the limb to fall improperly and hurt you or an adjacent structure.

Call in a pro if the limbs that need removing are too high on the tree for you to reach. It takes some skill to climb a tree or use the extended tools required for such a job. Also, never use a ladder for these jobs.

If the tree is close to a power line, don't try to do this yourself.

How Much Do Tree Trimming Professionals Charge?

Professional tree trimmers charge, on average, between \$50 and \$90 per hour. Good ones should be members of a professional association such as the International Society of Arboriculture (ISA) and be certified by that association's Certified Arborist program. They should also have proof of insurance, a list of references, and give you a written estimate before beginning work.

Tools of the Trade

Pruning shears – Available in both scissor and anvil action models, the scissor design is often preferred because it makes a cleaner cut.

Lopping shears – Operated with both hands, this scissor-action tool can slice through branches up to 2 inches in diameter.

Pole pruner – Good for reaching higher branches.

Rope saw – Allows cutting of branches located higher on the tree while you remain on the ground.

Portable buck saw – Light weight but very strong.

Chainsaw – For larger jobs, and intended for use by professionals or highly experienced homeowners only.

Hard hat and safety glasses – For personal protection.

Pruning Techniques

There are several general approaches to pruning, each for a specific purpose, including:

Cleaning – removing dead, diseased or weak branches from the crown of a tree

Thinning – removing branches to allow more light to penetrate, reducing stress on heavy limbs and encouraging retention of the tree's natural shape, removing crossing branches that may rub on each other

Raising – removing lower branches to provide clearings for buildings, vehicles, pedestrians and views

Reduction – cutting back tree limbs to reduce the size of the tree and make room for utility lines

Making the Cut

Select a spot about 3 inches from the collar of the branch (the thickened, collar-like place where the parent and child limb intersect) and make a cut about 1/3 of the way through the branch. This will prevent the branch, when severed, from tearing through the collar or the parent branch and harming future growth. Make this first cut on the underside of the limb.

Cut slightly beyond this first slice and cut straight through the branch to be removed.

Make a final cut through the remaining portion of the branch, as near to the collar as possible, without touching the collar itself.

¹ <https://www.doityourself.com/stry/easy-tree-trimming-guide>